

Second Assembly
(O.P 031)



Fifth Session
(092)

THE COUNTY ASSEMBLY OF THARAKA NITHI
SECOND ASSEMBLY – (FIFTH SESSION)
VOTES AND PROCEEDINGS
TUESDAY, JULY 27TH, 2021 AT 2.30 P.M

1. The County Assembly assembled at thirty minutes past two O'clock.
2. The proceedings were opened with prayer said by the Hon. Speaker.
3. **COMMITTEE OF THE WHOLE:**
IN THE COMMITTEE
[Chairperson of the Committees- Hon. John Mucee- in the Chair]

The Tharaka Nithi County Road Asset Management Bill, 2021

Clauses 3& 4)

Motion made and question proposed;
THAT, Clauses 3& 4 be part of the Bill

Question put and agreed to.

Clause 5-Amendment proposed

THAT, Clause 5(e) be amended by inserting the word 'three' immediately after the words 'any other'.

Question put and agreed to.

Motion made and question proposed;
THAT, Clause 5 as amended be part of the Bill

Question put and agreed to.

Clauses 6-7,

Motion made and question proposed;
Clause 6-7, be part of the Bill

Question put and agreed to.

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Clause 8 - Amendments proposed

THAT, Clause 8(1) and 8(3) be amended by deleting the word 'Location' and substituting therefor with the word 'Sub-Location'.

Question put and agreed to.

Motion made and question proposed;

THAT, Clause 8 as amended be part of the Bill

Question put and agreed to.

Clauses 9-11.

Motion made and question proposed;

Clause 9-11 be part of the Bill

Question put and agreed to.

Clause 12-Amendment proposed

THAT, Clause 12(1) be amended by deleting the sub-clause 'Any person who without authority or the consent of the Directorate erects, places or retains a temporary structure on any type of the road shall be guilty of an offence' and substituting therefor with sub-clause 'If a person without authority or the consent of the Directorate erects, places or retains a temporary structure on any type of the road, such a structure shall be deemed as an illegal structure'.

Question put and agreed to.

Motion made and question proposed;

THAT, Clause 12 as amended be part of the Bill

Question put and agreed to.

New Clause 20-Amendment proposed

THAT, the Bill be amended by inserting the following new clause immediately after Clause 19.

20. Building Lines

'Any person constructing a permanent structure in plots or land abutting a classified or unclassified road shall observe a setback distance of —

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- a) between 3m and 6m road with the building line shall not be less than 3m;
- b) between 6m and 18m road width the building line shall be not less than 6m; and
- c) ~~any~~Any road greater than 18m in width, the building line shall be not less than 9m.

Question put and agreed to.

Motion made and question proposed;
THAT, Clause 20 as amended be part of the Bill

Question put and agreed to.

New Clause 21- Amendment proposed

THAT, the Bill be amended by inserting the following new clause immediately after Clause 20.

21. Road Reserve Width

'All roads in Tharaka Nithi County shall have a minimum of road reserve width of 9m for the greatest lengths of the roads except where the width of the road reserve is restricted'.

Question put and agreed to.

Motion made and question proposed;
THAT, Clause 21 as amended be part of the Bill

Question put and agreed to.

Clause 2

Motion made and question proposed;
THAT, Clause 2 be part of the Bill

Question put and agreed to.

Title

Motion made and question proposed;
THAT, the Title be the title of the Bill

Question put and agreed to.

Clause 1

Motion made and question proposed;
THAT, Clause 1 be part of the Bill

Question put and agreed to.

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Progress Report:

Motion made and proposed:

THAT, the Committee do report on its consideration of The Tharaka Nithi County Road Asset Management Bill, 2021 and its approval thereof with amendments

RESOLVED ACCORDINGLY;

THAT, the Committee do report to the County Assembly its consideration of The Tharaka Nithi County Road Asset Management Bill, 2021 and its approval thereof without amendments.

Question put and agreed to.

4. **HOUSE RESUMED** -Speaker in the Chair

5. **THE THARAKA NITHI COUNTY ROAD ASSET MANAGEMENT BILL, 2021**

Progress reported;

Motion made and question proposed;

THAT, the County Assembly do agree with the Committee in the said report.

(Hon. Njagi Mucee John- Chairperson of Committees)

There being no other Member wishing to contribute;

Question put and agreed to.

Motion made and question proposed;

THAT, the Tharaka Nithi County Road Asset Management Bill, 2021 be now read a third time.

Question put and agreed to.

Bill read a third time and passed.

4. **COUNTY ASSEMBLY ROSE** -at five minutes to four O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, 28th July, 2021 at 9.30 a.m.*

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