

# **FINAL DRAFT**

## **THE KASESE DISTRICT (ENVIRONMENT PROTECTION) BILL 2007**

*(Under section 39 of the Local Governments Act 1997)*

**In the exercise of the powers conferred upon District Councils under  
Section 39 of the Local Governments Act (Act 1 of 1997)**

**This Bill is made by the Kasese District Council on**

**The .....day of.....2007.**

**A Bill to provide for the sustainable management of the Environment and provide for public participation in the conservation, protection and management of the Environment and Natural Resources and other matters incidental to or connected with the foregoing.**



# **THE KASESE DISTRICT ENVIRONMENT PROTECTION BILL 2007**

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## **SCHEDULES**

<b>FIRST SCHEDULE</b>	Hills and Mountains to be protected.
<b>SECOND SCHEDULE</b>	Lakes to have 200 m protection zone.
<b>THIRD SCHEDULE</b> 1.	Rivers to have 100m-protection zone.
2.	Rivers to have 30m-protection zone
<b>FOURTH SCHEDULE</b>	Wetlands to be protected

## **PART 1 - PRELIMINARY**

*Citation*

1. This Bill shall be cited as the Kasese District (Environment Protection) Ordinance 2007.

*Interpretation*

2. In this Bill, unless the context otherwise requires,

“Act” refers to the National Environment Act, Cap 153;

“Authority” means the National Environment Management Authority established under section 4 of the National Environment Act, Cap 153

“Board” means the board established under section 8 of the National Environment Act, Cap 153

“Bye-laws” means rule made by the lower local councils under section 40 of the Local Governments Act of 1997;

“Chief” means a chief under section 70 of the Local Governments Act 1997;

“ Developer” has the same meaning as assigned to it under section 1 National Environment Act, Cap 153 and includes, for the purpose of this ordinance, any person who proposes to undertake a new project or to repair, extend or maintain an existing project that falls within the projects provided for in the Third schedule the Act;

“District Environment Action Plan” (DEAP) means the District environment action plan established by the district environment committee under section 18 National Environment Act, Cap 153

“District Environment Committee” is a committee appointed by the district council in accordance to section 14 (1) of the Act

“ Environmental Audit “ has the same meaning assigned to it under section 1 of the National Environment Act, Cap 153 and carried out as provided in section 22 of the Act;

“Environmental Impact Assessment” has the same meaning assigned to it under section 1 and carried out as provided for in section 19 of the Act

“ Environmental impact study” means the study conducted to determine the possible environmental impacts of a proposed project and measures to mitigate their impacts as provided under section 19, 20 and 21 of the Act and as described in regulations 10, 11 and 15 of these Regulations;

“Executive Director” means the Executive Director appointed under section 11 of the Act and includes, for the purpose of these regulations, any person who has been authorised by the Executive Director to act on his behalf or has been delegated to perform the functions of the Authority under section 6(2) of the Act;

“Government” means the Government of Uganda;

“Guidelines” means the guidelines describing the methodology of implementation of the environmental impact assessment requirements adopted by the Authority under section 19(8) of the Act;

“Individual person” excludes corporate entities and means the human person;

“Local councils” includes local Government councils and Administrative Unit Councils referred to under section 4 and 46 of the Local Governments Act 1997;

“Local Environment Committee” is a committee of the lower local council appointed by a lower local government in accordance to section 16 of the act.

“Local Government” is the Local government councils established under section 4 of the Local Governments Act 1997;

“Lower Local Government” includes Municipality, Town, Division, and Sub-county council;

“Mitigation Measures” include engineering works, technological improvements, management measures and ways and means of ameliorating losses suffered by individuals and communities including compensation and resettlement;

“Ministry” means a Ministry of Government;

“Person” means a natural or legal person;

“Technical Committee” means a technical committee appointed by the Board under section 10 of the Act;

“Water” includes drinking water, river, stream, swamp, open drain, or ground water and intercourse, reservoir, dam, etc;

“Wetland” means areas permanently or seasonally flooded by water where plants and animals have become adapted to wetland conditions.

*Application*

**3.** This Bill shall apply to all persons within Kasese District.

*General Principles*

**4.** (1) The District council shall-

- a) Ensure that the principles of environment management set out in the Constitution, the National Environment Act, Cap 153, and all other National legislation are observed;
- b) Promote public participation at all levels of the management and enforcement of Environmental Laws, including Development of policies, plans and processes of management of the environment;
- c) Ensure that every person living in the district enjoys the Fundamental right to a clean and healthy Environment;
- d) Ensure that the people in the district use and conserve the environment and natural resources equitably and sustainably for the benefit of present and future generations;
- e) Conserve and protect the natural the cultural heritage of the District;
- f) Reclaim lost eco-systems where possible and reverse Degradation of Natural resources;
- g) Publish relevant data on the Environment and resource use;
- h) Require prior environmental assessment of the proposed projects, which may significantly affect the environment or use of natural resources; and
- i) Ensure that environmental awareness is promoted at all levels and is treated as an integral part of education in all schools and institutions of higher learning.

(2) Every person while utilising the land shall-

- (a) Carry out soil conservation measures;
- (b) Observe and adhere to all laws, regulations and practices that are in force from time to time concerning that particular activity in which he/she is engaged or is preparing to undertake.

(3) Every person has-

- (a) A duty to maintain and enhance the environment and a duty

to inform the local leaders and the local environment committee of all activities and phenomena that may affect the environment; and

- (b) A right to institute a case in a court of law under this ordinance against any person, who has harmed, is harming or is reasonably likely to harm the environment, including cases involving trans-boundary riverbanks. It shall not be necessary under this Ordinance for the plaintiff or applicant to show that he has an interest in the property, in the environment or land alleged to have been harmed or in danger of being harmed.

*Establishment and functions of District and Local Environmental Committees*

## **PART II – INSTITUTIONAL ARRANGEMENTS**

**5** (1) The District Council shall appoint the District Environment Committee in accordance with section 14 of the National Environment Act

(2) The functions of the District Environment Committee shall include-

- (a) Coordinating the activities of the District council relating to the management of the environment and natural resources;
  - (b) Ensuring that environmental concerns are integrated in all plans and projects approved by the district council;
  - (c) Assisting the development and formulation of bye-laws relating to the management of the environment;
  - (d) Promoting the dissemination of information about the environment through education and outreach programs;
  - (e) Coordinating with the local environment committees and NEMA on all issues relating to environment management; and
  - (f) Receiving reports from local environment committees and preparing a District state of the environment report every year.
- (3) The district environment committee shall prepare a District Environment Action Plan (DEAP) to be reviewed at least every three years. The DEAP shall-
- (a) Cover all matters affecting the environment of the district and shall contain guidelines for the management and

protection of the environment and natural resources as well as the strategies for preventing, controlling or mitigating any deleterious effects;

- (b) Take into account local environment work plans;
  - (c) Be reviewed and modified from time to time to take into account emerging knowledge and realities;
  - (d) Be disseminated to the public;
  - (e) Be in conformity with the National Environment Action Plan;
  - (f) Be binding on all district agencies, local communities and persons within the district.
- (4) Lower Local councils shall on the advice of the district environment committee appoint local environment committees to carry out the following functions-
- (a) To prepare a local Environment Action Plans which shall be merged to form the District Environment Action Plan (DEAP);
  - (b) To carry out public environmental education campaigns;
  - (c) To mobilise the people within its local jurisdiction to conserve natural resources through self help;
  - (d) To mobilise the people within its local jurisdiction to restore degraded environmental resources through self help;
  - (e) To mobilise the people within its local jurisdiction to improve their local environment through voluntary self help;
  - (f) To monitor the activities within its local jurisdiction to ensure that such activities do not have significant impact on the environment;
  - (g) To report any events or activities which have or are likely to have a significant impact on the environment, to the District Environment Officer (DEO) or the local council or such a person as the District council may direct;

- (h) To carry out such other duties as may be prescribed by the District Council or urban council in consultation with NEMA.

*Implementation of environmental impact assessment and permit conditions*

- 6 (1) The district council and local environment committees shall ensure that an environmental impact assessment (EIA) is carried out in accordance with the Act in cases where a development project is likely to, or will cause significant impact on the environment;
- (2) The District Environment Committee may recommend to the District Council to require a developer to make payments in the form of a deposit bond to act as security for good environmental practice.
- (3) In recommending the grant or issuing of licences and permits related to any activity, the district Council and local environment committees shall require the applicant to indicate the likely effects to the environment and the proposed mitigation measures.
- (4) The district /local environment committee shall ensure that the public are notified of the application for the license/permit to provide opportunity to persons who wish to be heard on the matter by the local council.
- (5) The district environment committee may recommend to the district council to-
  - (a) Grant incentives to encourage good environmental behaviour and to conserve natural resources;
  - (b) Impose disincentives on any person to deter damage to the environment and the failure to conserve the environment and natural resources; and
  - (c) To impose user fees so that those who use environmental resources pay the proper value for the utilisation of the resources.

*Environmental standards*

- 7 (1) The district council shall ensure the compliance with environmental standards set by NEMA and shall enforce them as the minimum but may, when necessary, make Ordinances that set higher standards, including-
  - (a) Water standards;
  - (b) Air quality standards;



- (c) Standards of discharge of effluent water;
- (d) Standards regarding noxious smells;
- (e) Soil quality standards;
- (f) Vibration, pollution and noise standards;
- (g) Solid waste disposal standards; and
- (h) Any other standard that shall be deemed necessary by the council.

### **PART III – ENVIRONMENTAL MANAGEMENT**

*Public health*

8. (1) The district council shall issue guidelines to ensure that every person lives in a healthy and clean environment and that every person carries out his duty to maintain and enhance the environment in every place that he/she resides, works, operates, carries on business, and has a duty to manage and minimise waste.
- (2) Every house hold shall have a dustbin or rubbish pit for dumping in all household waste and this dustbin or rubbish pit shall be in use at all times.
- (3) Every Eating, Market and other public places established in the District shall have a rubbish pit used at all times in accordance with the public Health Act.
- (4) Every owner or occupant of a homestead, dwelling house, office or building structure shall ensure that it is clean including the surroundings, bushes or grass cut, hedges trimmed, water pools drained, all garbage collected and properly disposed of.
- (5) Every owner or occupant of a house, building or structure shall ensure that human waste is properly disposed of and shall have and maintain a toilet or pit latrine that must be kept clean at all times. Pit latrines shall be at least 30 metres away from a well or source of water and 10 metres away from a dwelling house; and shall have solid walls, roof, doors capable of maintaining the privacy of the user, and a hand washing facility.
- (6) The municipal council, town council, town boards and trading centres shall collect and manage other waste in their jurisdiction in accordance with this ordinance, the Act and Regulations made there under.

*Protection of water sources*

- 9 (1) Subject to the provisions of the Water Act, the District Environment committee shall set out water management guidelines and in so doing shall-
- (a) Prescribe places from which water may be extracted for use;
  - (b) Regulate water to be used for particular purposes;
  - (c) Prevent any surface and ground water from being polluted;
  - (d) Prevent damage to the source from which water is taken or to which water is discharged after use;
  - (e) Take precautions to ensure that no activities of the land where water is used result in the accumulation of any substance that may render water less fit for the purpose for which it may reasonably be used; and
  - (f) Set out special conditions that may be required to be fulfilled before a permit is issued in accordance with the water regulations.
  - (g) In collaboration with the District Council set controls on activities that may lead to the melting of snow

*Protection of forests and trees*

- 10 (1) The local council shall in consultation with NEMA, the District Forestry services, and the Ministry of Agriculture, issue guidelines for the protection of forests, trees and other Vegetation that is outside the Forest reserves and shall-
- (a) Limit the felling of trees in recreation areas such as green spaces/ belts parks, and forest reserves.
  - (b) Compel Land owners to plant woodlots and protect species of trees such as Mvule and Albizia and other rare and endangered species;
  - (c) Identify the types of trees in the area and encourage the planting of indigenous trees;
  - (d) Encourage community participation in planting of indigenous tree species and ensure that punitive measures are taken against illegal Charcoal Burners and pit sawyers.
- (2) All households must set up and Maintain Woodlots of a minimum of 50 trees each, with the Guidance of the District Forestry Services. In addition to this every household shall plant at least 5 fruit trees.
- (3) Every institution shall plant at least 200 trees on their land for those institutions with land or in their compound as shade trees, boundary

marking, ornamentals, fruit trees and wind breaks for those institutions without land.

- (4) The Forestry Department and the District Environment committee shall ensure that all areas that were under forest cover but have been encroached on due to population pressure practice Agro-Forestry.
- (5) The District Environment Committee shall take the responsibility of tree planting activities, recommend pit sawyers to the District Forest Officers (DFO) for tree felling and educate the public on sustainable use of trees most especially the protected trees.
- (6) The district environment committee shall recommend to the District Engineer alternative designs for classroom furniture and construction of schools in the District, such as Desks designed from scrap metal.
- (7) Tree felling for Firewood, charcoal burning, Timber for construction, shall only be carried out in accordance with the Forest and Tree Planting Act.

*Conservation of biodiversity*

- 11** (1) The District council together with the relevant departments and Technical committees shall ensure the protection of Flora and Fauna and their natural habitats.
- (2) Measures of protection shall include-
  - (a) Land use methods that are compatible with the conservation of Biological Diversity;
  - (b) The selection and management of protected areas;
  - (c) Special measures for protection of species and habitats faced with extinction including but not limited to Birds, Crocodiles, Hippos, Pythons, black fronted dinker, Rwenzori Turraco, three horned chameleon and Frogs;
  - (d) Integrating Indigenous knowledge into measures for conservation of biological diversity;
  - (e) Encouraging the practicing of Agro-forestry and afforestation; and
  - (f) Regulation of resource use.
- (3) The introduction or planting of any exotic animal or plant in the forest, river or wetland is prohibited under this Ordinance.

- (4) This Bill prohibits the poisoning of birds directly or indirectly in Kasese District.
- (5) The District council shall in consultation with the Authority and other relevant authorities make provision for the creation and management of gazetted areas in the District within its jurisdiction, to conserve and protect Biodiversity. In so doing the following considerations shall be taken into account;
  - (a). Unique species of Plants and Animals;
  - (b). Endangered species;
  - (c). Endangered habitats; and
  - (d). Unique physical features.

*Management of hillsides and hilltops*

- 12** (1) Any owner or occupier of private land including mountains and hills shall take measures to protect the land from soil erosion, Degradation and any other such destruction and shall take measures to protect and conserve the vegetation on this land.
- (2) Where the land is public land, the responsibility for conservation shall lie with the Local Environment Committee.
- (3) Notwithstanding the generality of the foregoing, the owner or occupier or Local committee as the case may be shall-
  - (a) Plant trees;
  - (b) Erect wind barriers;
  - (c) Construct Terrace;
  - (d) Prevent bush burning,
  - (e) Prevent overgrazing;
  - (f) Regulate stone quarrying;
  - (g) Regulate lime stone mining; and
  - (h) Any other such activity that may promote conservation and protection of the hillsides.
- (4) A mountainous and hilly area is at risk from environmental degradation if-

- (a) It is prone to soil erosion;
  - (b) Land slides have occurred in such areas;
  - (c) Mud flows have occurred in such areas; and
  - (d) Vegetation has been removed or is likely to be removed from the area at a rate faster than it is being replaced.
- (5) In addition to the measures listed above in subsection (3), the following measures shall be taken on the protected hillsides-
- (i). Trees shall be planted across the hillsides every 50 metres along contour lines, where terracing has been done.
- (6) The measures for protection of hillsides shall include and relate to the following-
- (a) Appropriate farming methods;
  - (b) Establish carrying capacity of the area in relation to animal husbandry;
  - (c) Measures to curb soil erosion through terracing;
  - (d) Protection of water catchment areas by planting indigenous trees species and protecting vegetation cover; and
  - (e) Any other measures that may be necessary.

*Mineral Resources exploitation*

- 13** (1) No person shall explore, mine, extract, crush or otherwise operate a marrum, stone or sand quarry on a commercial scale in the district without an approved environmental impact assessment (EIA) issued by NEMA, in consultation with the Lead Agencies and Local Authorities.
- (2) Mineral prospecting, exploration and exploitation for any purpose shall not be carried out without the necessary procedure as specified by the Mining Act 2003 and the Mining Regulations 2004
- (3) Excavation of earth for Brick making, stone quarrying, limestone Mining, marrum excavation and any other such activity for commercial purposes shall any only be carried out upon obtaining a permit from the district council and other relevant Authority
- (4) The District environment committee shall only issue a permit under

this section where the activity does not pose a significant threat to the environment.

- (5) Fifty percent of the revenues collected by the district environment committee pursuant to this section shall be specifically set aside in a separate fund and shall be used for purposes of environmental protection, particularly restoration in areas where extraction has taken place.
- (6) The permit shall be issued with conditions to ensure protection of the environment and sustainability of natural resources. As a condition to every permit the district council shall require restoration of the environment, including re-vegetation and contouring of the land.

*Management of  
riverbanks and  
lakeshores*

- 14** (1) The district council shall hold in trust for the people and protect all riverbanks and lakeshores for the common good of the citizens of Uganda.
- (2) The district council shall not lease out or otherwise alienate any riverbank or lakeshore.
- (3) The District Environment Committee with the assistance of Local Environment committees shall identify the banks of rivers and the shores of lakes in the district which are at a risk from environmental degradation or which have other value to the local communities and take necessary measures to minimise the risks or recommend to the authority the need for the protection of those areas.
- (4) The following principles shall be observed in the management and conservation of riverbanks and lakeshores-
  - (a) Resources on the riverbanks and lakeshores shall be used in a sustainable manner;
  - (b) An environmental impact assessment is mandatory for all activities likely to have an adverse effect on riverbanks and lakeshores; and
  - (c) Special measures are essential for the protection of riverbanks and lakeshores to prevent soil erosion, siltation and water pollution. These appropriate measures include-
    - i. Prohibition of cultivation of crops along riverbank/lakeshore within limits set forth in this section,
    - ii. Prohibition of communal livestock grazing along the river banks/lakeshore,
    - iii. Mandatory planting of indigenous tree species along the riverbank/lakeshore to avoid soil erosion, and any other form of

degradation

- (5) Subject to subsection (5), hereof no person shall in relation to a river/lake carry out any of the following without a permit-
- (a) Erect, construct, re-construct, place, alter, extend, remove or demolish any structure or part of any structure on or over a river/lake bed;
  - (b) Excavate, drill, or tunnel the bed;
  - (c) Deposit any substance in the river/lake that is likely to have any adverse effect on the environment;
  - (d) Divert drain or block the course of a river/lake;
  - (e) Build any structure or cultivate, plough, clear, or graze animals along riverbanks/lakeshores. It shall be the duty of the landowner to ensure that the land bordering the river or wetland is covered by vegetation including, forest cover, fruit trees and pasture.
- (6) The district environment committee may waive the permit requirement of subsection (4) above with respect to any person, subject to conditions that they may prescribe. These conditions may include-
- (a) Restoration and conservation measures;
  - (b) Environmental impact assessment; and
  - (c) Research regarding the project.
- (7) The district council through the district environment committee shall take all measures that it considers necessary to protect the riverbanks/lakeshores in the district from human activities that will adversely affect the rivers, such as-
- (a) Bunding;
  - (b) Terracing;
  - (c) Tree planting;
  - (d) Grassing;
  - (e) Soil Engineering, compaction and placement of Fills;
  - (f) Zoning and planning;
  - (g) Gabbions; and

- (h) Control of livestock grazing.
- (8) Notwithstanding the provisions of subsection (7) rivers and streams listed in the schedule of this ordinance and their banks are hereby declared protected zones and shall have a 100 and 30 metres reserve respectively along their banks.
- (9) Notwithstanding the provisions of subsection (7) lakes listed in the schedule of this ordinance and their shores are hereby declared protected zones and shall have a 200 metres reserve along their banks.
- (10) No other human activity, except sustainable livestock grazing shall be carried out in the protected zone.

*Management of wetlands*

- 15** (1) The district environment committee shall be responsible for coordination, monitoring, and advising District councils on all aspects of wetlands resource management.
- (2) The local environment committee shall be the implementing organ in conserving and managing wetland resources in its area of jurisdiction.
- (3) The local councils shall provide a schedule of all protected wetlands within their jurisdiction to the District Environment Committee and the District Council, and such schedules shall be added to this Bill.
- (4) No person shall use wetlands without a permit for any of the following activities here below-
- a) brick making;
  - b) recreation activities such as spot fishing, maintenance of green spaces;
  - c) cultivation;
  - d) drainage;
  - e) sewerage filtration;
  - f) fishing using fishing gears and weirs, fish farming and other aquaculture;
  - g) construction of transport and communication facilities such as roads, railways, telephone lines;
  - h) burning; and
  - i) any other exploitative activity which is of a commercial or trade nature.
- (5) Notwithstanding (4) above, the District Council in consultation with the Executive Director may grant temporary permits for the above activities.
- (6) A person who has property rights over land may without a permit and



subject to such restrictions as may be imposed by the local environment committee, carry out the traditional activities provided below-

- (a) Papyrus harvesting for domestic use;
  - (b) Collecting water for domestic use;
  - (c) Extraction of herbal medicines for local use;
  - (d) Fishing for local consumption;
  - (e) Sustainable harvesting of palm leave for handicraft; and
  - (f) Any other sustainable activities, as shall be deemed appropriate by the local council.
- (7) The Executive Director may at any time after consultation with the District council, revoke a permit granted under this ordinance, if he is satisfied that the conditions of the grant of the permit have not been complied with or that the continued use of the wetland is likely to be injurious to the community and environment.

*Fish and other aquatic species*

**16** (1) The district council shall, in consultation with the District Fisheries Department or the Department of Fisheries in the Ministry of Agriculture, Animal Industry and Fisheries, issue guidelines for the protection of fish and other aquatic species in accordance with the Fish Act and the rules made there under including:

- a) The size of the fish nets;
- b) Methods of fishing and collection of other aquatic species; and
- c) Procedures of fish processing and or preservation.

(2) The harvesting, selling or buying of immature fish is prohibited under this ordinance.

(3) The use of poisonous herbs, chemicals, explosives and any other dangerous method to kill, stun or capture fish or other aquatic species is prohibited under this ordinance.

(4) Introduction of Alien species to the water bodies of the district is prohibited unless adequate research has been carried out in consultation with the Authority.

*Sustainable agriculture and food security*

**17** (1) The district council and the relevant Authorities shall ensure the use of sustainable agricultural practices in the district through-

- a) Establishing community seed banks to ensure that people are availed with quality seeds for farming;

- b) Empowering people with skills to manage their agricultural produce;
  - c) Setting up financial incentives for zero grazing and planting of grass for cattle; and
  - d) Promoting Agro-forestry as a way of sustainable agriculture.
- (2) Every household other than those resident in urban councils, landing sites and pastoral areas shall endeavour at all times to cultivate both food and cash crops and maintain such gardens and plantation as may be advised by the authorised officer from time to time.
- (3) Every household shall ensure that it has sufficient amount of food at all times of the year for house hold consumption and shall endeavour to produce surplus for income generation.
- (4) In carrying out farming practices farmers shall use modern farming practices that maintain soil fertility and enhance high yield and increased productivity. These shall include-
- (a) Mulching,
  - (b) Terracing,
  - (c) Bunding,
  - (d) Construction of retention ditches and run off channels,
  - (e) Any other soil conservation measures.
- (5) All farmers and dealers in agricultural produce including seedlings shall adopt and use modern post-harvest handling systems that reduce and curtail losses.
- (6) Every household other than those residing in the urban council or the landing sites or pastoral areas shall have all appropriate seasons a well maintained plot not less than 0.1 ha (1/4 acre) of sweet potatoes and cassava.
- (7) Every household shall store grain, (millet, sorghum or maize) to a minimum of 100 kgs in well-constructed granary, store, or crib or in any other appropriate alternative place in the home and a minimum of 50 kgs of legumes in a family granary. Such crops shall be known as famine-reserved granary and shall not be sold during the prevalence of famine.
- (8) All authorised officers shall take advance precautions and measures to control pests and diseases so as not to affect the productivity in the district and particularly to-
- (a) Control the spread of and resurgence of already existing pests and diseases;
  - (b) Exclusion of pests and diseases not yet in the district but known to exist in the neighbouring districts or agro-ecologies and control pests during storage.
  - (c) Advise farmers and all residents of the district of the best disease and pest control.

- (9) All activities and actions related to vermin control in the district shall be done with the advice of the District Vermin Control Unit and the Uganda Wildlife Authority.

*Animal husbandry*

**18** (1) No person shall stay in the same house with animals

(2) Every household in a location of the district where it is feasible and practical shall endeavour to keep livestock and poultry.

(3) Any household that keeps livestock and or poultry shall maintain them in a sustainable manner and in accordance with sound livestock Management practices.

(4) No person shall slaughter any of the following categories of animals:

a) Immature domestic animal; or

b) In calf heifers unless advised by the District Veterinary Officer or his authorised officer.

(5) Movement of animals shall be in accordance with the provisions of The Animal Diseases Act and the Rules made there under. Details of movement of animals in the district shall be maintained and continuously analysed and reviewed by the District Veterinary Officer.

(6) Any person who requires to move any stock from one sub-county to another or from outside the district to one sub-county or another shall be required to have a movement permit issued by the District Veterinary Officer or his/her appointed representative. The permit shall be issued after the recommendation of the LC1 chairman

(7) There shall be no movement of livestock in the district at night.

(8) Any person requiring to move or transport livestock or poultry to and from or within the district shall do so in a manner that does not amount to cruelty to the animal, cruel methods of transporting animals include overcrowding the animals, carrying birds with part of their limbs hanging, and wrapping animals across bicycle carriers.

*Wildlife and eco-tourism*

**19** (1) The District council and other relevant authorities shall make provisions for the protection and conservation of wildlife in the District.

(2) Protected species of wildlife and their Habitats in the District shall include but not be limited to Crested Crane, Crocodiles, Hippos and Pythons. No killing, hunting or trapping of protected animals shall be allowed in the District.

- (3) The District council and other authorities shall make provisions for the promotion and development of eco-tourism in the District. Bush burning, sport hunting and deforestation in sites listed for eco-tourism are hereby prohibited by this ordinance.

- Physical planning*    **20** (1) The district council and other relevant authorities shall make provisions for the appropriate zoning and designation for particular purposes of areas within its jurisdiction. The District Council shall ensure that-
- a) The council and developers strictly adhere to laws and Regulations relating to physical planning.
  - b) Environmental issues are given due regard in the physical planning.
- (2) The District council, District Environment Committee and other appropriate authorities shall be responsible for monitoring the implementation of any land use plans.

- Access to environmental information*    **21** (1) Every person shall have access to any information relating to implementation of this ordinance subject to the Constitution, the Act, or any other appropriate authority.
- (2) Any person desiring the information for purposes of making a profit shall apply to the appropriate authority and shall be granted access on the payment of a prescribed fee. This fee shall not be excessive and shall be designed to cover the authority's actual costs.
- (3) Freedom of access to environmental information does not extend to proprietary information, which shall be treated as confidential by the local council, NEMA and other appropriate authorities.

- General Penalties*    **22** (1) Any person who contravenes any provision of this Bill commits an offence and shall be liable on conviction to imprisonment for a term not exceeding **one year** or otherwise or a fine not exceeding **50 Currency points** or both.
- (2) In addition to the penalty above, any expenses incurred by the Local council or a person or other public body as a result of the breach of a provision of this Bill or non performance of a requirement under this Bill, shall be recovered as a civil debt from the person convicted.
- (3) Where a person is convicted of an offence created by this Bill which prohibits possession and use of an article, object or thing, the court may order the forfeiture or destruction of the article, object or thing in addition to the penalties above.
- (4) If the breach is in relation to a condition of a licence or permit under the Bill, the license or permit may be suspended or cancelled.
- (5) For the purpose of this section, the Directors of a company and in

case of government or a local authority, the officer responsible shall be held personally liable for any offence under this Bill.

- (6) For purposes of this Bill, a currency point shall be equivalent to the amount stated in the seventh Schedule of the Local Governments Act, 1997 as revised from time to time.

## **SCHEDULES**

### **FIRST SCHEDULE**

Protected hills and mountains.

1. Bikone Hills
2. Bikunya /Kisolholho Hills
3. Bughema Hills
4. Buhuna Hills
5. Bunyakalijo Hills
6. Bunyandiko Hills
7. Busara Hills
8. Buthale Hills
9. Buzira Hills
10. Ihandiro S/County Hills
11. Isule Hills
12. Kaghema Hills
13. Kalonge Hills
14. Kalyamukuhi Hills
15. Kangwanzi Hills
16. Kanyatsi Hills
17. Kasokero Hills
18. Kihara Hills
19. Kihungu Hills
20. Kisanga Hills
21. Kitholhu S/County Hills
22. Kyambogho Hills
23. Kyapa Hills
24. Lhuhira Hills
25. Maghoma Hills
26. Masule Hills
27. Muhindi Hills
28. Nyakazinga Hills

### **SECOND SCHEDULE**

Lakes to have 200m protection zone.

1. L. Edward
2. L. George

### **THIRD SCHEDULE**

#### Protected Rivers

(i) Rivers to have 100m protection zone.

1. River Lhubiriha/Thako
2. River Mubuku
3. River Nyamughasani
4. River Nyamwamba

(ii) Rivers to have a 30m protection zone

1. River Bukangara
2. River Dunguluha
3. River Kabiri
4. River Kanyampara
5. River Kithakena
6. River Muruseghe
7. River Nyamuruseghe
8. River Rwimi
9. River Rwempyo
10. River Sebwe

#### FOURTH SCHEDULE Wetlands to be protected

1. Bukangara
2. Hima
3. Kahokya
4. Kanyampara valley
5. Kasokero
6. Kigoro
7. Kihoro
8. Kisangani
9. Kitswamba
10. Kyanzusu
11. L. Edward Margins
12. L. George Margins
13. Lhubiriha/Thako valley
14. Mubuku/Nkoko
15. Nyamugasani valley
16. Nyamwamba valley
17. Rwigho/Rwimi
18. Sebwe

Rev. Can. Julius Kithaghenda  
**DISTRICT CHAIRMAN**  
**KASESE DISTRICT LOCAL GOVERNMENT**

