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**MACHAKOS COUNTY ASSEMBLY****OFFICIAL REPORT****Wednesday, 30th July, 2014**

The House met at 2.37 p.m.

*[The Speaker (Mr. Munga'ta) in the Chair]***PRAYERS****BILL***Second Reading***MACHAKOS COUNTY WATER BILL 2014**

**Hon. Ndolo:** Thank you Mr. Speaker and the house at large. I am the vice-chairman of Agriculture committee. Mr. Speaker, Sir, I would like to propose the Water Bill to be read the second time. The Machakos County Water Bill, 2014, Bill No. 4 of 2014. Mr. Speaker, Sir, I would like Hon. Raphael Mutuku to second.

**Hon. R. Mutuku:** Mr. Speaker, Sir, I want to second that the Machakos County Water Bill be read for the second time. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Thank you. Proceed.

**Hon. Ndolo:** Thank you Mr. Speaker, Sir. Mr. Speaker, Sir, the Agriculture Committee sat and went through this report, and I would like to read it today.

**Hon. Speaker:** Proceed. Present your report.

**Hon. Ndolo:** Report for Machakos County Water Bill 2014.

**Preamble**

Mr. Speaker, Sir, the Machakos County Water Bill 2014 was committed to the Committee of Agriculture, Environment and Natural Resources after the first reading in the house as per the Standing Order No. 121(1) which states that a Bill having been read a first time shall stand committed to the relevant sectoral committee without question put.

Mr. Speaker, Sir, according to Standing Order No. 121 clause 4, the chairperson of the sectoral committee to which a Bill is committed or a member designated for the purpose by the committee, shall present the committee's report to the house within 20 calendar days of such

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committal and upon such presentation or if the committee report is not presented, when it becomes due, the Bill shall be ordered to be read second time on such a day as the house business committee shall, in consultation with the member or the committee in charge of the Bill appoint.

Mr. Speaker, Sir, in line with provisions of constitution, I hereby present to this hon. House the Committees report on Machakos County Water Bill 2014 which Committee on Agriculture discussed and made recommendations to the County Assembly for consideration.

Mr. Speaker, Sir, the Agriculture, Environment and Natural Resources Committee currently constitutes of the following Hon. Members

- Hon. Joseph Musyoka - Chairman
- Hon. Philip Ndolo - Vice Chairman

And the following are the Hon. Members of the Committee:

- Hon. Isaac Muinde
- Hon. Gideon Kavuu
- Hon. Kyalo Kyuli
- Hon. Charles Mutisya
- Hon. Wilson Kasimu
- Hon. Felix Ngui
- Hon. Nathaniel Nganga
- Hon. Geoffrey Munyao
- Hon. John Sila
- Hon. Edrick Ngunzi
- Hon. Joseph Itumo
- Hon. Joshua Mwonga
- Hon. Alex Kamitu
- Hon. Raphael Mutuku
- Hon. Bibiana Nduku
- Hon. Nina Mutiso
- Hon. Veronica Mbithe
- Hon. Jacqueline Munyao
- Hon. Catherine Nguluku
- Hon. Jacinta Luka

Mr. Speaker, Sir, the Agriculture, Environment and Natural Resources Committee, has been extensively involved in various sittings to discuss the Machakos County Water Bill 2014.

Mr. Speaker, Sir, in line with the constitution Article 196, clause 1 (d), the Committee also invited the participation of the public as per Standing Order No. 121, clause 3, which states that the Committee to which a Bill is committed shall facilitate public participation and shall take

into account, the views and recommendations of public, when the Committee makes its report to the house.

The Committee held public hearings in eight sub counties namely Masinga, Yatta, Mwala, Kathiani, Mavoko, Kangundo, Matungulu and Machakos Central.

### **Committees' views on Bill**

Mr. Speaker, Sir, the members proposed for establishment of Machakos County Water Board, which would consist of Chief Officer from the department of water, Chief Officer from the department of finance, and Non-executive member as a chairperson. Some professionals like an engineer, an accountant and a member from business community to manage the Water and Sanitation services and be vetted by the County Assembly.

In addition, Mr. Speaker, Sir, the members resolved that the existing board be dissolved and be replaced by the Machakos County Water Board. Members also suggested, the Machakos County Water Board at County level and Inspectorate unit at wards and agreed the term for board in office be three years. Further, Mr. Speaker, Sir, members suggested the Bill to have some measures on control of pollution quoting the issues on Mavoko, MAWASCO and the EPZ.

Mr. Speaker, Sir, members proposed the Bill should ensure untreated water is not released into water resources and treat effluent water and recycle it for irrigation in the county.

Mr. Speaker, Sir, on the issue of Masinga-Kitui water project, members agreed the project to be taken to the house for discussion and the Assembly appoints a committee to look into the matter immediately. In addition, members agreed water provider to be licensed and allocated region to offer the services and arrange the piping. Further, they said that the County government can partner with other counties for the purpose of providing water services.

Finally, members suggested that clause 35 which reads- County Public Works to be changed to County Water Public Works. Mr. Speaker, the members also agreed, the word license in partner 1 section 2 of the Bill to read licensee.

### **Public views on the Bill**

Mr. Speaker, Sir, the public requested for the clarity on the point of compulsory acquisition of the land under clause 36.

They proposed the Bill to show all calculations and amount to be paid as compensation for the wayleave. In addition, the public also wanted the bill to indicate which license would be available from the County and the National government respectively.

Further, the public proposed the Bill to give proposal on chemical composition of water, such as the level of salt in water because residents of Athi River are being supplied with salty water and Athi River has fresh water and in any case, the Bill can propose for treatment of salty water.

Mr. Speaker, Sir, the public needed the bill to come up with solution to prevent pollution of the water sources, quoting the issue of water misuse in Athi River from Kasoito to Kinanie.

In addition Mr Speaker, Sir, the public requested the bill to spell clearly how to deal with those who dump refuse in undesignated areas and also how to deal with those who supply contaminated water.

Finally, Mr Speaker, Sir, the public proposed the Bill to provide for more boreholes and have borehole water tested each year and also harvested water be incorporated in the Bill. Thank you, Mr. Speaker, Sir. I call Raphael Mutuku to second it. Thank you.

**Hon. R. Mutuku:** Mr. Speaker, Sir, I stand here to second the report that has been read by the vice chairperson Agriculture Committee. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** Thank you. The report is properly before the house for debate, I open the floor for the proposals. Those who propose the report you can begin giving your presentations. Proposers of the report? Alright, opposers of the report? Then I take it that the report is good.

**Hon. Nganga:** Thank you Mr. Speaker, and the house at large. Mr. Speaker, I rise to support the report of the Committee on Agriculture realizing that we would want the alignment of the various water service providers within the entire county. Mr. Speaker, realizing that the function of the provision of water services was devolved in the new constitution and the Bill was used to govern the provision of water services was the water Act of 2005.

Mr. Speaker, for the function to be properly delivered and implemented, there was the need of this Bill so that the various water service providers within our municipal or town councils or even in the rural areas can be restructured to comply or to be properly aligned with the expectations of the new constitution. And this Bill comes in earnest to address that matter, so that the various water service boards can now be responding or sending their reports to the County Chief Executive Officer in charge of water.

Mr. Speaker, further to that, there are issues of the quality of water that is being provided to our urban area residents and that is why the matter on clarity of definition of water, the salty water and the fresh water rose during the committee discussion and there was need especially for our Athi River residents and Mlolongo area residents. Most of the time, whenever there is sub-contracting or provision of water to the residents of these areas, some unscrupulous water dealers end up supplying our people with salty water in the disguise that the water is fresh.

Mr. Speaker, through the enactment of this Bill, we shall control such matters whereby our people are supplied with improper kind of water while they are duped to believe it is fresh water that is supposed to be supplied.

Mr. Speaker, you also realize that we have challenges within electoral areas whereby we have boreholes and earth dams that were done and put under the management or supervision of the water service providers like in my ward in Ikombe, we have several boreholes and earth dams that were done by the ministry of water and after the completion they were put under the supervision of Yatta water services Board. Mr. Speaker, some of these boards are far away from the rural areas, where various challenges like breakdown of bore holes and poor management of our earth dams do happen most of the time.

And when as the Act has stipulated and has proposed, when the management of the water issues is taken to the ward level, that matter will make the board to be more responsive to all issues pertaining water that are affecting our people. So therefore, I stand to propose and support the enactment of this Bill and be part of the proposers of the report of our committee. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you very much.

**Hon. M. Mutuku:** Thank you Mr. Speaker. I stand here to second enactment of Machakos County Water Bill. However, with some amendments or some concerns. Mr. Speaker, Sir, as you are aware, water is a basic necessity for life and before the county government came in power or came in existence, we used to have Municipalities within Machakos County. And most of the time, the water was being controlled by municipalities, then later the water came to be controlled by legal water providers.

Mr. Speaker, Sir, as I talk right now, we have some organisations which are not legal water providers and they are trading with water which is supposed to be traded by legal water providers. In other words, they are competing with legal water providers.

Mr. Speaker, for example in Mavoko sub county, we have a major challenge with a non-legal water provider which has been trading water, within Mavoko sub county, in Machakos county and I think it is the high time this Bill should actually discourage or bar organizations which are not registered as a legal water providers in line with the provision of the constitution. They should be denied to trade water. And for that case, we have EPZA, in Athi River, Mavoko Sub County.

The other issue, Mr. Speaker, Sir, we also have some infrastructure which was for the municipalities and I think it is the high time the infrastructure should revert to the county. For example in Athi River, Mavoko Sub County, we have infrastructure for the sewerage system which was constructed with tax payers' money by the government of Kenya. Over and above that, we have infrastructure which Machakos County receives water from Ndakaini, all the way to Mavoko sub county.

That bulk line for the water was constructed with tax payers' money but still it is in the hands of private non-legal water provider that is the EPZA. Also to make the information clear to the hon. members, EPZA operates within Machakos County and in law, it is not supposed to be trading water.

The other concern which I would like to be included in this Bill is Mr. Speaker, Sir, we have some other private individuals who normally supplement water especially in urban areas, when there is a challenge of water.

However, in line with Finance Bill which we passed sometimes back, those people are being charged exorbitant prices and I think water being a basic commodity of life, it is very important for the fee which they are being charged for the private people who normally supplement water, when there is no water within the county, the fee should be a bit realistic and achievable. With those few observations, I hereby stand to support the enactment

of this Bill, Machakos County Water Bill 2014. Thank you.

**Hon. Speaker:** The next proposer, the floor is still open.

**Minority Leader (Hon. Kasoa):** Mr. Speaker, I support this Bill. It streamlines the restructuring of water providers and I thank the Agriculture committee because they have come with the Machakos County Water Board. Currently we have different water boards in each Sub County and each board, charges water differently.

You will find that like in Mwala, we have a water board which charges Ksh. 5 for a 20 litres jerricans but if you come here to Machakos, it goes for Ksh 3. So if we have Machakos County Water Board, which is one board across the county, it will be able to streamline the charges of water in the County. Thank you very much Mr. Speaker.

**Hon. Speaker:** Thank you. Yes, further points in support. The floor is open. Then can we hear the mover of the motion.

**Hon. Ndolo:** Thank you Mr. Speaker and the house at large. Mr. Speaker, Sir, as we understand in this county, water is a priority. And I would like to thank these members for supporting this Machakos County Water Bill to become a law. Thank you.

**Hon. Speaker:** As it is required by the standing orders then the house converts to a whole house and the chair will take the appropriate position and proceed with the proposals of the amendments. I shall return on advice. Thank you.

**(Then)**

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[Mr. Speaker left the Chair]*

### IN THE COMMITTEE

*[Mr. Chairman (Hon. Ndolo) took the Chair]*

### THE TRADE DISPUTES (AMENDMENT) BILL

..... *(inaudible)* relevant field from a recognized university. Have had experience in management for a period of not less than five years. The chief executive officer shall hold office for a period of three years on such terms and constitute conditions of employment as the board may determine and shall be eligible for appointment for a further final term of three years. The Chief Executive Officer shall be an ex-officio member of the board and shall have no right to vote at any meeting of the board

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The Chief Executive Officer shall be responsible for;

- The day to day management of the affairs of the board
- The staff of the board in the performance of the functions and duties.
- The general administration of the cooperation
- Carry out any other functions as may from time to time be assigned by the board

**Hon. Chairman:** I propose the question that a new clause 11 be part of the Bill

*(Question put and agreed to)*

### **Clause 12**

#### **Removal of the Chief Executive Officer**

The Chief Executive Officer may;

- At any time resign from the office by issuing notice in writing to the chairperson of the board
- Be removed from office by the executive member on recommendation of the board for-
  - a) Serious violation of the constitution or any other written law.
  - b) Gross misconduct whether in the performance of the functions of the office or otherwise.
  - c) Physical or mental incapacity to perform the functions of the office.
  - d) Incompetence.
  - e) Bankruptcy.

**Hon. Chairman:** I propose the question that clause 12 be part of the Bill  
I propose the question that the new clause 12 be read the second time.

*(Question put and agreed to)*

### **Clause 13**

#### **Staff of the Board**

The board may in consultation with the County Service Board, appoint such officers and other staff as a necessary procedure for proper discharge of its functions under this Act on such terms and conditions of service as the board may determine.

**Hon. Chairman:** I propose the question that a new clause 13 be part of the Bill. I propose the question that the new clause 13 be part of the Bill.

*The Question was put and agreed to*

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## **Clause 14**

### **Supply of water**

Clause 14 (1) the board shall progressively ensure that;

- Every person in the County Assembly has access to safe and clean water for domestic use within reasonable distance.
- There is accessible water for agriculture, livestock, wildlife and industrial use.
- Equitable distribution of water between consumers in urban and rural areas

The board may enter into service performance agreement with any other entity in carrying out its functions.

**Hon. Chairman:** I propose the question that a new clause 14 be part of the Bill. I propose the question that the new clause 14 be part of the Bill.

*(Question put and agreed to)*

## **Clause 15**

### **Development of water works**

Clause 15(1) - the board may erect or develop water works and other public works on a public or private property

Clause 15(2) -notwithstanding provisions of sub section 1, the board shall seek consent of the owner of private land or the relevant government agency occupying or in whose custody the public land fall, where it seeks to erect any water works or public works, and shall provide for prescribed compensation.

Clause 15(3) - the board shall in collaboration with the department of roads, identify and establish specific areas on any road where public works under this Act may be carried out.

Clause 15(4) - the board shall seek easement from occupier or owner of any land for construction of water works or public works, to be undertaken on such land.

**Hon. Chairman:** I propose the question that a new clause 15 be part of the Bill I propose the question that the new clause 15 be part of the Bill.

*(Question put and agreed to)*

## **Clause 16**

### **Community projects**



A community may initiate a project for water services with the approval of the board

**Hon. Chairman:** I propose the question that a new clause 16 be part of the Bill  
I propose the question that the new clause 16 be part of the Bill.

*(Question put and agreed to)*

**Clause 17**  
**Water tariffs**

5(1) - the board may levy tariffs and any appropriate user charge for the purposes of supplying efficient water services

(2)- the tariff and user charges levied under this sub section shall be established in accordance with the principles set out under the county government Act 2012 and any other written law.

(3)- the tariff and user charge collected under this section shall not form part of the county revenue fund and may be utilized for defraying expenditures of the board and providing efficient and quality services under this section.

(4)- the tariffs and user charges imposed or levied under this section, shall be subject to approval by the County Executive Committee.

**Hon. Chairman:** I propose the question that a new clause 17 be part of the Bill. I propose the question that the new clause 13 be part of the Bill.

*(Question put and agreed to)*

**Clause 19**  
**Prohibited activities**

19(1) - a person shall not-

- Interfere with any meter or equipment installed under the authority of the board.
- install illegal or unauthorized water connections
- install a pipe or connection which does not comply with the approved standards

(2)- a person who contravenes this section commits an offence and shall be liable to a fine not exceeding Ksh. 100,000 or to imprisonment for a term not exceeding one year or both.

**Hon. Chairman:** I propose the question that Clause 19 be part of the Bill  
I propose the question that the new clause 19 be part of the Bill.

*(Question put and agreed to)*

**Clause 20****Permit for water works**

6(1) a person intending to carry out or maintain any water works shall apply for a permit to the board.

(2) a person ,prior to the commencement of this Act was carrying out water works, managing or maintaining any water works, shall within 60 days apply for a permit.

(3)- a person who contravenes this section, commits an offence and shall be liable to a fine not exceeding Ksh. 100,000 or to imprisonment to a term not exceeding one year or both.

**Hon. Chairman:** I propose the question that clause 20 be part of the Bill. I propose the question that the new clause 20 be part of the Bill.

*(Question put and agreed to)*

**Clause 21****Application for a permit**

21(1) - an application for a permit under section 20 shall where applicable be accompanied by an environmental impact assessment report, in accordance with the environmental management and coordination Act 1999 and shall specify among others-:

- The purpose and nature of the works to be undertaken
- the nature of works to be carried out
- the duration within which the works are expected to be completed

(2)- the board shall where the construction of works are to be undertaken on public property, or where the works will affect a cross section of the residents , issue a public notice within 14 days after which such an application and invite any person to make comment on objects to search an application.

(3)- A person may lodge an objection to application for a permit

(4)- Every objection to an application shall be made in writing to the secretary of the board setting out the grounds for such of an objection.

(5) The board shall upon receiving the application, send a notice to the objection, received to the applicant for a permit.

(6)- The board may where appropriate conduct public hearings on the objection.

(7)-an objector or an applicant for a permit may appear personally or by an advocate at the hearing of an application.

(8)- the board shall consider the application within 30 days of search an application and may where it is satisfied that the applicant has fulfilled all the requirements of this Act, or any other written law, grant a permit in the prescribed form subject to any search condition as may be prescribed and upon the application, paying the prescribed fees.

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(9)- Where the board is not satisfied with the application, it may -:

- Reject the application, giving reasons and notifying the applicant accordingly within 30 days of the decision to reject or
- Make comments and recommendations thereon and return it to the applicant within 30 days

(10)- An applicant to whom the application is returned under sub section 9(b), may resubmit the application within 60 days.

(11)- on receipt of any revised application under sub section 10, the board shall within 30 days determine the application, in accordance with this act and upon such determination, if satisfied, issue permit.

**Hon. Chairman:** I propose the question that Clause 21 be part of the Bill. I propose the question that the new clause 21 be part of the Bill.

*(Question put and agreed to)*

## **Clause 27**

### **Nature of water license**

27(1) (a)- A license shall authorize and to the extent provided therein, require the provision by the licensee of water services, specified in the license.

(2) There is no property in license and except provided by this Act, a license shall not be capable of being sold, leased, mortgaged, transferred, attached, otherwise assigned,....(Inaudible).....or encumbered.

(3)- The board may require the applicant to deposit a guarantee or other acceptable security for the purpose of securing payment by the applicant or when any expenses revocable from the person as a licensee for or towards the cost incurred in discharging the function of the licensee in cases of default.

(4)- Every licensee shall ,within 12 months of receipt of the license or such longer period as the board determine, formulate and present to the board a development plan for extending services to unreserved persons within its area, a time frame for the implementation of the plan and resource mobilization strategy.

**Hon. Chairman:** I propose the question that clause 27 be part of the Bill. I propose the question that the new clause 27 be part of the Bill.

*(Question put and agreed to)*

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Clause 35(h)- insert the following after the word systems including conservation of wet lands and forest, water saving technologies and ground a quiver recharging.

**Hon. Ndolo:** I propose the question that clause 35 be part of the Bill. I propose the question that the new clause 35 be part of the Bill.

*(Question put and agreed to)*

### **Clause 48**

#### **Storm water management plan**

48(1)- for the purposes of this section, a water catchment area means, an area of land that water can drain across over or under, to a common point on a stream ,river, lake or wet land

(2) -there shall be for each town and urban area, a water shed storm water management plan in accordance with the prescribed standards.

(3) - the town administrator or any officer responsible for managing an urban area shall ensure that the storm water management plan is developed and implemented through a consultative process

(4)- The storm water management plan shall among others:-

Identify survey and inventory existing conditions that affect storm water runoff

Address issues of flooding, ground water recharge, stream erosion and water quality.

(5) - a person or entity engaged in land development activity , construction of a building or any physical infrastructure that is exposed to water but precipitation or any owner of such constructed infrastructure shall develop and implement a storm water management plan or a sub - catchment basis in accordance with the prescribed standards

(6)- Any person constructing a road shall ensure that there is a built in storm water management plan and system for that road.

(7)- Any construction of a building, physical infrastructure or a road shall not be approved unless the construction as a storm water management plan to be implemented.

(8)- A person who contravenes this section commits an offence and shall.

if a corporate body, be liable to a fine of Ksh 500,000 or if an individual ,to a fine not exceeding Ksh 50,000 or imprisonment for a term not exceeding three months or both.

**Hon. Chairman:** I propose the question that clause 48 be part of the Bill. I propose the question that the new clause 48 be part of the Bill.

*(Question put and agreed to)*

### **Clause 49**

#### **Reduction of runoff water**

(49)1- the owner of a house, property or building shall:

Install rain barrels with sufficient capacity to store water from the building

Where applicable not permit storm water to become runoff

Reuse or recycle storm water collected for other purposes in the premises

(2)- a person who contravenes this section commits an offence and shall be liable to a fine not exceeding Ksh 20,000 or imprisonment for a term not exceeding one month.

**Hon. Chairman:** I propose the question that clause 49 be part of the Bill.  
I propose the question that the new clause 49 be part of the Bill.

*(Question put and agreed to)*

### **Clause 50 Riparian buffers**

(50)1- For the purposes of this section a riparian buffer is an area around or situated next to bodies of water , that act as buffer or cushion to that water body

(2) The board in collaboration with the government agencies and local residents shall develop or restore riparian buffers along rivers, waterways or any other body

(3)- No person will interfere with a restored riparian buffer in a way that exposes it to run off water

(4) A person who contravenes subsection 2 commits an offence and shall:-

If a corporate body be liable to a fine not exceeding Ksh. 500,000

If an individual, be liable to a fine of Ksh. 50,000 or to imprisonment to a term not exceeding two months.

**Hon. Chairman:** I propose the question that clause 50 be part of the Bill. I propose the question that the new clause 50 be part of the Bill.

*(Question put and agreed to)*

### **Insert part 6; insert clause 37- Sanitation services and pollution control**

**Hon. Chairman::** I propose the question that clause 37 be part of the Bill. I propose the question that the new clause 37 be part of the Bill.

*(Question put and agreed to)*

### **Clause 52 Provision of sanitation services**

(52) -the board shall either directly or through public private partnership:

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Provide necessary sanitation facilities and services  
Construct, operate and maintain extensive system of sewers and treatment facilities to meet applicable discharge requirements.

**Hon. Chairman:** I propose the question that clause 52 be part of the Bill.  
I propose the question that the new clause 52 be part of the bill.

*(Question put and agreed to)*

**Clause 53**  
**Compliance with effluence standards**

53 (1) A person or entity when disposing final effluent, comply with the guidelines prescribed by Kenya Bureau of Standards.

A person who contravenes sub section 2 commits an offence and shall:-

If a corporate body, be liable to a fine not exceeding Ksh. 500,000 and

If an individual, be liable to a fine of Ksh. 50,000 or to imprisonment to a term not exceeding two months.

**Hon. Chairman:** I propose the question that clause 53 be part of the Bill. I propose the question that the new clause 53 be part of the Bill.

*(Question put and agreed to)*

**Clause 54**  
**Discharge of contaminated water or effluent**

(54)1 A person shall not discharge or dispose any contaminated water on effluent, unless in accordance with the prescribed guidelines and the standards

(54)2 A person who contravenes sub section 1 commits an offence and shall upon conviction.

If a corporate body be be liable to a fine not exceeding Ksh. 500,000 and

If an individual, be liable to a fine of Ksh. 50,000 or to imprisonment to a term not exceeding two months or both.

**Hon. Chairman:** I propose the question that clause 54 be part of the Bill  
I propose the question that the new clause 54 be part of the Bill.

*(Question put and agreed to)*

**Clause 55**  
**Interference with sewerage system**

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(55)1- a person shall not interfere with any sewerage facility or system unless with a written consent of the corporation for the purposes of carrying out works within the area of the facility or system.

(55)2- a person who contravenes this section commits an offence and shall be liable to a fine not exceeding Ksh. 500,000 or to imprisonment for a term not exceeding three years.

**Hon. Chairman:** I propose the question that clause 55 be part of the Bill.  
I propose the question that the new clause 55 be part of the Bill.

*(Question put and agreed to)*

### **Clause 56** **Sewerage tariffs**

(56)1- subject to the county government Act and any written law, the corporation may impose tariffs or levy sewerage services levy on water and sanitation services for the purposes of disposal of water or sewage.

(56)2-the tariffs imposed or levied under this section shall be subject to approval by the County Executive committee.

**Hon. Chairman:** I propose the question that clause 56 be part of the Bill. I propose the question that the new clause 56 be part of the Bill.

*(Question put and agreed to)*

### **Clause 57** **Sector wide forum**

(57)1- the board shall constitute and convene the water and sanitation services sector wide forum.

(57)2- the sector wide forum shall consist of all stake holders in the water and sanitation sector as shall be prescribed.

(57)3- the role of the sector wide forum shall be:

- Review and deliberate on water resources management and sanitation services.
- Propose policy or legislative intervention for the effective implementation of this Act.
- Participate in development of measures, plans and strategies for implementing this Act.

(57)4-the sector wide forum shall meet at least once every three months

**Hon. Chairman:** I propose the question that clause 57 be part of the Bill. I propose the question that the new clause 57 be part of the Bill.

*(Question put and agreed to)*

**Clause 38(2)**

**Prescribed guidelines for development of water shed storm management plans**

Prescribed guidelines for sanitation systems and standards declare certain areas to be water protected areas.

**Hon. Chairman:** I propose the question that clause 38(2) be part of the Bill. I propose the question that the new clause 38(2) be part of the Bill.

*(Question put and agreed to)*

**Clause 2**

**Hon. Chairman:** I propose the question that clause 2 be part of the Bill. I now put the question that clause 2 be part of the Bill.

*(Question put and agreed to)*

*(Schedule agreed to)*

*(Title agreed to)*

*(Clause 1 agreed to)*

Members, I do put the question that the Committee does report to the house its consideration of the Bill as approved, with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[Mr. Speaker in the Chair]*

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**REPORT AND CONSIDERATION**

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**Hon. Ndolo:** Thank you Mr. Speaker. I wish to report that the committee does report to the house its consideration of the Water bill 2014 and its approval with amendments. Thank you, Sir.

**Hon. Speaker:** OK. I note that that has been achieved. Then I proceed to put the question that those in agreement with the report as presented with amendments that the Machakos County Water Bill be read for a second time.

*(Question put and agreed to)*

### **ADJOURNMENT**

Hon. Speaker: And that marks the close of today's debate. The matter will come up tomorrow for the third reading. Thank you and have a good evening.

The House rose 3.38 p.m.