

I ASSENT THIS 22nd DAY OF May 2015

ALIYU MAGATAKARDA WAMAKKO
GOVERNOR
SOKOTO STATE OF NIGERIA

LAW NO. 7 2015

A LAW TO PROVIDE FOR ENVIRONMENTAL
SANITATION AND CONTROL OF WASTE IN SOKOTO
STATE AND RELATED MATTERS.

BE IT ENACTED by the House of Assembly of Sokoto State
of Nigeria as follows:

Citation

1. This law may be cited as the Sokoto State Environmental Sanitation Law, 2015.

Interpretations.

2. In this Law, unless the context otherwise requires:

"appropriate Local Government" means any Local Government having jurisdiction over a specific area for the purpose of this Law;

"authorized officer" means any environmental health officer or any member of staff duly authorized in writing by the Ministry of the Environment or the Local Government;

"Commissioner" means the Commissioner of the Ministry charged with the responsibility for Environment in the State;

"industrial waste" means waste generated from any premises used wholly or partially for the purpose of manufacturing or servicing operation or business and it includes waste from mines or quarry;

"Ministry" means Ministry charged with the responsibility of Environment in the State and where the context so admits, includes its related Agency or Parastatals;

"occupier" means a tenant, a resident or a user of tenement;

"owner" means a landlord, a state lessee, a joint owner, tenant for life, mortgagee in possession or any person in actual possession and it includes a person acting with the authority of the owner;

"person" means an individual and shall include a limited liability company or an organization duly registered under the Companies and Allied Matters Act 1990;

"refuse" means garbage and other discarded solid material from agricultural operation and from community activities and it includes solid or scrap building materials;

"State" means the Sokoto State of Nigeria;

"structure" includes a fence, kiosk, sanitary vehicle used for the display of wares or cafeteria;

"tenement" means land with building which is held or occupied as distinct or separate holding or tenancy of any wharf or pier and it includes a shop or market stall; and

"waste" includes waste of all destructions of any substance which constitutes scrap materials, an effluent or other unwanted substances arising from application of any process.

*Monthly environmental
sanitation exercise*

3. (1) There shall be a monthly environmental sanitation exercise in the state.

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(2) The monthly environmental sanitation shall take place on every last Saturday of the month between the hours of 7:00am to 10:00am.

(3) There shall be restricted, the movement of persons and vehicles in the state during the hours of monthly sanitation except the special utility vehicles and persons on special assignment.

(4) The Governor shall when the need arises, have power to suspend or shift to another day, the monthly sanitation exercise for a particular month.

*Duty of the owner, tenant
occupier, etc*

4. As from the commencement of this Law, every owner, tenant or occupier of any building shall:

- (a) keep clean the sidewalks and gutter area (45 cm from the side walk into the street) along the building frontage, sides and back at all times;
- (b) bind all old newspapers, loose papers, rubbish and rags before putting out for collection;
- (c) put refuse into securely tied plastic bags or leak proof dustbins as may be approved by the Ministry with tightly fitting lids;
- (d) keep refuse dustbins within their premises until the time of collection;
- (e) ensure that refuse dustbins are covered at all times with tight fitting cover;
- (f) not dump yard sweepings, hedge cuttings, grass, leaves, earth, stones, bricks or business waste with household refuse;

- (g) not use dustbins which may be leaking or permitting litter to escape or which might injure people handling them; and
- (h) not litter, sweep out, or throw ashes, refuse, paper, nylon, and rubbish into any street, public place or vacant plot.
- Cleanliness of back yard* 5. As from the commencement of this Law, every owner, tenant, and occupier of any building shall ensure the cleanliness of his premises, particularly the backyard and the courtyard.
- Cleanliness of toilets/bathrooms in restaurants/ hotels, etc* 6. As from the commencement of this Law, every owner or operator of a restaurant, hotel, night club or school shall ensure the cleanliness of all toilets and bathrooms within the premises.
- Use of sanitary litter bins* 7. (i) No pedestrian shall dispose of any scrap paper, newspaper, candy wrapper, fruit skin and similar refuse anywhere except in the designated refuse disposal site.
- (ii) No person shall use litter bin for household refuse, commercial or industrial waste.
- Every commercial vehicle to carry litter bins* 8. (1) As from the commencement of this Law, every commercial vehicle in the State shall carry a litter bin for the use of the passengers.
- (2) No passenger shall throw any litter, fruit skins, scrap paper or other item onto the road from any vehicle.
- (3) Where no bin is provided the driver shall be liable for any contravention of Subsection (2) of this Section.
- Obstruction and improper disposal or dumping of refuse* 9. (1) All side-walks shall be free from obstruction to allow free flow of pedestrian traffic.
- (2) All streets shall be free from obstruction and from construction or demolition materials.

*Prohibition
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(3) No person shall dump indiscriminately any domestic, industrial or commercial waste, or discarded vehicle spare parts or tyres along highways, roads, channels, gorges, vacant land directly or through private operators except at designated refuse disposal sites.

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*Prohibition of pasting of
handbills by individuals
and protection of
Government posters, etc.*

10. No person shall:

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(a) paste any handbill, poster, notice, sign or advertisement that bears the name of his organization or business on side-walks, trees, bridges, abutment, public dustbin hydrant, highway or on any street without the permission of the appropriate authority;

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(b) tear down, deface or destroy any notice handbill, sign, advertisement or poster put up or posted by or under the direction of the Government or any of its agency.

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*Structure on road set back
and abuse of open spaces*

11. (1) No person shall:

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(a) construct or put any structure on roads, footpaths or on the required road setbacks;

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(b) use any road, street or other setback as a mechanic workshop;

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(c) display, sell or buy goods on roads, bridges and road setbacks;

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(d) cook or sell any food on road, rail tracks, bridges and road setbacks;

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(e) defecate or urinate in the drainage or any open space; and

(f) organize or hold social parties or religious activities on any major road.

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(2) No person shall allow cattle, goats, sheep or other animals to roam on the road or any open space.

Prohibition of cutting roads without approval

12. (1) No person shall dig across any road for any purpose without a prior written approval or permit of:

(a) the State Ministry of Works or its Agency or Parastatal; or

(b) any relevant state organization; or

(c) an appropriate Local Government.

(2) It shall be the duty of the person who lawfully digs a road to reinstate the part of the road dug within seven days.

(3) The reinstatement referred to in Sub-Section (2) of this Section shall not be considered done until an assessment is made by the State Ministry of Works or the Local Government as the case may be.

Fees for permit

13. There shall be paid such permit referred to in Sub-section (1) of Section 11 of this Law, the sum of N20,000.00 (Twenty Thousand Naira) which is subject to review by the Ministry or the appropriate Local Government as and when necessary.

Maintenance of drains, sewage and septic tanks

14. (1) Every person shall:

(a) clean and maintain any drain in the frontage, sides or rear of his tenement or building; and

(b) provide suitable holding tank for liquid and ensure regular evacuation and disposal of same.

(2) No person shall cause or knowingly permit any trade or sewage affluent or liquid waste to be

Vacant Land

Vehicles refuse to

Burn bury

discharged into any drain or drainage system, road, gorges, water courses or any part thereof except at such place as may be authorized by the Ministry.

Vacant Lands

15. (1) Every grantee, lessee, or licensee of any vacant land shall ensure that there is no heap of refuse, rubbish, overgrown weed or offensive material on such land.

(b) No person shall use heap of refuse or rubbish to fill vacant land, swamp, gorge or marshy land.

Vehicles transporting refuse to be covered

16. (1) All vehicles or containers used in transporting or conveying refuse shall be securely covered in such a way that the contents do not litter the road.

(2) Where a vehicle or container is used in transporting or conveying refuse contrary to Subsection (1) of this Section, the driver or carrier shall be guilty of an offence under this law.

(3) All domestic refuse must be disposed at the designated refuse disposal sites.

(4) All waste from markets, restaurants, schools, shops, religious premises and other commercial institutions shall be packed in plastic waste bags before disposal.

Burning, storing or burying trade waste

17. (1) No person shall:

(a) burn or bury refuse on any tenement or open place;

(b) throw or bury industrial or commercial waste on any tenement;

(c) erect or construct or use an incinerator without prior approval or permit of the appropriate Local Government or Ministry.

Silt Removal

18. No person shall leave silt, earth, or other materials, excavated during construction or maintenance of drain on the roadside beyond 48 hours.

Obnoxious or poisonous waste

19. No obnoxious, toxic or poisonous waste shall be deposited in a waste dustbin.

Penalties and offences

20. (1) Any person, who contravenes or fails to comply with any of the provisions of Section 3 – 19 of this Law is guilty of an offence and shall, on conviction be liable to the fine specified under the Schedules of this Law.

[First and Second Schedules]

- (2) Where an offence has been committed under this Law by a Company or body corporate such a Company shall on conviction be liable to a fine of N100,000.00 (One Hundred Thousand Naira).

Establishment of private refuse collection outfit

21. (1) As from the commencement of this Law, no person shall establish, carry on or run a private refuse collection outfit except such outfit is registered with the Ministry.

- (2) All tenements, markets, motor parks, stores and other places of business may patronize appointed private operators for the collection and transportation of domestic, garden and commercial refuse to designated landfill sites.

*(First and Second Schedules)**Application for registration.*

22. (1) An application for registration shall be made to the Ministry in such terms and manner as may be prescribed.

- (2) Notwithstanding the provisions of Subsection (1) of this Section, Ministry may not register a private refuse collection outfit unless such outfit satisfies the conditions governing the issuance of a license.

Issuance of license

23. (1) The Ministry shall upon the payment of a prescribed fee, issue a license to any person who applies under this Law.
- (2) Any license issued pursuant to Subsection (1) of this Section shall be renewed every twelve calendar months from the date of issuance.
- (3) The fees payable by an applicant under the provisions of this Section shall be subject to review every 12 calendar months.

Suspension or revocation of license

24. Where it appears to the Ministry that the provisions of this Law are not being carried into effect by any outfit or that the outfit is not run in the best interest of health, the Ministry may:
- (a) suspend the license of such an outfit until the conditions which caused the order of suspension to be issued have been rectified; or
- (b) cancel the license of such of an outfit.

Designation of refuse disposal sites

25. For the purpose of this Law, refuse disposal sites for deposit of refuse or waste shall be designated by the Ministry in collaboration with the appropriate Local Government.

Penalty for non registration

26. Any private refuse collection operator who fails to register with the Local Government and to obtain a license from the Ministry is guilty of an offence and shall be liable to fine or imprisonment as specified under the Schedule to this Law.

*(First and Second Schedules)**Power to appoint Sanitary Inspectors*

27. (1) For the effective implementation of their functions under this law, the Ministry and the appropriate Local Government shall have power to appoint sanitary inspectors.

(2) The sanitary inspectors shall perform such functions as may be prescribed by rules set out by the Ministry.

Powers of Sanitary Inspectors.

28. (1) The Sanitary inspectors or any Authorized officers of the Ministry and Local Government or any other law enforcement agent authorized in writing by the Ministry may between the hours of 8 a.m. and 6 p.m. enter and examine any tenement or frontage, back or any side of a tenement in order to ascertain the existence of any nuisance.

(2) The Local Government may authorize in writing any of its officers to:

Courts.

(a) inspect any open space, public place, recreation ground, drain or drainage system, restaurants and such places as may be designated;

(b) carry out other work in a lawful manner on a drainage system for the continuous flow of such drain or drainage system.

Penalty for obstructing a Sanitary Inspector

29. Any person who obstructs a Sanitary Inspector or any authorized officer or any person engaged in carrying out the provisions of this Law is guilty of an offence and upon conviction shall be liable to the fine of N10,000.00 (Ten Thousand Naira) or to imprisonment for six months.

Notice to abate nuisance

30. (1) A Sanitary Inspector or any authorized officers of the Local Government authorized in writing by the Ministry shall, if satisfied of the existence of a nuisance, serve a notice as prescribed in the Schedule to this Law to abate the existing nuisance or prevent recurrence of the nuisance.

(Third Schedule)

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(2) Any person who upon being served with the notice referred to in Sub-section (1) of this Section fails to abate the nuisance is guilty of an offence and shall be liable to a fine of:

(a) N5,000.00 (Five Thousand Naira) in the case of an individual; or

(b) N20,000.00 (Twenty Thousand Naira) in the case of Company.

31. The Magistrate Court or such mobile courts as may be constituted by the Chief Judge of the State shall have jurisdiction to try all offences and other matters specified under this law and impose the prescribed penalty.

SCHEDULES

FIRST SCHEDULE

FINES (INDIVIDUALS)

S/No	Violation	FINES	
		Minimum	Maximum
1.	Failure to clean sidewalk.....	500	2,500
2.	Failure to clean 45 cm from curb into street	500	2,500
3.	Failure to clean drains and gutter area	1,000	2,500
4.	Littering/throw out, non provision of litter bin in commercial vehicles	1,000	2,500
5.	Sweep out	500	2,500
6.	Failure to use covered dustbin or waste bags ...	500	1,000
9.	Sidewalk obstruction	2,500	5,000
10.	Street obstruction	4,500	5,000
11.	Improper disposal of refuse	500	1,000
12.	Dumping of refuse on vacant land or overgrown vacant land	6,000	10,000

13.	Failure to clean premises, backyards and courtyards etc	500	2,000
14.	Failure to maintain clean toilets in Restaurants, Hotels, shops and schools	5000	10,000
15.	Posting of bills	500	2,500
16.	Removal of city advertisements	500	2,500
17.	Discharge of sewage into public place	5,000	10,000
18.	Failure to keep to the restriction of movement On sanitation days	1000	5000

SECOND SCHEDULE

S/No	Violation	FINES	
		Minimum	Maximum
14.	Commercial waste disposal	5,000	10,000
15.	Improper disposal of refuse	20,000	75,000
16.	Illegal dumping of refuse	4,000	10,000
17.	Posting of bills	5,000	10,000
18.	Protection of city advertisement	7,000	12,000
19.	Structure on road setback and drainage alignment	30,000	60,000
	(fine and demolition of structure)		
20.	Failure to clean drains	5,000	20,000
21.	Sewage disposal	20,000	50,000
22.	Failure to cover waste trucks	20,000	30,000
23.	Waste burning	5,000	10,000
24.	Storage of trade waste	50,000	50,000
25.	Burning of trade waste	45,000	65,000
26.	Silt deposit along drains	25,000	30,000
27.	Direct dealing with unregistered private Contractors	5,000	10,000
28.	Unregistered private refuse contractors	10,000	50,000
29.	Cutting of road by company without approval	25,000	100,000
30.	Sealing up of motor parks, markets, stores and other places of business	25,000	25,000

THIRD SCHEDULE

(Section 30)

Dear Sir, Madam,

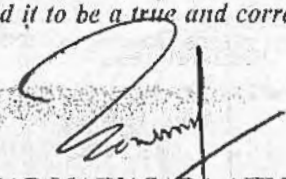
ABATEMENT OF NUISANCE NOTICE UNDER ENVIRONMENTAL SANITATION LAW 2015

Inspection carried out under the above mentioned Law on tenement situated at Within Sokoto State on Has revealed that you have failed to keep your tenement and its surrounding free From filth, rubbish, refuse or waste of all description and/or

In these circumstances, unless you abate the said nuisance within three days after the service of this notice, the provisions of the above named Law will be enforced and you will be prosecuted as provided by the Environmental Sanitation Law 2014

MADE AT SOKOTO THIS 22ND DAY OF MAY 2015.

This printed impression has been carefully compared by me the Bill which has been passed by the House of Assembly and found it to be a true and correctly printed copy of the said Law.


MOHAMMAD MAINASARA AHMAD,
CLERK TO THE HOUSE

22/05/2015
Rt. HON. ALIYU ABUBAKAR TURETA
Speaker
Sokoto State House of Assembly