

STATUTORY INSTRUMENTS 2015 NO.....

**THE LOCAL GOVERNMENTS (NABBAALE SUB-COUNTY) (ACCESSIBILITY)
BYELAWS, 2015**

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The Local Governments (Nabbaale Sub-county) (Accessibility) Byelaws, 2015

(Under section 39 (1), (2)(b), (3), (4), (5), (6), (7) and regulation 22 of the Third schedule of the Local Government Act, Cap 243 as amended)

In exercise of the powers conferred upon Nabbaale Sub-county Council by subsection (1) of the section 39 of the Local Government Act, these bye-laws are enacted this.....day of ,2015.

PART 1- PRELIMINARY

1. Title

These bye-laws may be cited as the Local Governments (Nabbaale Sub-county) (Accessibility) Byelaws, 2015.

2. Objectives

These bye-laws are intended to eliminate obstacles and barriers and ensure that persons with disabilities, pregnant women, sick, elderly, weak persons, persons carrying heavy loads and children can access both private and public building, environment, transportation, public facilities, and services and to eliminate all forms of discrimination.

3. Application

These byelaws shall apply to the area of jurisdiction of Nabbaale Sub-county

4. Interpretation

In these byelaws, unless the context otherwise requires-

“Act” means the Local Government Act;

“access” means the possibility for any person to reach a place, maneuver within it, use a service, participate in activities provided in a public place; with dignity, independence and safety on an equal basis with others;

“accessibility standards” refers to a practical guide to create a barrier-free physical environment in Uganda for all persons with disabilities;

“Byelaws” means rules made herein by the Nabbaale Sub-county Council;

“Council” means the Nabbaale Sub-county Council;

“Currency point” has the value assigned to it under the schedule to this byelaw;

“Person with disability” means a person having physical, intellectual, sensory or mental impairment which substantially limits one or more of the major life activities of that person;

“Public buildings” means a building irrespective of ownership which is used and accessed by the public at large, and includes its entrance, exist, parking space, footpath and other appuntenant lands;

PART II – GENERAL

5. Access to premises

It shall be the responsibility of all organs in a public or private institution to provide-

- a) suitable exists for persons with disabilities;

- b) universal standards or designs of public toilets.

6. Duty to provide access to buildings

Any person, who constructs a building to which the public is invited, shall ensure that persons with disabilities have access through -

Provision of;

- a) accessible and easy-to-find building entrances, connected by accessible pathways to accessible indoor or outdoor parking areas, local public transit stops, accessible elevators;
- b) safe and accessible urinal, bathrooms for the diverse disabilities
- c) safe and well-dimensioned stair cases for the comfort of persons with mobility problems;
- d) ramps wherever stairs obstruct the free passage of pedestrians, mainly wheel chair users, and people with mobility problems .
- e) adequate railing around hazardous areas, stairs, ramps, accessible roofs, mezzanines, galleries, balconies and raised platforms.
- f) well dimensioned elevators (in the case of multi-storied buildings) that persons with disability can use conveniently
- g) accessible pathways and where there are steps, a standard ramp should be constructed.

2). An accessible elevator should

- i. serve all floors normally reached by public;
- ii. have embossed numerals on the floor selector buttons to be easily identifiable by touch;
- iii. signal arrival at each floor to alert sightless and hearing impaired passengers simultaneously.

3). Where it is difficult or infeasible to install a ramp or an elevator to an existing building, the owner of the building shall provide platform lifts to provide accessibility.

7. Access to public transport facilities

(1) Any person providing public transport services shall provide access to transport- disadvantaged persons.

(2) For purposes of sub-rule transport disadvantaged persons include persons-

- a) using mobility devices such as crutches or clippers or wheelchairs;
- b) using sensory devices such as white canes, low vision devices or hearing aids;
- c) who need assistance such as those using sign language or other transport support in communication;
- d) having difficulty in negotiating steps, climbing stairs or walking long distances including persons having health problems or those carrying heavy loads.

8. Access to public facilities

(1) Any person operating a service or public facility shall make the service or facility readily accessible to and usable by all persons including persons with disabilities.

(2) Any person operating a service or public facility shall place a public operated machine in comfortable position so that they are user friendly to the elderly and persons with disabilities.

9. Inaccessible physical features

(1) Where a physical feature such as one arising from the design or construction of a building or the access to premises makes it impossible for the persons with disabilities to use that facility, it shall be the duty of the provider to make adjustments or to provide an alternative method of making the facility available to persons with disabilities.

(2) The provision of sub-rule (1) shall not require a provider of services to do any act which would fundamentally alter the nature of the service provided, the trade, profession or business.

10. Access to sporting and recreational venues

Any person who constructs a sporting facility and a recreational venue shall make the sporting facility and a recreational venue readily accessible to and usable by all persons including persons with disabilities.

11. Access to boreholes, wells and water taps

Any person, who constructs a borehole, a well and water tap shall ensure that persons with disabilities and mobility problems have access by complying with the accessibility standards.

12. Access to public furniture

1). Any person who procures and provides public furniture shall ensure that the public furniture designed or imported for public use is accessible to persons with disabilities.

2). Any person in charge of public furniture shall ensure that it's placed in a conveniently accessible space for persons with disabilities and mobility problems.

13. Roads

1). Any person who constructs a public or private road shall ensure that the road is accessible to all users especially blind persons and persons with mobility difficulties by-
Provision of;

a) curb ramps whenever there is a difference in level on pedestrian paths or between sidewalks and road surface at pedestrian crossings, parking areas bus stops, public buildings or in front of building entrances;

b) kerb stones painted in contrasting colours for easy identification by blind persons or persons with visual impairment and lower kerbs at points where pedestrians cross the road to enable wheelchair users cross the road without any obstructions.

14. Duty to provide parking space

- (1) Any person who constructs a public or private building shall reserve special parking space as close as possible to each building entrance and other public facilities for persons with disabilities.
- (2) Any person who constructs a public or private building shall ensure that the parking space for persons with disabilities is connected with an accessible pathway to the entrance of the building or the public facilities without level differences to the surrounding area.
- (3) Where the level difference is unavoidable, it shall be aligned by ramp.

15. Access to urinals, toilets and pit latrines

Any person who constructs a urinal, toilet and pit latrine to which the public is invited shall ensure that persons with disabilities have access by complying with the accessibility standards.

16. Pathway and corridors

Any person who constructs a building to which the public is invited shall ensure that there is free movement for persons with disabilities and mobility problems by complying with the accessibility standards.

17. Handles and grips

Any person who constructs a public or private building shall put handles and grips which are user friendly for persons with mobility problems and persons with disabilities by complying with the accessibility standards.

18. Access to stairs

Any person who constructs stairs for public and private buildings to which the public is invited shall ensure that he or she complies with accessibility standards.

19. Offences and penalty

- (1) A person who contravenes any provision of this Act, commits an offence, and shall be liable on conviction to a fine not exceeding two currency points or for a term of imprisonment not exceeding six months or both in respect of an offence.
- (2) A person who knowingly aids another person to commit an offence under sub-rule (1) shall, on conviction, be deemed to have committed the offence.
- (3) For the avoidance of doubt any person who commits an offence under sub-rule (1), which offence is punishable under any law, that person may be punished under that law.

SCHEDULE

One currency point is equivalent to twenty thousand Uganda Shillings.

PASSED by Nabaale Sub-county on 14th day of Sept 2015.

I HEREBY signify my hand this.....14th.....day of.....Sept....., 2015.
Ndeula Edward Gdel

Cross References

Local Government Act, Cap. 243

Building Control Act, 2013

Persons With Disability Act, 2006

Architects Registration Act, Cap. 269

