



**COUNTY ASSEMBLY OF MOMBASA  
THE HANSARD**

Wednesday, 23<sup>rd</sup> November, 2022  
**Third Assembly - Sixteenth Sitting**

*[The County Assembly met at 2:38p.m. at the County Assembly Buildings]*

*[The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair]*

**PRAYERS**

**The Speaker** (Hon. Khatri): Honourable Members, you may sit. Yes, Clerk next order please?

**MOTION**

ADOPTION OF A GARBAGE BIN SYSTEM AND COLLECTION OF GARBAGE AT NIGHT BY COUNTY STAFF

Yes, Honourable Hussein Abdirahman, MCA Mji wa Kale Ward, please move the Motion.

**Hon. Abdirahman Hussein:** Thank you Mr. Speaker Sir. Mr. Speaker Sir, I beg to move the following Motion:

*THAT AWARE That, Fourth Schedule Part 2 under Schedule 4 of the Constitution of Kenya, 2010 designates refuse removal, refuse dumps and solid waste disposal as one the functions of the County government;*

*FURTHER AWARE THAT, collection of garbage and street cleaning duties are undertaken during day time and there is a lack of garbage bin system in the County;*

*NOTING THAT, there is a need to organize and streamline garbage collection to effectively and efficiently deal with and manage the garbage menace;*

*CONCERNED THAT, collection of garbage by the County government vehicles during the day time coupled with absence of a garbage bin system poses serious health hazards and traffic congestion in the County;*

*I, therefore urge this Assembly to RESOLVE:*

- 1. THAT, the County government to adopt garbage bin system in the Central Business District and all other parts of the County to enhance cleanness.*

2. *THAT, The County government through the Department of Environment and Natural Resources to reschedule working hours for staff undertaking garbage collection and street cleaning duties to perform them at night for better garbage collection and to reduce traffic congestion.*

May I request Honourable Mwalimu Kambi to second this Motion.

**The Speaker** (Hon. Khatri): Thank you.

**Hon. Juma Mwalimu:** I arise to second the Motion!

**The Speaker** (Hon. Khatri): Thank you Honourable Kambi and Honourable Abdikadir. Honourable Members, I now propose the question; that the Motion by Honourable Abdulkadir Hussein on *Adoption of a Garbage Bin System and collection of garbage at Night by County Staff* be considered by this Honourable House in the same terms as moved.

*[Question proposed and agreed to]*

Yes, Honourable Abdulkadir Abdirahman, please make your contribution.

**Hon. Abdirahman Abdulkadir:** Yes, once again thank you so much Mr. Speaker Sir. Mr. Speaker my Motion is on two aspects; it is on adoption of a garbage bin system and a collection of garbage at night by County Staff. I do not wish to labour this House to debate any other aspect that is outside this corporation. So, it is very concise and it is very detailed and I will go directly to the first prayers. In regards to the adoption of a garbage bin system, the provision of the Mombasa County Solid Waste Management Act, 2021 are very adequate; pursuant to section 15 and 16 of the Information Act states as follows, *'That a person who operates in a market shall deposit the waste in appropriately receptacle, that the owner of a premise shall designate or construct an area within the premise, where solid waste generated shall be deposited, at a place appropriate, receptacle and maintain them with accordance with the public health and ensure that no waste is deposited within five meters of a premise. Lastly the area designated for waste storage shall be enclosed to avoid open exposure and emission of obnoxious smell.*

Mr. Speaker, there is a sufficient Act that was passed by this House; Mombasa County Solid Waste Act of 2021, however we find that there are some areas that were not well covered, especially on areas on matters for example when it comes to..., it has spoken well on the aspect of refuse by the residential and as well as by the commercial cases. Mr. Speaker, my prayer is that because of the garbage bin it is the responsible of the owner, while the transport of the solid waste out of the premises is the responsibility of the County government. However, I would urge the County government to set up bins in the CBDs that are equal distance for example, we can say this that after every 200 meters you can find a garbage bin where you can litter there literally, because as we speak, we do not have sufficient garbage bins.

In regards to the collection of garbage at night by the County staff, the current Collective Bargaining Agreement (CBA) between the County government of Mombasa and the Kenya National Local Government Workers Union (KLGWU), collaborating with the Mombasa County Government Workers Union has been the main contagious issue. Mr. Speaker, the County government of Mombasa feels the deployment of staff for night shift duties is restrained by the CBA, while the Mombasa County Government Workers Union feels the night shift duties is not fully stopped, but still open to some departments; there are some departments where the workers are allowed to work at night.

Mr. Speaker, there are adequate resources also available between now and the end of financial year 2022/2023; the vote for operation stands at Ksh.259 Million while allocation for the development Ward stands at Ksh430 Million, so Mr. Speaker the County has enough resources to enact such measures. In view of all above arguments, I recommend the following; the County Assembly should pass the Motion and compel the County government of Mombasa to start night shift garbage collections, upon amicable understanding between the two parties, that is the Mombasa County government and Kenya Mombasa County Workers Union. An extraneous allowance can be introduced to cater for those who will be willing to work for night shifts; it should not be compulsory, the workers who are willing to work for night shifts should also be compensated. Lastly necessary arrangements can be made to transport the willing staff to and from the work place at night to ensure the security at night shift. Thank you, Mr. Speaker.

**The Speaker** (Hon. Khatri): Thank you Mr. Abdirahman. Yes, Honourable Manuari please make your contribution.

**Hon. Juma Manuari:** Ahsante Mheshimiwa Spika na nimshukuru Mungu kwa mda huu wa maankuli ya mchana; kwa kuturudisha tena katika Jumba ili kuongezea jukumu lile ambalo wana wetu wananchi wametupa tuje tuwawakilishe. Nimuunge mkono ndugu yangu, rafiki yangu, mwandani wangu Mheshimiwa Abdirahman almaarufu *Anza Freshi* kwa Mswada wake huu wa uchukuzi wa taka mda wa usiku. Mheshimiwa Spika, kutokana na swala hili nadhani katika eneo letu hili la Mombasa hatuanzi leo wala hatusemi leo kuwa shughuli hizi zifanywe usiku bali ni suali lilikuweko tangu jadi. La kustajaabisha ni kwamba kuna muda fulani ambao shughuli hii ilipotea na ikawa inafanywa muda wa mchana kama alivyozungumza ndugu yangu kwa muda wa mchana hizi gari zoa taka zikiwa zitakuwa kando kando mwa mji wetu huu wa Mombasa sana huwa huleta shida katika msongamano wa magari katika barabara zetu.

Kwa hivyo ni jukumu letu sisi kama waunda sheria tuhakikishe ya kwamba tumewaelekeza vizuri watu wetu hawa ili kwa muda ule wa usiku wawe watafanya kazi zao kwa umakini bila bugdha wala tafash kutoka kwa mtu yeyote. Mheshimiwa Spika, kuongezea katika suala hili nadhani suala hili ndugu yetu amelileta kwa mji mkuu wa kati ya Mombasa kwa sababu maeneo kama yale ya kwetu tunakotoka Likoni tukisema biashara hizi zifanywe usiku wale mabwana itabidi tuwape na askari mmoja awalinde kwa sababu kikule kwetu sisi amani kidogo twaijua wenyewe ili hapa kwenye mji wa Mombasa twasisitiza suala kama hili sababu mchana ndio msongamano ni mwingi. Kwa hivyo ikiwa suala hili litachukuliwa na uzito lifanywe kwa muda wa usiku basi pia wale watenda kazi tutakao wapa majukumu yale ili kuiboresha kazi ile na kuifanya katika hali iliyo nzuri tuwape kienua mgongo ambacho kitawapa nguvu, mori na natija ya kuifanya ile kazi yao bila wasi wasi bila kufikiria mara mbili. Kwa hayo mengi machache Mheshimiwa Spika namuunga ndugu yangu mkono. Ahsante.

**The Speaker** (Hon. Khatri): Thank you Honourable Manuari. Yes, Honourable Allen Katana, please make your contribution.

**Hon. Katana:** Mheshimiwa Spika nataka nikushukuru kwa kunipa nafasi hii ili nikaweze kuchangia katika Hoja hii na pia nataka nimpongeze Mheshimiwa Abdirahman kwa kuleta Mswada huu na mimi nitachangia kidogo maana kama kipindi kilichopita tulitaja kwamba ni vyema jiji letu kwanza kwa msimu huu wa shughuli hizi za mwisho wa mwaka ni vyema jiji letu Mheshimiwa Spika likaweze kuwa safi. Kwa hiyo Mheshimiwa Spika limekuja pamoja kwa suala hili alilolileta Mheshimiwa Abdirahman akiwa sawia na hoja tulioizungumza siku chache zilizopita.

Mheshimiwa Spika na pia baadae huenda tukataka muongozo wako Bunge la pili lililokuwa, mimi sikuwa hapa lakini katika tafiti zangu chache nataka nitaje kama itakuwa sijapata ujumbe ambao pengine si wa kuhitalifiana na yaliyotokea. Nataka nitaje kwamba suala kama hili lishaletwa tayari Bungeni na Mheshimiwa Mteule Mheshimiwa Milka Areba katika Bunge la pili na kadri tunavyoendelea kwenda mbele ni dhahiri kwamba Miswada ya maana maana Waheshimiwa waliotangulia walileta Miswada hii katika Bunge hili lakini inaonekana kuna utepetevu mahali fulani Mheshimiwa Spika wa Miswada hii kutofanyiwa kazi na ikiendelea hivi itakuwa sisi ni Waheshimiwa wa kupigiwa kura na kuja kuimba nyimbo zile zile, ngonjera zile zile ambazo zinaimbwa na hakuna lolote linalotendeka.

Mheshimiwa Spika, kama suala la kuweka mapipa taka kati ya jiji letu utakuta ni kitu muhimu ambacho Bunge hili kwa nguvu zake liweze kusukuma ili haya mapipa yawekwe mapema iwezekanavyo. Hivi basi litapunguza uchafu ambao mara kwa mara unapatikana katika jiji letu na mara nyingi watakapoweka mapipa haya nafikiri pia itakuwa imefungua nafasi hizi taasisi za ulinzi kwa sababu pia tunapoweka vitu kama hivi, kama mapipa tukiweka yaliyotengezwa kwa vyuma ama mabati kuna wale vijana huchukua vikaenda vikapimwa vitu kama hivi na vikauzwa. Sasa tutakapokuwa tumepitisha suala hili Mheshimiwa Spika pia tuangalie mapipa haya ima yatatengenezwa kwa *plastic* sijui plastiki ni nini na sitaki kuchanga lugha, plastiki ahsante kwa kusawazishwa tuangalie pia ni vitu gani vitakavyotumika kwa ajili ya kutengeneza mapipa haya maana ni muhimu sana.

Mheshimiwa Spika, suala lengine ambalo nitalitaja hapa ipo barabara ya kutoka Mwembe Tayari ile KCB ya Mwembe Tayari kuja ndio uunganishe na hii ambayo inakuja mpaka Blue Room upande mmoja ile barabara inatumika kwa upande mmoja ukitoka sehemu ile ya Mwembe Tayari kuja hivi huu upande mwengine unatumika kama sehemu ya kuegeshwa magari. Mheshimiwa Spika, mara nyingi mimi hutumia hiyo barabara juzi nikija hapa Bunge; ilikuwa yapata kama saa tatu vile una tabia ya kurauka sana Bunge hata leo ilikuwa tumeandikiwa saa nne lakini hata nime *note* Mheshimiwa Spika umeingia hapa saa tatu na dakika 57. Sasa pia mimi nilikuwa katika harakati za kuwania ili nifike haraka Mheshimiwa Spika nikakuta lori la taka limesimama upande ule pekee ambao ndio magari yapite na lile lori lilisimama kwa zaidi ya dakika 15 ikizoa taka. Kwa hiyo hili suala la kwamba uzoaji wa taka kupitia malori iwe usiku Mheshimiwa Spika asieliunga mkono katika Bunge hili nafikiri atakuwa ni mteja mzuri katika hospitali yetu ya Port Reitz.

Nikimalizia Mheshimiwa Spika nataka kutoa pendekezo na nikitoa mfano wa nchi kama Rwanda na katika mamlaka na uwezo wa Bunge hili Mheshimiwa Spika ningepomba Bunge hili lipewe ruhusa litembelee nchi jirani hapa ya Burundi, Rais wa Burundi ametangaza siku moja kati ya mwezi ambayo siku ile ikiongozwa na Rais mwenyewe wanazunguka wakiokota taka ili kufanya nchi yao iwe safi na kulingamana na hiyo Mheshimiwa Spika ingekuwa pendekezo langu nikiongeza katika Mswada huu wa Mheshimiwa Abdirahman Mheshimiwa Spika kwamba iwe sheria ya kwamba Bunge ili limepitisha ya kwamba Kaunti hii ya Mombasa ikiongozwa na Gavana mwenyewe Abdulswamad Shariff Nassir kwa kuwa tumekuwa katika historia mbaya ya kwamba Jiji letu la Mombasa limekuwa chafu tuwe na siku moja ya mwezi tukiongozwa na Gavana tukiokota taka ili Mji wetu uwe msafi. Kwa hiyo naomba kuunga mkono Hoja hii ya Mheshimiwa Abdirahman. Ahsante.

**The Speaker** (Hon. Khatri): Thank you Honourable Allen Katana. Yes, Honourable Hamisi Mbaya?

**Hon. Hamisi Mbaya:** Ahsante sana Mheshimiwa Spika kwa kunipatia fursa hii niweze kuwatambulisha Waheshimiwa Wenza.

Nitachangia Hoja hii kwa lugha ya Kiswahili tofauti na nilivyochangia jana kwa lugha ya ishara. Mimi naiunga mkono Hoja hii iliyotolewa na ndugu yangu AbdulRahman ambapo kama ilivyo desturi shuka hua inabakia kua shuka na kaniki inabaki kua kaniki. Kwa ukweli sababu za msingi za kuiunga mkono hoja hii mojawapo ni kwamba kama alivyozungumza ndugu yangu Allen Katana kuhusiana na uzoaji taka wa mchana hua una uzito mkubwa sana haswa kupitia msongamano wa magari ambao huwa yanapatikana. Kwa hivyo naiunga mkono hoja hii bila kupinga na naiunga mkono kwa asilimia tisaini na mbili kutokana na hoja hii ambayo imeletwa na ndugu yangu AbdulRahman. Ahsanteni.

**The Speaker** (Hon. Khatri): Thank you Honourable Mbaya. Yes, Honourable Sylvester Kai.

*[The Speaker (Hon. Aharub Khatri) exited the Chair]  
[ The Temporary Speaker (Hon. Amriya Juma) in the Chair]*

**Hon. Kai:** Ahsante Bi. Spika na natofautiana kwa kiwango fulani na rafiki yangu Mheshimiwa mwenza ambaye ameweza kuleta Mswada huu; na nitaweza kutofautiana na yeye katika maswala kadhaa ambayo nitaomba iwapo Mswada huu unahitaji kukua uchukuliwe na uzito basi mambo fulani na hisi yatahitaji kufanyiwa marekebisho ama yaongezewe na kabla niendeleo nimwambie kaka yangu mkubwa kiongozi wa pale Shanzu ya kwamba sio sahihi kwamba kama viongozi wengine wana tofauti katika kimitizamo basi wao ni wenda wazimu si hivyo kwa sababu ninaamini tumekuja hapa na tuna fikra tofauti tofauti ambazo tukizileta pamoja zitaweza kuleta natija katika ubora wa utendaji kazi wetu. Mimi kitu ya kwanza nataka niseme huu Mswada kama utaweza kukua vile yeye amependekeza kiongozi bila kuona ni jinsi gani maswala ya usalama wa wale wafanyi kazi ninahisi kwamba tutakua bado tuna tatizo kubwa ni lazima tuelewe ya kwamba wanaofanya usafi sio askari na hawa ambao wanafanya usafi hawajajihami katika hali yoyote, ni lazima tuelewe ya kwamba watakua wanafanya katika vikundi wakiwa wangapi wangapi, na itakua usalama wao umelindwa vilevile kinamna gani hilo ni la kwanza Bi. Spika.

Jambo la pili mimi ninaamini ambao watakua wanafanya kazi hizi kwa kiwango kikubwa vilevile pia kutakua kuna wanawake ndani yao, na tunaamini kwamba hawa wenzetu jinsia ya kike sanasana masaa kama haya hua wana majukumu ya kimsingi ambayo wanafaa kuyafanya katika majumbani kwao Bi. Spika, lakini vilevile pia hata kama ni wanaume inawezekana labda wale wake zao kule nyumbani pia wao asubuhi wanarauka kwenda kufanya shughuli zengine Bi. Spika, masaa peke yake ambayo wako nayo ili kushughulikia yale majukumu mengine ya kimsingi madam spika ni masaa ya usiku, kwa hivyo ni lazima tuangalie kwa sababu kuna maswala mengine huyachukulia kwamba hayana uzito lakini katika wanandoa kama sisi wachanga tunayachukulia kimsingi sana. Hivyo ni lazima tuangalie na masuala kama haya tuangalie labda tuseme ya kwamba kutakua kuko na *shift* ya kusema kwamba mtu anaweza kufanya mchana na vilevile afanye usiku. Lakini tukisema ya kwamba tutaiondoa na tuichukulie kwamba itakua ikifanya usiku peke yake basi mimi naona kwamba hii itatuletea matatizo katika pande hizo mbili ambazo nimesema hususan maswala ya usalama kwa dada zetu na vilevile pia itaathiri wanandoa. Shukran.

**The Temporary Speaker** (Hon. Amriya Juma): Thank you Honourable Sylvester Kai, Yes Honourable Leila?



**Hon. Nyache:** Ahsante sana Bi Spika na mimi sasa hivi kuweza kuniona maanake tangu asubuhi hata nimefanya zoezi la kuketi kuenuka hunioni nashukuru umeniona. Nimesimama kuunga mkono hoja hii iliokuja na Mheshimiwa *Anza fresh* pole Mheshimiwa AbdulRahman nampongeza sana kwa hii hoja yake aliokuja nayo na nataka niseme ya kwamba hiyo mikakati ni mizuri kwa sababu kuna wakati nilisafiri kwenda Dubai na nikaona watu wakifanya usafi usiku Mheshimiwa Spika na kwa kweli ni jambo zuri kwa sababu ile ukiamka asubuhi wakati unaenda kwa shughuli za kikazi ama watoto wanapelekwa shule watu wanafungua biashara zao kunakua hakuna msongamano yoyote, kunakua hakuna vumbi kunakua hakuna shida yoyote ya kuwa eti acha tusongee hivi kufagiliwe, kunakua hakuna shida watu wanafanya shughuli zao, mukilala mukiamka asubuhi kumeng'ara kwa hivyo hilo ni wazo zuri sana na kama mwenzangu alivyosema hapa kuwekwe usalama ambapo ile itakua ni kazi ya usiku waweze kuwekewa usalama maanake kuna watoto wengine nao hawasikii wakiona mambo kama yale wanapata nafasi kufanya maovu. Kwa hivyo mimi naomba hilo jambo lizingatiwe na itaweza kuleta natija katika jimbo letu la Mombasa maanake usafi utakua unafanya usiku asubuhi watu anaendelea na kazi zao na shughuli zao kujenga Mombasa kama kawaida. Ahsante Mheshimiwa Spika naunga mkono.

**The Temporary Speaker** (Hon. Amriya Juma): Thank you Honourable Leila. Yes, Honourable Hamida.

**Hon. Noor:** Thank you Madam Speaker. I stand to support the Motion because as you are aware in the modern world in the first world these things are done during evening times because of the people during the day have to go on with their businesses and other things but Madam Speaker as you are aware when we were here last term in 2017/2022 there as a similar motion that was brought in by my fellow Member Honourable Milka about the dustbins that are going to be put up in the CBD's. The problem that we really face is implementation Madam Speaker, it is the key we are facing because they are not implementing most of those things but if this is going to be implemented since we are tourist destination I think it will be a good idea when the people in the morning wake up and find out that our streets are clean and they can go on with their businesses, Madam Speaker at this time its holiday season so I think if this thing is going to be implemented early, it's going to be fantastic for all of us in our County so I do support the motion. Thank you very much.

**The Temporary Speaker** (Hon. Amriya Juma): Yes, Honourable Fatma?

**Hon. Fatma Swaleh:** Ahsante sana Bi. Spika kwa kuweza kunipa fursa huu. Kwanza namshukuru Mwenyezi Mungu muumba mbingu na ardhi pasi na kizuizi kuwa hapa siku ya leo. Bi. Spika mimi nimesimama kidete kuunga mkono Mswada ulioletwa na Mheshimiwa aliyechaguliwa kwa kura nyingi sana kuliko Waheshimiwa wote hapa Mombasa. Bi. Spika Mswada ulioletwa na ndugu yangu...

*[Interruption]*

**The Temporary Speaker** (Hon. Amriya Juma): Honourable Jackton Madialo and Honourable Katana, he is on a point of order and you are on a point of...?

**Hon. Katana:** Point of order!

**The Temporary Speaker** (Hon. Amriya Juma): Also point of order. What is your point of order Honourable Madialo?

**Hon. Madialo:** Is Honourable Kushe in order to say that Honourable AbdiRahman was elected with the highest votes; it will be an insult to the people of Mikindani Ward who gave me an overwhelming number of votes, infact I was not only the leading in Mombasa County but Coast province as a whole. Thank you.

*[Applause]*

**The Temporary Speaker** (Hon. Amriya Juma): Mr. Madialo you said you are on a point of order, that is a point of information, what is the point of order or that is a point of information. Yes Hon. Katana? Honourable Fatma please take your seat.

**Hon. Fatma Swaleh:** Thank you.

**Hon. Katana:** I also just want to inform Honourable Fatma... but thank God Honourable Madialo did it. Thank you, Honourable Speaker.

**The Temporary Speaker** (Hon. Amriya Juma): Honourable Fatma proceed.

**Hon. Fatma Swaleh:** Ahsante sana Bi. Spika. Ya Mungu tumpe Mungu na ya Kaisari, tumpe Kaisari Bi. Spika na usilolijua ni usiku wa kiza Bi. Spika; nasema kwamba narudilia tena kwamba Mheshimiwa siku ya mchujo wa chama cha ODM ni yeye aliyechaguliwa na kura nyingi kuliko Waheshimiwa wote Bi. Spika.

*[Applause]*

*[Point of information]*

**The Temporary Speaker** (Hon. Amriya Juma): Order Honourable Madialo Order! Order!

**Hon. Fatma Swaleh:** Mheshimiwa Spika... Bi. Spika, ahsante kwa kuweza kunilinda.

*[Point of information]*

*I do not want to be informed, sitaki kupewa taarifa yeyote.*

**The Temporary Speaker** (Hon. Amriya Juma): I have ruled Honourable Madialo, let her proceed. Yes?

**Hon. Fatma Swaleh:** Sitaki kupewa taarifa niko sawa Bi. Spika, ahsante kwa kunilinda. Bi. Spika, Mswada ulioletwa na ndugu yangu Mheshimiwa Abdirahman, ni Mswada ambao ni mzuri sana, kwanza kabisa nakupa kongole kakangu ambaye ni Mheshimiwa. Pili, Bi. Spika itakuwa ni vyema sana kwamba takataka ziweze kuondolewa usiku, sababu ya kwanza ni kuondoa msongamano na sababu ya pili ni kila mtu akiamka mji wetu utakuwa umeng'ara na uko sawa na naomba kuongezea. Hawa wafanyikazi wetu ambao wanafanya kazi usiku kwanza kabla sijasahau mimi mwenyewe nilikuwa nikifagia usiku katika hili jimbo la Mombasa kabla sijakuwa Mheshimiwa na wakati huo nikifagia tulikuwa tukilipwa shilingi 200, wakiamka wakuu ama wakaazi wa Mombasa walikuwako wanaona mji uko imara na maridadi kabisa na Bi. Spika bila kuogopa itakuwa ni vyema taka ziondolewe na usiku ili pia wafanyikazi wetu wasiweze kukoswa koswa na magari barabarani maanake magari mengi huwa yanatembea mchana lakini usiku huwa magari kila mtu ameenda kwake nyumbani kulala lakini cha kuongezea, wafanyikazi wetu wakifanya usiku, nazungumza na sauti ya kusikitisha na wao pia waweze kuangaliwa na jicho la huruma. Ahsante sana.

*[Applause]*

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**The Temporary Speaker** (Hon. Amriya Juma): Yes, Honourable Frankline?

**Hon. Makanga:** Ahsante Mheshimiwa Spika kwa nafasi hii kuweza kuchangia Mswada huu na kwanza nianze na kumpongeza ndugu yangu Mheshimiwa Abdirahman wa Mji Wa Kale ambaye anawakilisha wa wale walioishi zamani na sasa. Kwa hivyo Mswada huu unatuhusu sisi wote wana Mombasa; nianze na kusema ya kwamba swala la kufanya kazi ama kusafisha mji usiku ni swala ambalo mimi naliunga mkono mia kwa mia kwa sababu litaturahisishia mengi ya yale ambayo tumekuwa tukiyaona na mara nyingi tumekuwa mimi binafsi nikiwa katika hospitali kupeana matibabu nimekutana na wafanyikazi katika idara ya mazingira wamegongwa na magari wakati wanaendeleza shughuli zao za kusafisha mji wetu. Niseme hivi Mheshimiwa Spika; kwamba wazo hili la kwamba waweze kusafisha kati ya mji masaa ya usiku ni swala ambalo linafaa kuungwa mkono na kuongezea Mheshimiwa Spika ni kwamba hawatakua wao wa kwanza kufanya kazi usiku, tunao askari ambao wameolewa na familia zao na wanafanya kazi usiku, madaktari na manesi ambao wanafanya kazi usiku bila kuogopa kwamba ndoa zitavunjika. Mimi ninalojua ni kwamba ukiwa katika ndoa ama katika mapenzi siku zote huwa unatenga mda wa kuwa nae yule umpendae Mheshimiwa Spika...

[Applause]

Kwa hivyo wale wenye hofu ya kwamba swala hili litafanya ndoa zivunjike, huwa hii ni kiherehere Mheshimiwa Spika, lakini huwa haisimami kaidi ya dakika nusu saa...

**The Temporary Speaker** (Hon. Amriya Juma): Yes, Honourable Samuel, you are on a point of...?

**Hon. Mwaura:** Mheshimiwa Spika nataka kuuliza tu kama *kiherehere* ni lugha ya Bunge.

**The Temporary Speaker** (Hon. Amriya Juma): Ok thank you. Honourable Frankline please *kiherehere* is not a conversant to the language of the parliament so you can proceed noting the same.

**Hon. Makanga:** Ahsante, Mheshimiwa Spika na samahani kama kwa njia yoyote nimekosea mtu heshima lakini kile nasema ni kwamba saa nyengine tunafanya mambo tu kwa misisimko nafikiri hio ndio neno sahihi ningefaa kutumia mimi niseme hivi sisi sote ni wa ndoa na kwa njia moja au nyengine hata kama usiku tuko kwa nyumba zetu Mheshimiwa Spika, hisia kuna wakati zinaushuka hata wake zetu kuna wakati hawataki kuguswa, huo ni ubinaadamu Mheshimiwa Spika. Kwa hivyo mimi ninasema ya kwamba hili swala la hawa wanaofanya katika mazingira, waweze kupangiwa kazi, wafanye katika kubadilishana, wengine wafanye mchana mahali ambapo hakuna msongamano na wengine wafanye usiku mji wetu uwe msafi Mheshimiwa Spika. Pia nikiunga Waheshimiwa wenza ambao wamesema kuhusiana na swala hili la usafi nafikiri sisi kama Jumba katika yale ambayo tutaamua kufanya tuweze kukeza nafasi ya sisi kutembelea hizo nchi kama Rwanda na Burundi tutoke sisi kama Bunge hapa twende kule tujue siri ya usafi ni nini. Mheshimiwa Spika, ikiwezekana hiyo safari iwe mwezi wa nne kwa sababu hii Disemba tuna shughuli nyengine za kufanya. Ahsante sana Mheshimiwa Spika.

**The Temporary Speaker** (Hon. Amriya Juma): Yes, Honourable Patrick Mbelle?

**Hon. Mbelle:** Thank you Madam Speaker for this opportunity. I rise to support this Motion by Honourable Abdulrahman from Old Town and I think this Motion is timely enough for the reasons of His Excellency the Governor who must see pictures smiling over there.



He should smiling wherever he is because he has done a wonderful job when it comes to maintenance of cleanliness of this County but at the same time, we have seen posters erected in different places stipulated that there will be fines that will be charged to anyone who will litter the city of Mombasa if and when they are caught by the Inspectorate. But again, Madam Speaker I would wish to ask the question; where do we expect these people to throw the litter so that we do not then fine them for littering the city?! So, I rise to support this Motion because then we will be giving these people the alternative of knowing where to put this litter. Madam Speaker, there is a time the Inspectorate was too harsh in that particular matter and I saw women who had to put in litters that they have accumulated from eating bananas and sugarcane in their bags so that they can go and throw those particular litters back to their homes. It is something that is not over of good health standards to make those women and people of Mombasa to undergo such matters.

Two, I also I wish to support the night cleaners, but again Madam Speaker I think this world as it is now has advanced in matters of technology and we still use technologies I think ten or twenty years back of letting this people sweep and collect the garbage using their hands. I think the County should also invest in proper technologies to help these people undertake this job in a better manner; we have trucks that do the sweeping, trucks that do the collection, trucks that makes these things easier. I do not know the names in particular but I think it is a better technology to do this particular agenda.

Number three, I also rise to support *Honourable*...I am sorry I forgot her name, *Honourable* Hamida! Honourable Hamida and also Honourable Katana they have talked of the matter us talking of so many things here in the House and they are never implemented. I think it is time that this House also passes Bills or Motions that then gives fines to either Chief officers or administrators that do not adopt the Motions that we bring to this Assembly because I understand that such kind of things we would also put the County in the map as one of the cleanest city in this world but if all ends here in matters of words then again we are not doing the service to the people of Mombasa but I should be as some fines or punishment to people do not undertake the jobs that they have been given by this particular Assembly. Thank you, Madam Speaker.

**The Temporary Speaker** (Hon. Amriya Juma): Yes, Honourable Milka?

**Hon. Ngare:** Thank you Madam Speaker for giving me this chance to also give my contribution on the Motion that has been introduced by Honourable Abdirahman Abdulkadir Hussein of Mji wa Kale. I rise to support that this Motion has found itself again in this House after we passed the same in 2018 as Honourable Hamida and Honourable Katana have stated. It is a pity that we pass Motions and they are never implemented; we are hoping that we have a more aggressive Chair of Implementation and as we have been given the mandate of oversight that we shall also take it more seriously to ensure that such important Motions are implemented, actually bins or litter bins should have been erected way back in 2018 when we passed this Motion from my little research, I found out that...

*[Interruption]*

Just a second! I found out that Mombasa generates approximately 879 tonnes of waste each day but only 46 per cent of that waste is collected; most of what remains finds itself to the along the roads which end up blocking drainage systems and of cause increases the risk of flooding and finally we end up getting sick. If these litter bins were erected in proper areas, we would have more order; the litter bins would be emptied later in an orderly manner and we would not have such kind result of flooding and having several diseases.

So, I want to support the new idea that is coming of collection at night because that will bring order during the day as it will not interfere with traffic and human traffic or vehicles and human traffic as there will be a smooth running of the same. So, collection at night will be orderly and it will give them more time maybe to collect garbage so that our city will remain clean. We are a major tourist city and when tourists come and find our town clean, they will be attracted and come back to the same city because of the cleanliness. As Honourable Leila has just said whenever we go to other countries or other areas of this world like when she was in Dubai, I was there with her and we remained admiring how clean Dubai was. When we went to Singapore, I was with... no I was not with her I was with another Honourable Member and the story was the same. They had clean cities, well maintained and you wish that back at home things were the same; so I do support this Motion and I hope of course I know my colleagues all of us are going to pass it and after that we should be more aggressive to ensure that it is implemented. Let us not pass Motions and they are never implemented, it will demotivate most of us, in fact most after you pass the Motion once, twice, a third one and a fourth one and are not implemented you get de-motivated and you become idle so that has been happening to most of us but i hope with the new energy we are going to be having our Motions implemented, thank you I support.

*[Applause]*

**The Temporary Speaker** (Hon. Amriya Juma): Yes, Honourable Jacktone Madialo?

**Hon. Madialo:** Thank you Madam Speaker. I rise to support my brother AbdulRahman for this wonderful Motion and I will also want to suggest to the House on ways to ensure that the Motions and Bills passed are implemented. We know that we have the Committee as Honourable Milka Ngare has said; the Committee on Implementation but also as a whole House we have a tool that we can also be able to force the Executive to implement the Motions that we pass. For example; if we pass a Motion and it is not implemented by the Executive from time to time, they will be bringing in Bills to be passed here so before passing them we can tell them that we are not going to pass this one coming from the Executive...

*[Applause]*

...Until and unless the Motions that have been passed in this House awaiting their implementation is done! That is a very simple way of ensuring that implementation is done from their side. I would not want that this House be a House that passes Bills in futility, it will be very unfortunate, so let us use the powers that we have to ensure that Bills and Motions that are passed here are implemented. We have that power and we should use it and we must use it. Lastly in implementing this, I would also pray that the security of those that will be going round collecting the litter be enhanced. Thank you so much.

**The Temporary Speaker** (Hon. Amriya Juma): Thank you Honourable Madialo. Honourable Members, just to inform the House that we have the Mombasa County Solid Waste Management Bill, 2021 in which the Motion mover has anchored his Motion on as earlier stated. So, Honourable Members we will be alive to the fact that we have an existing Bill on the same. Thank you. Yes, Honourable Juma Mwalimu?

**Hon. Juma Mwalimu:** Ahsante Bi. Spika. Nimesimama kuunga mkono ndugu yangu AbdulRahman Abdulkadir Hussein.

Pia, niwakumbushe katika ile Bili ndugu zangu kuna kipengele kinasema hata kule mashinani katika zile *garbage collectors* zetu twafaa tupeane magunia ya kuweka taka taka na pia tuviye nguvu vile vikundi vya kubeba taka taka na kila mwisho wa mwezi wanafaa kutoa shilingi 200. Kwa hivyo ndugu zangu hii pia ni fursa kuimarisha vikundi vyetu ili wajiandikishe katika ofisi husika na waweze kuokota zile taka taka na waweze pia hizi *garbage collectors* waweze kutoa zile shilingi mia 200, hii pia ni moja wapo ya kutengeza kazi kwa vijana. Ahsante Bi. Spika kwa nafasi yako.

**The Temporary Speaker** (Hon. Amriya Juma): Thank you Honourable Juma Mwalimu. Yes, Honourable Nusura?

**Hon. Nusura Mwinyi:** Ahsante Bi. Spika kwa kunipa nafasi hii. Kwanza nataka kumpongeza sana Mheshimiwa Abdirahman Hussein kwa kuleta hoja hii, pongezi sana. Nafikiri maneno mengi yamezungumziwa, wafanyi kazi walioko mabarabarani wengine wana uoga magari yako mengi, bado wengine hawajiaamini kufagia mule mabarabarani. Kwa hivyo hoja itawasaidia mpaka wale wengine wenye uoga. Nafikiri wakati wa Manispaa kazi hizi zilikuwa zikifanywa usiku na wale wafanyi kazi waliokuwa wakifanya kazi hizi ni wale ambao hawakuajiriwa. Sasa pia ningependa kuongeza labda kama hizi kazi zitakuja ama zitatokea, waangalie pia wale ambao ni *garbage collectors* kule mitaani wapewe hizi nafasi angalau nao wapate riziki kwa sababu kule mitaani watu si wepesi wa kutoa hela ili nao wapate mkate wa siku. Kwa hivyo nauunga mkono hoja hii na nasema ahsante sana Bi. Spika.

**The Temporary Speaker** (Hon. Amriya Juma): Thank you Honourable Nusura. Yes, Honourable Abdulkadir you may now respond to your Motion.

**Hon. AbdulRahman Hussein:** Thank you Madam Speaker. This was a very brief and direct Motion and I am glad most of the Members have agreed with me to adopt it. The only major concern they have raised was the security which I also raised it as part of my recommendation; I stated clearly that necessary arrangements should be made to transport the willing staff to and from work places. Madam Speaker, I would also like to respond to an issue also raised by Honourable Katana; he took an example of Rwanda where the country President leads citizens on a clean-up day exercise. I can state proudly that I have initiated the same exercise in this Ward, Old Town, dubbed *Old Town fresh* where every first Saturday of every month the residents come out in the numbers and they partake in the cleaning exercise. So, I would also equally urge my fellow MCAs to take note of that and implement the same in their respective Wards.

Madam Speaker, just to stress the element of dustbins or rather the litter bins; with the litter bins can generate actually a source of income for the County government. We should actually encourage corporates and firms to adapt these dustbins, I have seen it been done in Nairobi. I can see Firms like P.K Juicy Fruits for the companies that deals with tissues they have adapted these bins and they generate source of income for the County government of Nairobi, so we can equally pursue that same route. Madam Speaker, on my parting shot, I would like to request that this Bill be implemented to the letter, they are just two prayers here; we should compel the County government to engage in a night shift garbage collection and as well as the erection of dustbins collections and once constituted, the relevant Committee on Environment should take heed and should take this matter with the seriousness it deserves. The Committee on Labour also should intervene with the County government and the County Government Local Workers Union to come up necessary arrangement to entice the county workers to join in this noble work.

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Thank you, Madam Speaker.

**The Temporary Speaker** (Hon. Amriya Juma): Thank you Honourable AbdulRahman Abdulkadir. Honourable Members, I now put the question that the Motion by Honourable Abdirahman Abdulkadir on the *Adoption of a garbage bin system and collection of garbage at night by County staff* be approved by this Honourable House in the same terms as debated?

*[Question put and agreed to]*

The Motion by Honourable Abdirahman Abdulkadir on the *Adoption of a Garbage Bin System and Collection of Garbage at Night by County Staff* is adopted by this Honourable House. Yes Clerk?

### ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday, 29<sup>th</sup> November, 2022 at 10:00a.m.

The House rose at 3:33p.m.