

**MOMBASA COUNTY ASSEMBLY****HANSARD REPORT**Wednesday, 17<sup>th</sup> May, 2017

The House met at 9:21a.m.

*(Deputy Speaker (Hon. Mswabah Rashid in the Chair))***PRAYERS****Deputy Speaker** (Hon. Mswabah Rashid): Members you may sit down. Yes Clerk?**MOTION**

Hon. Jimmy Odari.

**Hon. Odari:** Thank you Hon. Speaker. Mr. Speaker I wish to move the following Motion.*(Hon. Odari moved the Motion)***RESTRICTION OF MOVEMENT OF ROAMING CATTLE IN THE RESIDENTIAL AREAS OF CHANGAMWE WARD HAS BECOME A PUBLIC NUISANCE**

Mr. Speaker sir, THAT AWARE that the County government is mandated to control public nuisance under Part Two (3) of the Fourth Schedule of the Constitution of the republic of Kenya 2010;

FURTHER AWARE that Changamwe is being an urban residential area, it is illegal for cattle to roam under existing laws;

CONCERNED that the roaming cattle in the aforesaid residential area has become a public nuisance;

I therefore urge this Assembly to RESOLVE that:

The County government enforces and restricts movement of the roaming cattle in the residential area of Changamwe Ward.

Hon. Speaker I beg to move; I would like to request Hon. Duncan Onyango to second the Motion.

**Hon. Onyango:** Thank you, Hon. Speaker I wanted to oppose this Motion in order to second and then I oppose.

**Deputy Speaker** (Hon. Mswabah Rashid): You cannot second and then oppose the Motion, so Hon. Jimmy Odari you can choose another person to second the Motion.

**Hon. Odari:** Mr. Speaker I wish to request Hon. Leader of the Majority Hon. Mwidani to second the Motion.

**Leader of Majority** (Hon. Mwidani): Mr. Speaker I rise to second the Motion.

**Deputy Speaker** (Hon. Mswabah Rashid): Members it has been proposed that movement of roaming cattle in Changamwe Ward which has become nuisance to be restricted.

Yes Hon. Jimmy Odari.

**Hon. Odari:** Hon. Speaker it is of great concern to the residents of Changamwe Ward and am bringing the issue at hand because there are a lot of cattle which roam about in the residential estates of Changamwe Ward everyday and they become a big nuisance to the residents because when they move they leave their droplets or excretory wherever they go and also they make the place very dirty because wherever they go they cause so many things which are nuisance and Mr. Speaker the people of the estate really complain about the situation and they are trying to know the owners of the cattle, which unfortunately is not easy. So Mr. Speaker, we have been complaining and no action has been taken so far despite them going to various offices in the County government.

Therefore I beg and I am requesting this House to come up to support me in this effort of trying to restrict these cattle from roaming around the estates so as my people live in peace.

Thank you, Mr. Speaker.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Leader of Majority.

**Leader of Majority** (Hon. Mwidani): Ahsante sana Bwana Spika nimesimama kuunga mkono hii hoja ya Mheshimiwa Jimmy Odari. Kwa kweli Mheshimiwa Spika ni kitu cha kuleta aibu sana, kama unavyojua Changamwe ni njia moja ya watu kutoka nchi za nje kwa njia ya ndege wanayoitumia, saa nyengine inatutia aibu sana kwamba unakuta ng'ombe ndio wamejazana kwenye barabara ambapo wangekuwa katika mazizi yao.

Mheshimiwa Spika hata sheria iko ya kwamba mjini hakufugwi Wanyama, kwa hio si jambo geni hilo alilolileta ya kwamba sisi kama serikali ya Kaunti sasa tutilie nguvu kwa kuweza kuitekeleza Bwana Spika. Ni jambo la kuhuzunisha wakati tunaona trafiki yenyewe inaleta shida halafu tena pia wanyama wanaleta shida na ukitizama ni kwamba si kwamba hii mifugo haina mwenyewe, wana wenyewe ambao wanajua lakini sijui kwa nini wanaweza kuwaachilia kwenye barabara ndiposa hatupati nidhamu. Kwa hiyo Bwana Spika mimi ningependa hoja hii iweze kupita na pia sheria zifuatiliwe waweze kupatikana wenye mifugo ile ili waweze kueleza taratibu za kuweza kuchunga mifugo yao. Ahsante Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Boma.

**Hon. Boma:** Ahsante sana Mheshimiwa Spika kwa kunipa nafasi hii. Mimi pia naunga mkono hoja hii lakini ifanyiwe mabadiliko sio Changamwe pekee yake ambako kuna ng'ombe hawa wa kuzunguka zunguka, pia katika wodi za Likoni hata huko Nyali ukifika unakuta ng'ombe wanazunguka na si ng'ombe pekee yake mpaka mbuzi na kondoo. Kwa hio Mheshimiwa Spika mimi naunga mkono hoja hii na nakumbuka zamani kulikuwa ng'ombe kama hawa wakizunguka walikuwa wakishikwa na wakipelekwa polisi wenyewe wanapigwa faini halafu wanawaondoa wanawapeleka mashambani. Kwa hiyo Mheshimiwa mimi naiunga mkono hoja hii. Ahsante.

**Deputy Speaker** (Hon. Mswabah Rashid): Mheshimiwa Duncan Onyango.

**Hon. Onyango:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi napinga hoja hii na ninayo sababu; la kwanza Mheshimiwa Jimmy alikuwa mwakilishi wa Changamwe tangu 2013 na hizi nyumba zilikuwa mbaya, kwa hio sijui amefikiria nini kwa sababu naona wakati wa kuondoka ndio anaanza kuleta Mswada huu. Mheshimiwa Spika mimi nilielewa na hawa ng'ombe wanaongelelea kuna wengine wanatoka upande wangu, kuna wengine wanatoka upande wake, sijui wanatafautiana pengine na Jimmy Odari kwa haya mambo ya mchujo wa vita ndio manake tumeamua atajifurusha ama ni namna gani? Mheshimiwa Spika hawa ng'ombe nataka tukubaliane na Mheshimiwa Jimmy yeye amefanya kuja Changamwe atakubaliana na mimi kuna watu wa Changamwe, kuna watu wamezaliwa pale, pale ndio kwao. Kwa hio Mheshimiwa Spika ikiwa wewe uko kwenu na kuna ng'ombe unatarajiwa zitolewe zipelekwe sehemu gani? Mimi na tofautiana na Mheshimiwa Jimmy kwa sababu yeye mwenyewe anaelewa na anamjua anayefuga hizo ng'ombe kule pande za kwetu hawa ng'ombe wametusaia sana saa hii bei ya maziwa imekaribia karibu shillingi mia maziwa moja na kule kwetu kuko ghali kukuuzia maziwa lita moja ni shillingi thamanini ama hata chini ya shillingi themanini.

Mheshimiwa Spika ni jambo la kusikitisha mradi yeye amejitolea kusaidia wananchi wa kawaida ili tuweze kupata maziwa bei ya chini na Mwakilishi wa Wodi ya Changamwe ambaye pia anafaidika pakubwa na hio mifugo yeye ameonelea kumfukuza huyu, naweza kumuita *investor* manake kule kwangu kuna babu ana ng'ombe zaidi ya mia tano na amesaidia kuajiri vijana, watu wamepata ajira, watu wamepata chakula. Sasa mimi nashangaa huyu Mheshimiwa kazi ni kufukuza ama tunataka watu waishi vipi?

**Deputy Speaker** (Hon. Mswabah Rashid): Thank you very much, yes Hon. Jimmy Odari can you reply to the Motion.

**Hon. Odari:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nataka kuwashukuru wote ambao walioniunga na hata wale hawajaniunga. Mheshimiwa Spika kusema kweli na Mheshimiwa aliyetoka kuongea sasa hivi pengine hakunieleva vizuri ama hakuelewa vizuri nukta ya jambo hili ya hii hoja ambayo nilioleta kwa hii Bunge sio maswala ya ng'ombe kutoa maziwa ama kuuza maziwa bei nafuu, sio maswala ya kupinga mtu ambaye kwa kuwa ako mnyonge, sio maswala ya kupinga watu wa Changamwe kwa kuwa ni kwao. Mheshimiwa Spika hii hoja nilioleta madhumuni yake si kupinga mtu madhumuni yake ni wale wafugaji waweze kukatazwa au kutoa wale ng'ombe wao wasiende wakizunguka mitaani wakiangusha angusha kinyesi kila mahali, wanaangusha kinyesi mpaka kwa milango ya watu mtu akitembea akiwa nadhifu na viatu vyake vya bei ghali washtukia umevyoga kinyesi na wewe ulikuwa waenda safari muhimu, pengine waenda kumuona au umealikwa na Mheshimiwa Gavana ama Meneja Mheshimiwa na ndio ina maana utoe viatu na kinyesi kinaleta harufu mbaya mitaani.

Hakika sisi sote tunazingatia usafi wa mitaa yetu, lazima tuangalie mitaa yetu iko katika hali nzuri kwa ajili ya afya zetu, hatuwezi kuruhusu ng'ombe wawe wakizunguka kila mahali kila wakati, na ni ng'ombe wengi sana Mheshimiwa Spika, wanatembea kila mahali wakiacha kinyesi, wanakula hata mboga za watu wengine wajua mitaani huko hususan wakati huu wa kibaridi na mvua kuna nyumba nyingi wakati huu wa mvua wanalima lima mkunde na nini unakuta wale ng'ombe pia wanakula vitu vile na unaona vile maisha yalivyo magumu, bei ya unga unajua imekwenda juu sasa inakua pesa yote inaishia kwenye unga, kuna kuwa hakuna pesa ya kununua mboga sasa mtu akipata nafasi kama wakati wa mvua hii kuna nafuu mtu anajilimia mkunde wake angalau anaweza kula ule mkunde ingawa bei ya unga japo ni ghali ndio maana lengo la hoja hii ni kuomba kuwa wenye mifugo hatuwapingi kufuga mifugo, tunashukuru kwa ajili ya wao huuza maziwa yao kwa bei nafuu tunashukuru lakini wasiwaachilie wale ng'ombe warande rande kiholela mitaani, hata kuna wengine wanakula hata nguo kwenye kamba, ng'ombe wanatafuna.

Kwa hivyo lengo ni wale ng'ombe wathibitiwe wawekwe mahali maalum ama watafutiwe mahali pa kufugiwa wasiwachiliwe kuranda randa kila mahali huku na huku na pia wawe na mtu wa kuwaangalia maana yake wale ng'ombe utawaona watembea wengi ukiangalia nyuma yake kama kuna mtu anawachunga ama anatembea nao huoni, ng'ombe wenyewe wanakuja mahali mtaani wakalala siku mbili, siku tatu wala usimwone mtu ambaye yuko nao walala wakiamba wakila ma takataka pale kwenye majaa, wakihara hara kila mahali na hakuna mtu mwenye kuweza kufanya usafi na wajua Mheshimiwa Spika siku hizi si kama vile zamani, zamani huku mitaani wafagiaji wetu wa Kaunti walikuwa wakija hapa mitaani wakifagia mpaka milangoni siku hizi kulingana na hali ya uchumi hakuna tena watu wa kufagia mitaani wafagiaji wengi wa Kaunti wanafagia barabara kuu ndio wanazifanyia usafi lakini mitaani kuwapata si sana ni wachache na sehemu nyengine kama mitaa yangu hakuna kabisa watu wa kufagia mitaani.

Sasa inatupatia kazi ngumu wale wenyeji kutafuta namna gani wataondoa haya mavi ya ng'ombe kila mahali na kufanya mtaa uwe msafi na uwe na harufu nzuri.

Kwa hali hiyo Mheshimiwa Spika naomba Bunge hili tukufu lisisitize serikali ya Kaunti kuwa ifanye bidii ama itie mkazo sheria za kuzuia ng'ombe kuranda randa ovyo ovyo mitaani na wenye ng'ombe wachukue jukumu la kuwathibiti katika makao yao. Ahsante sana Mheshimiwa Spika.

**Hon. Speaker** (Mr. Mswabah): Thank you Hon. Jimmy Odari, Members I put the question to the Motion. It has been said that the County government to restrict movement of roaming cattle which have become a nuisance in Changamwe.

*(Question put and agreed to)*

*(Applause)*

Yes, Clerk...

**ADJOURNMENT**

Members this House is adjourned until in the afternoon.

The House rose at 9:38a.m.