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RIPARIAN LAND

Laws of Kenya



RIPARIAN

- Refers to the transitional areas between upland and aquatic ecosystems with variable width and extent above and below ground and perform various functions as influenced by soil, biological and other physical characteristics that reflect the influence of water and hydrological processes



Reference to delineation of the width of the riparian reserve in Kenya

- Highest water marks or Mean high water mark of spring tides
- Centreline of the river
- River bank



Types of rivers

 Tidal

 Seasonal

 Perennial



Laws of Kenya

🕒 Survey Act (Cap 299)

🕒 Land Act (2012)

🕒 Water Act (Cap 372)

🕒 Physical Planning Act (Cap 286)



Survey Act (Rev. 2010)

- ⦿ Reservation on all tidal rivers to at least 30m in width above the highest water mark, provided that, the Minister may direct that the width of this reservation shall be less than 30m in special cases
- ⦿ Reference – Highest water mark
- ⦿ Tidal rivers



Land Act (Rev. 2016)

Land adjacent to the ocean, lake, sea, rivers, dams, and watercourses as provided in the Survey Act or any other written law



Water Act (Rev. 2012)

- ⦿ Unless otherwise determined by a Water Resources Inspector, the riparian land on each side of a watercourse shall be defined as a minimum of 6m or equal to the full width of the watercourse up to a max of 30m on either side of the bank. The width of the watercourse shall be equal to the distance between the top edges of its banks.
- ⦿ Applies to seasonal and perennial watercourses
- ⦿ Reference not stated



Physical Planning Act (Rev. 2010)

- Riparian land on each side of reserves along any river, stream or watercourse shall be a minimum of 10m, except in areas where there is an established flooding (seasonal & perennial rivers). The reserves along the ocean and lake beaches shall be provided of not less than 2km and 1km respectively
- Applies to all type of rivers
- Reference not stated



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