



THE MUNICIPALITY OF MAUA



TABLE OF CONTENTS

PREAMBLE	1
1. INCORPORATION, NAME AND BOUNDARIES	3
1.1. Incorporation and Name	3
1.2. Boundaries	3
2. POWERS, OBJECTS AND FUNCTIONS OF THE MUNICIPALITY	4
2.1. Powers of the Municipality	4
2.2. Objects of the Municipality	4
2.3. Functions of the Municipality	5
3. THE BOARD OF THE MUNICIPALITY	6
3.1. Establishment of the Board	6
3.2. Powers and Functions of the Board of the Municipality	6
3.3. Composition and term of the Board of the Municipality	7
3.4. Eligibility for appointment as member of the Board of the Municipality	8
3.5. Chairperson of the Board	8
3.6. Powers and functions of the Chairperson	8
3.7. Vice-Chairperson of the Board of the Municipality	9
3.8. Removal of the Chairperson and Vice-Chairperson	9
3.9. Secretary of the Board of the Municipality	9
3.10. Committees of the Board of the Municipality	9
3.11. Remuneration of the members of the Board of the Municipality	10
3.12. Removal of members of the Board of the Municipality	10
3.13. Meetings of the Board of the Municipality	11
3.14. Quorum	11
3.15. Rules of the Board	11
3.16. Record of information of the Board	11
3.17. Citizen Participation	12
4. REGULATIONS	13
4.1. Regulations	13
4.2. Passing of Regulations	13
4.3. Effective date of Regulations	13
5. ADMINISTRATIVE AUTHORITY	14
5.1. Resolutions	14
5.2. Approval of resolutions	14
5.3. Effective date of resolutions	14





15	6.1.	Office of the Municipal Manager	15
15	6.2.	Appointment and Term	15
15	6.3.	Qualifications	15
15	6.4.	Functions and powers of the Municipal Manager	15
17	6.5.	Remuneration	17
17	6.6.	Removal of the Municipal Manager	17
17	6.7.	Acting Municipal Manager	18
19	7.	MUNICIPAL FINANCES AND FINANCIAL MANAGEMENT	19
19	7.1.	Sources of the Municipality's funds and Revenue	19
19	7.2.	Appointment of the Municipality Accounting Officer	19
19	7.3.	Financial year	19
19	7.4.	Budget	19
19	7.5.	Management of Municipality Finances	19
19	7.6.	Borrowing by the Municipality	19
20	7.7.	Audit	20
21	8.	MUNICIPALITY PERSONNEL	21
21	8.1.	Municipality Personnel	21
21	8.2.	Management of Municipal Personnel	21
21	8.3.	Retirement systems	21
21	8.4.	Compensation of Municipal Personnel	21
22	9.	MUNICIPALITY PROPERTY	22
22	9.1.	Acquisition, possession and disposal	22
22	9.2.	Compulsory acquisition	22
22	9.3.	Municipal Buildings	22
22	9.4.	Protection of Municipality Property	22
23	10.	GENERAL PROVISIONS	23
23	10.1.	Oath of office	23
23	10.2.	Amendments to the Charter	23
23	10.3.	Separability	23
24	11.	TRANSITIONAL PROVISIONS	24
24	11.1.	Effective Date of Charter	24
24	11.2.	Rights and Privileges Preserved	24
24	11.3.	Departments	24

WHEREAS

Article 2 of the Constitution provides that the Constitution is the supreme law of the Republic of Kenya and binds all persons and all State organs at both levels of government.

WHEREAS

Article 184 of the Constitution of Kenya 2010 mandated parliament to enact a legislation to provide *inter alia* the criteria for classifying areas as urban areas and cities; establishing the principles of governance and management of urban areas and cities and to provide for participation by residents in the governance of urban areas and cities within 1 year of the promulgation of the Constitution.

WHEREAS

Parliament enacted the Urban Areas and Cities Act in the year 2011 which legislation had an effective date falling after the first election held under the Constitution of Kenya 2010.

WHEREAS

Section 9 (4) of the Urban Areas and Cities Act empowers the County Governor, to confer on the County Headquarters, the status of a Special Municipality even where it does not meet the threshold specified in law

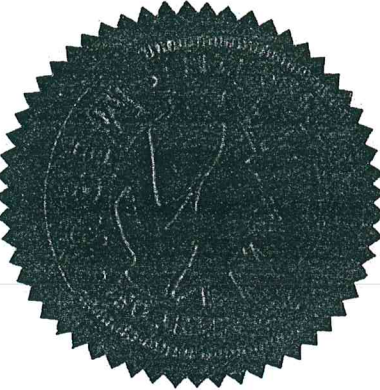
WHEREAS

The Urban Areas and Cities Act does not have the prescribed form of a Municipal Charter.

WHEREAS

No regulations have been promulgated under the Urban Areas and Cities Act providing the prescribed form of a Municipal Charter under the Urban Areas and Cities Act





HON. KIRAITU MURUNGI, EGH
GOVERNOR, MERU COUNTY

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Section 72 of the Interpretations and General Provisions Act allows for substantial conformity of any instruments required to be in a prescribed form under any statute in Kenya.

NOW THEREFORE IN EXERCISE of the powers conferred by section 9 (4) of the Urban Areas and Cities Act, (No. 13 of 2011) as complemented by section 72 of the Interpretations and General Provisions Act (Chapter 2) and all other enabling provisions of law, the County Governor of Meru County **HEREBY GRANTS** the Municipality of Maua this Municipal Charter on this 22nd day of July 2022

WHEREAS

1. INCORPORATION NAME AND BOUNDARIES

1.1. INCORPORATION AND NAME

1.1.1. This Charter is the Municipal Charter of the Municipality of Maua, within Meru County, Kenya.

1.1.2. All processes affecting the Municipality shall be served on the Municipal Manager or acting Municipal Manager, in the absence of both of said officers, on the Secretary of the Board of the Municipality.

1.2. BOUNDARIES

1.2.1. The boundaries of the Municipality of Maua as now existing shall be the boundaries of the Municipality of Maua.



2. POWERS, OBJECTS AND FUNCTIONS OF THE MUNICIPALITY

2.1. POWERS OF THE MUNICIPALITY

2.1.1. Save as is hereinafter provided, the Municipality of Maua shall have all the powers, general and special, governmental or proprietary, expressed or implied, which may be possessed or assumed by municipalities under the Urban Areas and Cities Act, the County Government Act and the Laws of the County Government of Meru.

2.1.2. No enumeration of specific powers in this Charter shall be held to be exclusive. All such powers shall be exercised in the manner prescribed in this Charter, or, if not prescribed herein, in such manner as Board of the Municipality may determine, or, unless a contrary intent appears in this Charter or in the Regulations and Resolutions of the Board of the Municipality, in such manner as may be provided by the Laws of the County Government of Meru.

2.2. OBJECTS OF THE MUNICIPALITY

2.2.1. The objects of the Municipality of Maua are to:-

- (i) Provide for efficient and accountable management of the affairs of the Municipality.
- (ii) Provide for a governance mechanism that will enable the inhabitants of the Municipality to:

a. Participate in determining the social services and regulatory framework which will best satisfy their needs and expectations.

b. Ensure that public resources and authority are utilized or exercised, as the case may be, to their satisfaction.

c. Enjoy efficiency in service delivery.

(iii) To institute such measures as are necessary for achieving public order and the provisions of civic amenities, so as to enhance the quality of life of the inhabitants of the Municipality.

(iv) Provide a high standard of social services in a cost-effective manner to the inhabitants of the Municipality.

(v) Promote social cohesiveness and a sense of civic duty and responsibility among the inhabitants and stakeholders in the Municipality in order to facilitate collective action and commitment towards achieving the goal of a harmonious and stable community.

(vi) Providing for services, regulations and other matters for Municipality's benefit.



(vii)Fostering the economic, social and environmental well-being of its community

2.3. FUNCTIONS OF THE MUNICIPALITY

2.3.1. The Municipality of Maua shall, within the boundaries of the Municipality, perform the following functions:

- (a) Promotion, regulation and provision of refuse collection and solid waste management services;
- (b) Maintenance of urban roads and associated infrastructure;
- (c) Maintenance of storm drainage and flood controls;
- (d) Maintenance of walkways and other non-motorized transport infrastructure;
- (e) Maintenance of recreational parks and green spaces;
- (f) Maintenance of street lighting;
- (g) Maintenance and regulation of traffic controls and parking facilities;
- (h) Maintenance of bus stands and taxi stands;
- (i) Regulation of outdoor advertising;
- (j) Maintenance and regulation of municipal markets and abattoirs;
- (k) Maintenance of fire stations; provision of fire-fighting services, emergency preparedness and disaster management;
- (l) Promotion, regulation and provision of municipal sports and cultural activities;
- (m) Promotion, regulation and provision of animal control and welfare;
- (n) Enforcement of municipal plans;
- (o) Maintenance of administrative offices;
- (p) Any other functions as may be delegated by the Governor.



3.1. ESTABLISHMENT OF THE BOARD

3.1.1. There shall be a Board of the Municipality of Maua to be known as the Maua Municipality Board (MMB)

3.1.2. The Board of the Municipality shall be a corporate body with perpetual succession and a common seal and shall in its own corporate name, be capable of:

- (a) Suing and being sued;
- (b) Taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;

(c) Borrowing money or making investments within the limits imposed by law

(d) Entering into contracts; and

(e) Doing or performing all other act or things for the proper performance of its functions in accordance with the Urban Areas and Cities Act or any other written law which may lawfully be done or performed by a body corporate.

3.1.3. The Board shall exercise its powers under 3.1.2 above as an agent of the County Government of Meru and with the approval of the Governor.

3.2. POWERS AND FUNCTIONS OF THE BOARD OF THE MUNICIPALITY

3.2.1. Save as otherwise expressly stated in this Charter, the Board of the Municipality shall have all the powers and perform all functions vested in boards of municipalities under the Urban Areas and Cities Act, the County Government Act and the Municipality Regulations.

3.2.2. Except as this Charter otherwise provides, all powers of the Municipality shall be vested in the Board of the Municipality.

3.2.3. The Board of the Municipality shall provide for the exercise of these powers and for the performance of all duties and obligations imposed on the Board of the Municipality.

3.2.4. Subject to the above provisions, the Board of the Municipality shall, within the boundaries of the Municipality of Maua-

- (a) exercise, executive authority as delegated by the Governor;
- (b) ensure provision of services to its residents;
- (c) promote constitutional values and principles;





- 3.3.2. Four (4) members of the Board of the Municipality shall be competitively appointed by the Governor and approved by the County Assembly.
- 3.3.1. The Board of the Municipality shall be composed of nine (9) members.
- 3.3. COMPOSITION AND TERM OF THE BOARD OF THE MUNICIPALITY
- (i) performing such other functions as delegated by the Governor.
 - (k) facilitating and regulating public transport
 - (j) promoting a safe and healthy environment;
 - (i) establishing, implementing and monitoring performance management systems;
 - (h) monitoring the impact and effectiveness of any services, policies, programs or plans;
 - (g) preparing and submitting its annual budget estimates to the relevant County Treasury for consideration and submission to the County Assembly for approval as part of the annual County Appropriation Bill;
 - (f) monitoring and, where appropriate, regulating Municipal services where those services are provided by service providers other than the Board of the Municipality;
 - (e) implementing applicable National and County legislation;
 - (d) administering and regulating its internal affairs;
 - (c) maintaining a comprehensive database and information system of the administration;
 - (b) develop or adopt policies, plans, strategies and programmes and set targets for service delivery;
 - (a) oversee the affairs of the Municipality;
- 3.2.5. The Board of the Municipality shall perform the following functions:
- (f) ensure participation of the residents in decision making, its activities and programmes;
 - (e) make Regulations or make recommendations for issues to be included in Regulations;
 - (d) ensure the implementation and compliance with policies formulated by both the National and County Government;



- (c) Perform such other duties as may be delegated by the Board of the Municipality.
- (b) Chairing the meetings of the Board of the Municipality; and
- (a) The Chairperson shall be the head of the Board of the Municipality;

3.6. POWERS AND FUNCTIONS OF THE CHAIRPERSON
 3.6.1. The Chairperson of the Board of the Municipality shall have the following powers and shall perform the functions set out below:

3.5.2. The Chairperson of the Board shall hold office for a term of five (5) years.

3.5. CHAIRPERSON OF THE BOARD
 3.5.1. At the first regular meeting of the Board of the Municipality, members of the Board of the Municipality shall elect from amongst themselves, a Chairperson of the Board of the Municipality.

(d) have lived in the municipality for at least five years.

(c) carry on business in the municipality; or

(b) be ordinarily resident or have a permanent dwelling in the Municipality;

(a) be a Kenyan citizen;

3.4. ELIGIBILITY FOR APPOINTMENT AS MEMBER OF THE BOARD OF THE MUNICIPALITY
 3.4.1. Each member of the Board of the Municipality shall have the following qualifications:

3.3.5. The term of the members of the Board of the Municipality shall be five (5) years on a part-time basis.

3.3.4. In appointing members of the Board of the Municipality, the Governor shall ensure gender equity, representation of persons with disability, youth and marginalized groups.

(e) an association of the Municipality.

(d) a cluster representing registered neighborhood associations in the area; and

(c) a cluster representing registered associations of the informal sector in the area;

(b) an association representing the private sector in the area;

(a) an umbrella body representing professional associations in the area;

3.3.3. Five (5) members of the Board shall be nominated by the following umbrella bodies:



(a) establish such Committees for any general or special purpose which, in its opinion, would regulate or manage its affairs more efficiently and as may be necessary for the performance of its functions under the Urban Areas and Cities Act;

3.10.1 The Board of the Municipality may:

3.10. COMMITTEES OF THE BOARD OF THE MUNICIPALITY

3.9.2 Where the Secretary of the Board of the Municipality is absent from any meeting, the members of the Board of the Municipality shall appoint a Secretary of the Board from amongst themselves for purposes of that meeting.

3.9.1 The Governor shall appoint a Secretary from among the members of the Board.

3.9. SECRETARY OF THE BOARD OF THE MUNICIPALITY

3.8.3 Any vacancy arising out of the removal of a Chairperson or the Vice-Chairperson of Board of the Municipality may be filled in the manner provided under Article 3.5 and 3.7 respectively.

3.8.2 The procedure for the removal of a Chairperson or Vice-Chairperson of the Board of the Municipality under 3.8.1 above may be provided by Regulations under the Urban Areas and Cities Act and in the absence thereof in accordance with Kenyan law having regard to fair labour practices.

- (a) The County Governor; or
- (b) The vote, of at least two-thirds of the members of the Board of the Municipality at a duly convened meeting where quorum is present; or
- (c) Upon petition by a resident of the Municipality where the petition has been received, considered and its merit affirmed.

3.8. REMOVAL OF THE CHAIRPERSON AND VICE-CHAIRPERSON

3.8.1 The Chairperson and the Vice-Chairperson of the Board of the Municipality may be removed by:

3.7.3 The Vice-Chairperson shall, in the absence of the Chairperson, perform the functions of the Chairperson and shall perform such other functions as may be delegated by the Chairperson.

3.7.2 The Chairperson and the Vice-Chairperson of the Board of the Municipality shall at all times be of different gender.

3.7.1 At the first regular meeting of the Board of the Municipality, members of the Board of the Municipality shall elect from amongst themselves, a Vice-Chairperson of the Board of the Municipality.

3.7. VICE-CHAIRPERSON OF THE BOARD OF THE MUNICIPALITY

3.10.2. The Committees of the Board of the Municipality to which members of the Board of the Municipality delegate any of their powers and functions must follow procedures which are based as far as they are applicable on those provisions of this Charter which govern the taking of decisions and performance of functions by the Board of the Municipality.

(b) delegate to such Committee such functions as are necessary for the efficient performance of its duties in respect to the whole or any part of the area under the jurisdiction of the Board of the Municipality; and

(c) include persons who are not members of the Board in any Committee.

3.11. REMUNERATION OF THE MEMBERS OF THE BOARD OF THE MUNICIPALITY

3.11.1. The Board of the Municipality shall not be entitled to a salary.

3.11.2. However, members of the Board of the Municipality shall be paid such allowances as the County Executive Committee Member shall, on the advice of the Salaries and Remuneration Commission, determine.

3.12. REMOVAL OF MEMBERS OF THE BOARD OF THE MUNICIPALITY

3.12.1. A member of the Board of the Municipality shall cease to hold office if the member:

- (a) is unable to perform the functions of the office by reason of mental or physical infirmity;
- (b) is declared or becomes bankrupt or insolvent;

- (c) is convicted of a criminal offence and sentenced to a term of imprisonment of six months or more;
- (d) resigns in writing to the County Governor;
- (e) without reasonable cause or permission from the Chair, the member is absent from three consecutive meetings of the Board or Committee of the Board of the Municipality within one financial year;
- (f) is found guilty of professional misconduct by the relevant professional body;
- (g) is disqualified from holding a public office under the Constitution;
- (h) fails to declare his or her interest in any matter being considered or to be considered by the Board or Board Committees;
- (i) engages in any gross misconduct; or
- (j) dies.

3.12.2. A member of the Board of the Municipality may be removed from office by:



Municipal Manager.

3.16.1. The minutes and other information of the Board of the Municipality shall be kept by the

3.16. RECORD OF INFORMATION OF THE BOARD

3.15.1. The Board of the Municipality shall by resolution adopt rules to govern its meetings.

3.15. RULES OF THE BOARD

3.14.2. A member of the Board of the Municipality who is interested in any discussions or decision-making regarding any subject or transaction under consideration by the Board of the Municipality, shall not be counted as participating in the discussions or decision-making, and is not entitled to vote on or agree to the subject or transaction relating to it.

3.14.1. At least half of the members of the Board of the Municipality is a quorum to conduct business, but a smaller number may meet and compel attendance of absent members as prescribed by Board of the Municipality Rules.

3.14. QUORUM

3.13.3. All regular meetings of the Board of the Municipality called for the purpose of transacting public business, where a majority of the members elected are present, shall be open to the public.

3.13.2. Notwithstanding Article 3.13.1, the Chairperson of the Board of the Municipality may, and upon request in writing by at least one-third of the members of the Board of the Municipality shall, convene a special meeting to transact any urgent business of the Board of the Municipality.

3.13.1. The Board of the Municipality shall hold its sittings to transact the business of the Board at least once every three months.

3.13. MEETINGS OF THE BOARD OF THE MUNICIPALITY

3.12.4. Any vacancy arising out of the removal of a member of the Board of the Municipality may be filled in the manner provided under Article 3.3 above.

3.12.3. The procedure for the removal or petition for removal of a member of the Board of the Municipality under Article 3.12.1 above shall be as prescribed under the relevant law.

received, considered and its merit affirmed.

(c) Upon petition by a resident of the Municipality where the petition has been

(b) a resolution of the Board of the Municipality supported by at least two-thirds of the members of the Board of the Municipality; or

(a) the County Governor;

3.16.2. Access to information on the activities and resolutions of the Board of the Municipality shall be as provided under the Urban Areas and Cities Act.

3.17. CITIZEN PARTICIPATION

3.17.1. The residents and the business community of Maua Municipality may organize themselves into an association to enhance their participation in the affairs of Maua Municipality.

3.17.2. All recommendations from such association of the Municipality of Maua shall be forwarded to the Board of the Municipality for resolution.

3.17.3. All recommendations on issues raised in the association and approved by the Board of the Municipality shall be forwarded to the Municipal Manager for implementation.



4. REGULATIONS

4.1. REGULATIONS
4.1.1. The Board of the Municipality may make Municipality Regulations to enable it carry out its mandate efficiently.

4.2. PASSING OF REGULATIONS

4.2.1. All proposed Regulations must be subjected to public participation before approval by the Board.
4.2.2. Except as authorized by Article 3.2.2, passing of Regulations shall require approval by a majority of the Board of the Municipality.

4.2.3. The Board of the Municipality may adopt a Regulation at a single meeting by the unanimous approval of at least a quorum of Board, provided the proposed Regulation is available in writing to the Board at least one week before the meeting.

4.2.4. Any substantive amendment to a proposed Regulation must be read aloud or made available in writing to the Board, before the Board of the Municipality adopts the Regulation at that meeting.

4.2.5. After the adoption of a Regulation, the vote of each member must be entered into the Board minutes.

4.2.6. After adoption of a Regulations, the Chairperson of the Board must endorse it with the date of adoption and his title.

4.2.7. All Regulations passed by the Board shall be forwarded to the County Assembly for approval.

4.3. EFFECTIVE DATE OF REGULATIONS

4.3.1. Regulations shall take effect on the 14th day after approval by the County Assembly.
4.3.2. A Regulation may take effect as soon as it is approved by the County Assembly, if it contains an emergency clause.



5.1. RESOLUTIONS

5.1.1. The Board of the Municipality shall exercise its administrative authority by approving resolutions.

5.2. APPROVAL OF RESOLUTIONS

5.2.1. Approval of a resolution or any other Board administrative decision requires approval by the Board of the Municipality at one meeting.

5.2.2. After approval of a resolution or other administrative decision, the vote of each member must be entered into the Board minutes.

5.3. EFFECTIVE DATE OF RESOLUTIONS

5.3.1. Resolutions and other administrative decisions take effect on the date of approval, or on a later day provided in the resolution.



- (i) In ensuring the execution of the directives of the Board of the Municipality;
- (ii) During all intervals between meetings of the Board of the Municipality;
- (a) Act on behalf of the Board of the Municipality-

6.4.2. The Municipal Manager shall perform the following functions:

6.4.1. The Municipal Manager shall implement the decisions and functions of the Board of the Municipality and shall be answerable to the Board.

6.4. FUNCTIONS AND POWERS OF THE MUNICIPAL MANAGER

- (c) the person satisfies the requirements of Chapter six of the Constitution.
 - (b) the inclusion of minorities and marginalized communities; and
 - (a) gender equity;
- 6.3.2. In appointing the Municipal Manager, the County Public Service Board shall ensure:

- (c) Have served and had proven experience in administration or management either in public or private sector for a term of at least five years.
- (b) Hold a degree from a university recognized in Kenya or its equivalent
- (a) Be a citizen of Kenya

6.3.1. The Municipal Manager shall:

6.3. QUALIFICATIONS

6.2.2. The Municipal Manager shall be appointed for a period of three years, renewable for a similar period.

6.2.1. The Municipal Manager shall be competitively recruited and appointed by the County Public Service Board.

6.2. APPOINTMENT AND TERM

6.1.2. The Municipal Manager shall be the administrative head of the Municipality of Maua.

6.1.1. There shall be, established the office of the Municipal Manager.

6.1. OFFICE OF THE MUNICIPAL MANAGER

6. THE MUNICIPAL MANAGER



- (a) Attend all Board of the Municipality meetings unless excused by the Chairperson of the Board or the Board of the Municipality;
- (b) Make reports and recommendations to the Board of the Municipality about the needs of the Municipality;
- (c) Administer and enforce all Municipality Regulations, resolutions, franchises, leases, contracts, permits, and other Municipality decisions;

6.4.4. The Municipal Manager shall:

- (b) Enforce the provisions of this Charter, Municipal Regulations, and all applicable laws;
- (c) Exercise powers granted to the Municipal Manager in this Charter, Regulations and applicable laws concerning the appointment and removal of certain officers, employees, and members of committees of the Board of the Municipality;
- (d) Exercise such other powers as may be prescribed by this Charter, Regulations and applicable laws.

6.4.3.

- (g) Such other functions as the Board may, by order, confer upon the Municipal Manager. The Municipal Manager shall be fully responsible for the proper conduct of the executive and administrative work and affairs of the Municipality. The Municipal Manager shall have the power and shall be required to:
- (a) Exercise supervision over all departments and agencies of the Municipality and provide for the coordination of their activities;
- (f) Act as an ex-officio member of the Board and of all committees of the Board of the Municipality; and

- (e) Cause to be prepared, transmitted to the Board of the Municipality, and published at an annual report on the activities and accomplishments of the departments and agencies comprising the executive branch of the Municipality.
- (d) Be principally responsible for building and maintain a strong alliance and effective working relationships between the Board of the Municipality and the civil society, private sector and community based organizations;
- (c) Prepare and present for approval of the Board of the Municipality, an annual estimate of revenue and expenditure to fund and carry out the programmes and operations of the Board;
- (b) Keep all the minutes and other records of the Board.

(d) With the approval of the Board, appoint, supervise and remove Municipality employees;

(e) Organize Municipality departments and administrative structure;

(f) Prepare and administer the annual Municipality budget;

(g) Administer Municipality utilities and property;

(h) Encourage and support regional and inter-governmental cooperation;

(i) Promote cooperation among the Board of the Municipality, staff and citizens in developing Municipality policies and building a sense of community;

(j) Perform other duties as directed by the Board of the Municipality;

(k) Delegate duties, but remain responsible for acts of all subordinates. The Municipality Manager shall have no authority over the Board of the Municipality.

6.4.6. The Municipality Manager shall be entitled to attend meetings of the Board of the Municipality but shall not be entitled to vote.

6.5. REMUNERATION

6.5.1. The County Public Service Board shall set the compensation and determine the conditions of employment of the Municipal Manager.

6.6. REMOVAL OF THE MUNICIPAL MANAGER

6.6.1. The Municipal Manager may be removed from office by:

a) the County Governor;

b) a resolution of the Board of the Municipality supported by at least two-thirds of the members of the Board of the Municipality.

c) Upon petition by a resident of the Municipality where the petition has been received, considered and its merit affirmed.

6.6.2. The Municipal Manager shall cease to hold office upon the lapse of the employment term of if he/she:

(a) is unable to perform the functions of the office by reason of mental or physical infirmity;

(b) is declared or becomes bankrupt or insolvent;



(c) is convicted of a criminal offence and sentenced to a term of imprisonment of six months or more;

(d) resigns in writing to the County Governor;

(e) without reasonable cause, is absent from three consecutive meetings of the Board of the Municipality;

(f) is found guilty of professional misconduct by the relevant professional body;

(g) is disqualified from holding a public office under the Constitution;

(h) engages in any gross misconduct; or

(i) dies.

6.6.3. Any vacancy arising in the office of the Municipal Manager may be filled in the manner provided under Article 6.2 above.

6.7. ACTING MUNICIPAL MANAGER

6.7.1. When the Municipal Manager is temporarily disabled from acting as Municipal Manager or when the office of the Municipal Manager becomes vacant, the County Governor shall appoint a qualified person to be an Acting Municipal Manager.

6.7.2. The County Governor shall inform the County Public Service Board of such appointment within seven (7) days.

6.7.3. The Acting Municipal Manager shall have the authority and duties of the Municipal Manager, except that the Acting Municipal Manager may not appoint or remove employees only with approval of the Board of the Municipality.

6.7.4. An Acting Municipal Manager shall hold office until such a time as a new Municipal Manager shall be appointed by the County Public Service Board.



7.1. SOURCES OF THE MUNICIPALITY'S FUNDS AND REVENUE

7.1.1. The Board of the Municipality shall derive its revenue and funds from:

(a) monies allocated by the County Assembly for the purposes of the management and service delivery of the Board;

(b) monies or assets that may accrue to the Board in the course of the exercise of its powers or the performance of its functions; and,

(c) all monies or grants from any other legitimate source provided or donated to the Board.

7.2. APPOINTMENT OF THE MUNICIPALITY ACCOUNTING OFFICER

~~7.2.1. The Municipality Accounting Officer shall be designated by the County Executive Committee Member for Finance in the manner provided under Section 148 of the Public Finance Management Act.~~

7.3. FINANCIAL YEAR

7.3.1. The Municipality shall operate on an annual budget.

7.3.2. The financial year of the Board of the Municipality shall be the period of twelve months ending on the thirtieth June in each year.

7.4. BUDGET

7.4.1. The budget of the Board of the Municipality shall be developed in the manner provided under Section 175 of the Public Finance Management Act.

7.5. MANAGEMENT OF MUNICIPALITY FINANCES

7.5.1. The Board of the Municipality shall, with the approval of the County Executive Committee Member for Finance, open and maintain a bank account in the name of the Municipality.

7.5.2. All monies received by the Board of the Municipality shall be paid into the Municipality's bank account promptly and in accordance with the Public Finance Management Act.

7.6. BORROWING BY THE MUNICIPALITY

7.6.1. The Board of the Municipality may only borrow from:-

(a) from the County Government; or

(b) through the County Government.





7.7. AUDIT

7.7.1. The audit of the Board of the Municipality shall be as provided under Section 46 and 47 of the Urban Areas and Cities Act.

7.7.2. The County Executive Member of Finance shall submit the Auditors General's report on the Board of Municipality to the County Assembly within fourteen days (14) of its receipt for consideration.

8.1. MUNICIPALITY PERSONNEL

8.1.1. The Board of the Municipality may subject to the approval by the County Executive Committee Member in charge of Public Service employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other any other law.

8.2. MANAGEMENT OF MUNICIPAL PERSONNEL

8.2.1. Employees of the Municipality shall be under the general guidance of the Municipal Manager.

8.3. RETIREMENT SYSTEMS

8.3.1. The officers and staff of Maua Municipality shall be covered by the medical, retirement and pension schemes applicable to employees of the County Government of Meru.

8.4. COMPENSATION OF MUNICIPAL PERSONNEL

8.4.1. The compensation of all employees of the Municipality shall be set by the County Public Service Board upon the advice of the Salaries and Remuneration Commission.

9. MUNICIPALITY PROPERTY

9.1. ACQUISITION, POSSESSION AND DISPOSAL
9.1.1. The Board of the Municipality is a body corporate and may acquire real, personal, or mixed property for any public purpose by purchase, gift, bequest, devise, lease, or otherwise and may sell, lease, or otherwise dispose of any property belonging to the Municipality with the consent and approval of the Governor.

9.2. COMPULSORY ACQUISITION

9.2.1. Whenever the Municipality deems it necessary to acquire private land for its purposes, it shall request the County Executive Committee Member to request the National Land Commission to acquire the land on its behalf.

9.2.2. The provisions of the Land Act shall apply to any intended compulsory acquisition by the Municipality of property within the Municipality.

9.3. MUNICIPAL BUILDINGS

9.3.1. The Board of the Municipality may acquire, obtain by lease or rent, purchase, construct, operate, and maintain all buildings and structures it deems necessary for the operation of the Municipality with the approval of the Governor.

9.4. PROTECTION OF MUNICIPALITY PROPERTY

9.4.1. The Board of the Municipality may do whatever may be necessary to protect municipal property and to keep all municipal property in good condition.

10.1. OATH OF OFFICE

10.1.1. Before entering upon the duties of their offices, the Municipal Manager, the Chairperson and Vice-Chairperson and the members of the Board, and all other persons elected or appointed to any office of profit or trust in the Municipality, as determined by Board, shall take and subscribe to the following oath or affirmation:

"I, [...], being called on to exercise the functions of [Municipal Manager/Chairperson, etc.] of the Municipality of Maua, do swear/solemnly affirm that I will at all times be faithful to the Republic of Kenya; that I will obey, respect and uphold this Constitution of Kenya and all other laws of the Republic, that except with the authority of the Board of the Municipality of Maua, I will not directly or indirectly reveal the nature or contents of any business, proceedings or document of the Municipality committed to my secrecy, except as may be required for the due discharge of my duties as [Municipal Manager/Chairperson, etc.] of the Municipality of Maua or otherwise under the law. So, help me God."

10.1.2. The Municipal Manager shall take and subscribe to this oath or affirmation before the County Governor or before one of the sworn deputies. All other persons taking and subscribing to the oath shall do so before the Municipal Manager.

10.2. AMENDMENTS TO THE CHARTER

10.2.1. The County Governor may at any time, after consultation with the Board of the Municipality, amend any provision of this Charter.

10.2.2. The County Governor shall cause a copy of the Amended Charter to be laid before the County Assembly within 30 days of its amendment for approval.

10.3. SEPARABILITY

10.3.1. If, at any time, any provision of this Charter is or becomes illegal, invalid or unenforceable in any respect under Kenyan law, neither the legality, validity or enforceability of the remaining provisions nor the legality, validity or enforceability of such provision will in any way be affected or impaired.

TRANSITIONAL PROVISIONS

11.1. EFFECTIVE DATE OF CHARTER
11.1.1. The provisions of this Charter shall be in effect from the date of the grant of the Charter by the Governor.

11.2. RIGHTS AND PRIVILEGES PRESERVED
11.2.1. Nothing in the Charter except as otherwise specifically provided shall effect or impair the rights or privileges of persons who are County Officials, Officers or Employees at the time of its adoption.

11.3. DEPARTMENTS
11.3.1. All County Departments shall continue to operate with the same powers, duties, activities, budgets, and employees as were in effect at the time this Charter becomes effective until changed by the Municipal Manager with the approval of the Board of the Municipality.



