

THE NYERI COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2024

NYERI COUNTY ALCOHOLIC DRINKS CONTROL (LICENSING) REGULATIONS, 2024

In **EXERCISE** of the powers conferred by Section 81 of The Nyeri County Alcoholic Drinks Control Act, 2024, the Executive Member issues and publishes the following Regulations for the better carrying out of the objects of this Act.

PART I: PRELIMINARY

1. CITATION

These Regulations may be cited as the Nyeri County Alcoholic Drinks Control (Licensing) Regulations, 2024.

2. INTERPRETATION

In these Regulations, unless the context otherwise requires—

(a) “Alcohol Free Zone” means a geographic area, location or establishment where public consumption and sale of alcoholic beverages is prohibited.

Bar and Restaurant” means any business premises whose primary revenue generating business is the preparation and sale of food for consumption in the premises. Where an alcoholic drink is to be consumed on the premises, the same shall only be served to a customer as part of a meal.

(b) “Directorate”, “County Committee” and “Sub-county Committee”: has the meaning assigned under Section 4 of the Act;

(c) “Hotel” means premises on which accommodation is supplied or available for supply, with or without food or services, in exchange for money or money’s worth, and includes premises known as—

(a) service flats;

(b) service apartments;

(c) holiday cottages;

	(d) game lodges; (e) safari camps; (f) bandas; (g) holiday villas, Provided that such bed capacity in the said premises shall be at least fifteen (15). (d) “Lane” means any narrow or well-defined passage, track, channel, or course between walls and buildings; (e) “Licence” means a licence issued under these Regulations; (f) “Licensee” has the meaning assigned to it under Section 2 of the Act; (g) “Off-licence” means a licence for the sale of alcoholic drink to be consumed elsewhere than on the premises. (h) “Road” means a public road as defined under the Public Roads and Roads of Access Act (i) “Street” means a public passageway including sidewalks and being wider than a lane.
PART II:	

3. ELIGIBILITY FOR MEMBERSHIP OF COUNTY AND SUB-COUNTY COMMITTEES	i. No person shall be eligible for appointment as a Member of the County Liquor Committee or the Sub-County Alcoholic Drinks Control Regulation Committee, if such person: a) Is the holder of any license for the sale, manufacturing or distribution of an alcoholic drink; b) Has pecuniary interest in a partnership, company or society which is a licensee under the Act; c) Is a paid officer or agent of a partnership, company or society interested in the sale or prevention of the sale, of an alcoholic drink; d) Is a person employed directly or indirectly as an agent for the purpose of making an application for license under the Act; e) Is an agent of, manager of or a partner in any trade or calling carried upon a licensed premises, or in respect of which a license has been applied for, or the owner, lessor or mortgagee of those premises; f) Is an undischarged bankrupt; g) Has, in Kenya or in any other jurisdiction, has been sentenced to imprisonment without the option of a fine and who has not received a pardon thereof.
4. ESTABLISHMENT OF THE TECHNICAL COMMITTEE	(1) The Committee may delegate any of its work to one or more of Technical Committees created for that purpose from its membership. (2) The following Technical Committees are hereby established; i. Legal advisory, Finance and administration technical committee;

	ii. Civic education and advocacy Technical Committee; iii. Health, sanitation and physical planning Technical Committee. (3) The Technical Committees shall comprise of at least 3 members. (4) The Technical committees' meetings shall be held on need basis and the sittings shall be approved by the Committee. (5) The Technical Committees shall elect from among themselves a chairperson. (6) The Secretary of the Committee shall designate an officer to act as the secretary appointed under (5).
5. APPLICATIONS FOR LICENCE	1) A person who wishes to manufacture or otherwise produce; sell, dispose of, or deal with; import or cause to be imported; or export or cause to be exported any alcoholic drink under the Act, shall apply to the Sub-County Committee for a license. 2) The application under sub rule (1) shall contain: a) A copy of the Identity card of the applicant in case of an individual and in the case of a company, the Certificate of incorporation; b) KRA pin certificate c) Receipt of payment of application fee d) In the case of a renewal, a copy of the previous licence. e) In the case of a manufacturer or distributor, certification from the Kenya Bureau of Standards; f) a comprehensive information on the nature, orientation and other justification for the establishment of the manufacturing

	plant or establishment for sale; g) an indication as to whether the manufacture or sale of the alcoholic drink is licensed in another county and if so the evidence of such licensing; h) such other matters as may be prescribed;wh i) At its own discretion and where the need so arises, the Sub-County Committee may require the area chief within which the applicant's premises is located to confirm that the said premises is within their jurisdiction.uch other matters as may be prescribed 3) The Sub-county Committee shall, within twenty-one days after receiving applications for licences, prepare a notice setting forth the names of all applicants, the types of licences applied for, the premises in respect of which the licences are applied for and the time, date and place of the meeting, and shall forthwith cause a copy of the notice to be- a) published at the office of the Sub-county and Ward administrators for a period of not less than twenty-one consecutive days b) posted in some conspicuous place at or near the applicant's premises c) sent to the sub-county public health officer in the sub-county in which the premises in respect of which the licences are applied for are situated; and d) sent to the sub-county physical planning officer 4) The sub-county public health officer; and the sub-county physical
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	planning officer shall, before the hearing of any application under this section, report in a prescribed form to the Sub-county Committee on all matters which may be relevant to the consideration of the application.
Objections to applications	5) Any person may lodge objection to an application; 6) Every objection to an application shall be made in writing to the Secretary to the Sub-county Committee, and the objector shall serve notice of the grounds of the objection on the applicant, personally or by post, at least seven days before the hearing of the application and the onus of proof of such service shall be on the objector; 7) A Sub-county Committee may of its motion take notice of any matter or thing which, in the opinion of the Committee, constitutes an objection to an application, whether or not any objection has been otherwise lodged; 8) Where in respect of an application a Sub- county Committee acts in pursuance of sub rule (7), the Committee shall inform the applicant of the nature of the objection, and shall, if the applicant so requests, adjourn the hearing for such period, not being less than seven days, as the Sub-county Committee considers necessary to enable the applicant to reply thereto; 9) Every person making an application and whose application has been objected to under sub rules 6 or 7 shall, save as otherwise provided, appear in person or by an advocate before the Sub-county Committee, and shall satisfy the Sub-county Committee that there is need for the grant of a licence of the type applied for in the particular locality in respect of which the application is made;

	10) A Sub-county Committee may require the personal appearance before it of the applicant, or of the manager of the premises to which the application relates, or of both of them and of any other person whose attendance is considered by the committee to be necessary. 11) Any objector may appear personally or by an advocate at the hearing of the application
Residents may be represented at hearings for objection	12) A sub-county may authorize, in writing, any person to appear before any Sub-county Committee having jurisdiction in any part of the area within the jurisdiction of the sub-county for the purpose of representing the inhabitants of that part in respect of any objection lodged to an application.
Proceedings	13) Every Sub-county Committee shall maintain records of all its proceedings, and, in particular, of the purpose for which an application was made, and notes of the evidence given and of the arguments adduced and the decision of the court thereon: Provided that no decision shall be quashed on appeal solely by reason of any omission or error in such record, unless it appears that a substantial miscarriage of justice has thereby been occasioned..
Record of recommendations of the Sub-County Committee	14) The Sub-county Committee shall, within twenty-one days of receipt of the application under subsection (1), record the application and assess the same on the basis of the objections received if any and the interests of the sub-county, and shall ensure that –

	a) the available premises are suitable with regard to the nature of the licence being sought; b) the premises conform to the prescribed requirements of the occupational health and safety regulations; c) the applicant possesses the infrastructure and equipment necessary to carry out the business applied for; d) the applicant for a licence to brew, distill, bottle or manufacture an alcoholic drink possesses necessary qualifications and relevant requirements stipulated under Standards Act or any other relevant written law; and 15) Applications for review of decisions of the Sub County Committee shall be to the County committee.
Applications	16) An application for a grant or renewal of an alcoholic retail drinks license shall be in Form 1 as set out in the First Schedule. 17) An application for a grant or renewal of a license to manufacture or otherwise produce; sell, dispose of, or deal with an alcoholic drink shall be in Form 2 specified in the First Schedule. 18) An application for the transfer or removal of a license shall be made in triplicate in Form 3 set out in the First Schedule. 19) An application for a temporary alcoholic drink license or a temporary extension alcoholic drink license shall be made in Form 4 set out in the First Schedule. 20) An application for a members/proprietary club license shall be made in triplicate in Form 5 set out in the First Schedule. 21) An application for a license shall be accompanied by an inspection

	checklist under Form 10 as set out in the First Schedule
Documents to accompany applications	22) Any application submitted under Regulation 4 shall be accompanied by— a) such registration or identification documents as may be required by the Sub- County Committee; b) certificates of good conduct for the proprietor and/or manager of the premises; c) a detailed physical address (to include copies of maps/title), telephone number, and email address of the applicant; d) detailed information relating the proposed services to be provided; e) where applicable, the nature and types of alcoholic drinks to be sold, produced or manufactured; f) where applicable, information relating to the previous experience in the provision of the services for which a license is sought; g) and any other information that the Sub-County or County Committee may require.
6. FAILURE TO SUBMIT DOCUMENTS OR INFORMATION	(1) Where an applicant fails to submit all documents or information required under these Regulations, the Sub-County and/or County Committee may reject the application and inform the applicant, in writing, of the rejection.
	(2) Where the Sub- County or County Committee rejects an application due to incomplete or insufficient information, the rejection shall not bar the applicant from resubmitting the application.

7. GRANTING OF LICENCES	(1) Upon the completion of the application process, the sub-county committee shall, (a) if it is satisfied that the applicant has complied with the requirements under these regulations, recommend for approval to the County Committee; or (b) Reject the application giving reasons and notify the applicant accordingly within thirty (30) days of the decision to reject; or make comments and recommendations thereon and return it to the applicant within fourteen (14) days. (2) A license issued under these Regulations shall be in Form 6, 7 and 8 set out in the First Schedule.
8. LICENCE TERMS AND CONDITIONS	(1) The County Committee may specify the terms and conditions of a licence consistent with the provisions of the Act and these Regulations. (2) A licensee shall comply with all terms and conditions of his licence.
9. ALCOHOL FREE ZONES	The County Liquor Committee shall not grant licenses where premises are located within alcohol free zones. For the purposes of the Act, the following areas have been classified as alcohol free zones: a) County stadia/sports facilities; b) Bus stations/parks;

	c) Libraries; d) Learning Institutions; e) Markets; f) Health facilities; g) County social halls.
10. NOTIFICATION OF CHANGE OF PARTICULARS	A licensee shall— (a) notify the Sub-County Committee of his intention to change the name or contact address he filed with the Sub-County Committee at least thirty days before effecting such change; and (b) notify the Sub-County Committee and the public of any trade or brand name he intends to use at least thirty days prior to using the trade or brand name; (c) pay requisite fees for change of particulars of business as required by the county government
11. RENEWAL OF A LICENCE	(1) A licensee shall make an application for the renewal of his licence in accordance with the procedure set out in Regulation 4. (2) When considering an application for renewal of a licence, the Sub- County Committee shall consider the extent of compliance, by the licensee, with the terms and conditions contained in the licence in the previous licence period. (3) If the renewal of a licence is refused, the licensee shall, on payment of the proportionate part of the fee for the appropriate

	licence, be entitled to a licence of such description and for such period, not exceeding three months, as the County Liquor Committee may consider necessary for the purpose of disposing of the alcoholic drink or apparatus on the premises. Such period to commence on the day after the last sitting of the County Liquor Committee at which the renewal of the licence has been refused, or on the day after the termination of the existing licence, whichever day is the later.
12. CANCELLATION OF LICENCES	(1) The County Liquor Committee may cancel a licence in accordance with the Act. (2) A person who is aggrieved by the decision of the County Liquor Committee may appeal in accordance with the Act.
13. OBLIGATIONS OF A LICENSEE TO PROVIDE QUALITY SERVICE	A licensee shall, in addition to the terms and conditions of the licence— (a) improve service quality, by identifying service deficiencies and making appropriate changes; (b) maintain service quality and hygiene while considering environmental and operating conditions; (c) ensure that practices increasing consumer satisfaction and safety and decreasing user complaints are encouraged; (d) avoid discrimination relating to the quality of the service offered between consumers; (e) ensure special needs of disabled consumers are also considered when developing quality of service parameters.

14. INSPECTIONS AND INVESTIGATIONS	The Directorate may inspect or investigate matters relating to the quality of service, of a licensee from time to time to ensure compliance or carry out any other visits or inspections pursuant to the Act.
15. APPROVALS FROM OTHER AUTHORITIES	Notwithstanding that a licence has been issued by the County Committee, a licensee shall bear the responsibility of obtaining the approvals of other Government agencies, or other relevant authorities that may be required for the provision of the licensed services or premises, or maintenance there-of of any premises on, though, under or across any land.
16.FEES	The Third Schedule shall have effect in relation to the fees payable in accordance with these Regulations.
17.HOURS	The alcoholic drink licence hours shall be as specified in the Fourth Schedule. Each establishment shall prominently display the Hours of operation on the outside wall next to the main entrance of the establishment in a conspicuous location.
18. TRANSPORTATION OF ALCOHOLIC DRINKS	In accordance with the provisions of section 43 of the Act, every vehicle transporting alcoholic drinks shall have not less than 50 percent of the side of the surface area, and not less than 30 percent of the surface area of the back of the vehicle transporting alcoholic drinks branded with the trade name of the Distributor and with an

	indication in capital letters, that the vehicle is transporting alcoholic drinks.
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FIRST SCHEDULE

FORM NO. 1

(r.4(16))

NYERI COUNTY ALCOHOLIC DRINKS LICENSES' APPLICATION FORM

APPLICATION No.

KINDLY FILL THE FORM IN TRIPLICATE

(Please Fill the Application in **BLOCK LETTERS** and Tick where ☐ applicable)

TYPE OF LICENCE APPLIED FOR:

RETAIL []

WHOLESALER []

DISTRIBUTOR ☐

MANUFACTURER []

1. NAME OF APPLICANT				
TITLE:	SURNAME:		FIRST NAME:	MIDDLE NAME:
Mr./Mrs.M/s.				
ID/PASSPORT NO:			PHONE NO:	
KRA PIN NO:			ALTERNATIVE PHONE NO:	
GENDER	M F	☐ ☐	EMAIL ADDRESS:	
DESIGNATION OF APPLICANT. (Owner, Director, Manager etc)				
IF IT IS AN ENTITY:				
NAME OF THE ENTITY:				

PHONE NO:		ENTITY KRA PIN NO:	
ALTERNATIVE PHONE NO:		EMAIL ADDRESS:	
2. APPLICANTS POSTAL ADDRESS:			

PO.BOX:		CODE:	
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3. PHYSICAL ADDRESS WHERE THE PREMISE IS LOCATED (Give sufficient details to adequately identify the premise)			
SUB-COUNTY:			
WARD:			
VILLAGE/TOWN:			
STREET/ ROAD			
NAME OF BUILDING WHERE THE PREMISE IS LOCATED			
PLOT NO:			
4. NAME OF THE BUSINESS PREMISES (Business Name):			
5. PREMISE DETAILS			
i. Size of the premise			
Length in Fts:		Width in Fts	
ii. Type of structure			
Temporary	☐	Semi-Permanent	☐
	☐	Permanent	☐
iii. Type of floor			
Tiled	☐	Not tiled	☐
If <i>not tiled</i> describe the type of floor:			

iv. Distance from learning or public institution in:	
Kilometres:.....	Metres:.....
v. When was the alcoholic drinks premise established?	
(Date/Month/Year) / /	
vi. Has the business location changed since it was established?	
Yes	☐
No	☐

7. FOR RENEWAL, INDICATE YOUR EXPIRING LICENCE NUMBER			
8. PERIOD OF YOUR LICENCE; (DATE/MONTH/YEAR)			
Date Month Year From: / /		Date Month Year To: / /	
9. IS THE BUSINESS LICENCED IN ANOTHER COUNTY? Yes ☐ No ☐ <i>If YES attach a copy of the licence/s</i>			
10. IS THE BUSINESS CERTIFIED BY THE KENYA BUREAU OF STANDARDS? Yes ☐ No ☐			
11. ARE YOU ABOVE THE AGE OF EIGHTEEN (18)? Yes ☐ No ☐			
12. HAVE YOU BEEN DECLARED BANKRUPT?		YES ☐ NO ☐	☐
13. HAVE YOU EVER BEEN CONVICTED OF ANY OFFENCE IN THIS ACT?		YES ☐ NO ☐	☐
14. Origin of product e.g Kenya Breweries		N ²	

Attach a copy of the following documents:

- Certificate of incorporation / Identity card of the applicant
- KRA pin certificate
- Receipt of payment of application fee
- If renewal, previous licence.
- If manufacturer or distributor -Kenya Bureau of Standards Certificate
- If manufacturer - NEMA Certificate.
- Certificate of good conduct

Note:

- *For applicants with more than one premises, please fill in an application form for each premises.*
- *The County Government reserves the right to deny issuance of an alcoholic drink licence if an applicant does not meet the required conditions as per the legal requirement*
- *Late applications will not be considered*
- *Misrepresentation of facts during application will lead to automatic disqualification and it amounts to a criminal offence*

For official use only

Application received by:

Name.....Signature

.....Date.....

Designation.....

Official stamp.....

NYERI COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2024

**APPLICATION FOR THE GRANT OF A NEW OR RENEWAL OF A LICENCE TO
MANUFACTURE OR PRODUCE AN ALCOHOLIC DRINK**

1. Name of applicant

.....

2. Type of

business.....

(a) Sole proprietorship (the business is owned by one person)

.....

Personal Identification Number

.....

(b) Partnership

.....

3. Names, Postal Addresses, Phone Contacts and Copies of Identity Documents (IDs) for
partners,

.....

.....

.....

.....

Contact Person

(c) Limited Liability Company

Name, a copy of the ID of each director, Postal Address and Phone Contacts of the
Directors

.....
.....
.....
.....

Contact Person

Postal Address.....

4. Physical Address (exact place of manufacture) (Land Parcel No.)

.....
.....

5. Tel

.....

6. E-mail

.....

7. Municipality, Town or Village

.....

8. Business Registration No* or Certificate of Incorporation

No*

9. Is this a New/Renewal application?

.....

If Renewal, provide details of License

No.....

10. Do you have manufacturer's certification? Yes* No

11. List the type and brands of alcoholic drinks to be manufactured

Alcoholic Drink Standards

Certification Number

.....

.....

.....
.....
.....

12. Brief description of alcoholic drink(s)

(a) Unit Capacity in millilitres and Cost in Shillings of the alcoholic drink(s).....

(b) Alcoholic content.....

(c) Mode of transportation and storage conditions

(d) Tick where appropriate

Do you have a license elsewhere YES [] NO []

Have you been undischarged bankrupt currently YES [] NO []

Have you been convicted for offenses under this act YES [] NO []

14. Declaration by Applicant:

Signature of Applicant Date

I..... hereby declare that the information provided herein is true, to the best of my belief, and knowledge. I am further aware that if any verifiable information is found to be untrue, the directorate reserves the right to cancel my license without further reference to me.

SWORN by the said)

..... at.....

) _____

) **DEPONENT**

This _____ **day of** _____ **20.....)**

)

Before me

)

COMMISSIONER OF OATHS

DRAFT

NYERI COUNTY ALCOHOLIC DRINKS CONTROL ACT 2024

**APPLICATION FOR TRANSFER/ WITHDRAWAL OF ALCOHOLIC DRINK
LICENCE**

[To be completed in triplicate]

1. Name of applicant
2. Kindly tick transfer type:–
Transfer of license []
Transfer of business location []
Change of business name []
3. Applicant's postal address.....
4. Type and number of licence held
5. Address of premises specified therein
6. Name of transferee/address of premises to which it is desired to withdraw license.
.....
.....
.....
7. Reasons for transfer/ withdrawal of license
.....
.....
- Signature of Applicant Date

8. Approval/ Disapproval by both sub-county and county committees

Sub-County Committee Chairperson

Minute Number

Signature and stamp.....

Chair of County- Committee

Minute Number

Signature and stamp

DRAFT

NYERI COUNTY ALCOHOLIC DRINKS CONTROL ACT 2024

**APPLICATION FOR A TEMPORARY ALCOHOLIC DRINK LICENCE/
TEMPORARY EXTENSION ALCOHOLIC DRINK LICENCE**

1. Name of Applicant
2. Applicant's postal address
3. Contacts of the applicants.....
4. Type and number of licence held
5. Type of licence required.....
6. Address to which temporary licence should be made applicable
7. Period for which temporary licence required.....
8. Extension times applied for
9. Reason for extension

.....
.....

Signature of Applicant Date.....

For Official use only

Approval by a County/Sub County Environmental Officer

NameSignature and stamp.....

Receipt No..... Date.....

Approval by the Sub- County Administrator

NameSignature and stamp.....

Receipt No..... Date.....

NYERI COUNTY ALCOHOLIC DRINKS CONTROL ACT 2024**PARTICULARS CONCERNING MEMBERS / PROPRIETARY CLUBS**

[To be completed in block capitals]

THESE PARTICULARS relate to an application which has been made for the grant of members club license.

PARTICULARS

1. Full name of applicant.....
2. Name of club concerned
3. Address and location of club premises
4. State whether the club is registered or exempted from registration under the provisions of the law for the time being relating to companies or societies
.....
Registration No.
.....
5. Particulars of types or categories of membership existing
.....
6. Total membership of club.....
7. State whether entrance fees or subscriptions are payable
8. Give details of the objects or purposes for which the club is established
.....
9. State whether any persons, other than members', may pay for or be charged for food, drink or

accommodation offered by the club

.....

10. State whether the club is a members' club or a proprietary club; that is, who owns the club property, the freehold title or leasehold title to the land upon which the club is situated, and who retains any profits earned or made by the club.

.....

11. State whether any limit is imposed on temporary membership and whether temporary members are required to pay both entrance fees and subscriptions .

.....

12. Particulars of the applicant's office or position in the club

I, the applicant,
hereby declare that the foregoing particulars are correct in every detail.

Contacts of the applicants

Date

Signature of Applicant



COUNTY GOVERNMENT OF NYERI



FORM 6

(r. 7(2))

NYERI COUNTY ALCOHOLIC DRINKS CONTROL ACT 2024

ALCOHOLIC DRINK LICENCE

S/NO.....

(This licence is granted under the provisions of the Nyeri County Alcoholic Drinks Control Act, 2024)

TYPE OF LICENCE

NAME OF LICENCE.....

BOX TEL

LOCATION PLOT NO

Allowed to operate from (time)

.....
.....

Fees paid Ksh.....

DATE OF ISSUE EXPIRY DATE

NAME OF OFFICER Designation

Sign Date

(Official Stamp)



COUNTY GOVERNMENT OF NYERI



FORM 7

(r. 7(2))

NYERI COUNTY ALCOHOLIC DRINKS CONTROL ACT, 2024

TEMPORARY ALCOHOLIC DRINK LICENCE

No.

This Temporary Alcoholic Drink Licence is granted under the provisions of the Nyeri County Alcoholic Drinks Control Act, 2024 to or being the holder of a Alcoholic Drink Licence No. and authorizes the licensee to sell alcoholic drink at

This licence is valid from to

This licence is issued subject to the provisions of the Nyeri County Alcoholic Drinks Control Act, 2024 and the following conditions

Fee paid: Sh.

Date of issue

Chair, Sub County Committee



COUNTY GOVERNMENT OF NYERI



FORM 8

(r. 7(2))

NYERI COUNTY ALCOHOLIC DRINKS CONTROL ACT 2024

TEMPORARY EXTENSION ALCOHOLIC DRINK LICENCE

LICENCE No.

This Temporary Extension Alcoholic Drink Licence is issued to

being the holder of a Alcoholic Drink Licence, No.

....., and authorizes the licensee to sell alcoholic

drink at from o'clock in the afternoon until

..... o'clock in the noon on

This Temporary Extension Alcoholic Drink Licence is granted subject to the provisions of the
Nyeri County Alcoholic Drinks Control Act, 2024 and to the following conditions

.....
.....
.....

Fee paid: Ksh.

Date of issue

For official use only

Approval by Director/Sub-County Administrator

Name Date.....

Signature and stamp.....

FORM 9

2020/2021

S.R. No.....of

COUNTY GOVERNMENT OF NYERI**DEPARTMENT:****IMPOUNDED GOODS/ITEM REGISTER**

Sub-County: Date: .../...../.....

Shopping Centre:

Pursuant to sections 71 of the Nyeri County Alcoholic Drinks Control Act 2024, the following goods/items have been impounded/confiscated for non-payment of:

- i. Alcohol Licenses []
- ii. Others please specify below;
 1.
 2.
 3.

List of Impounded goods / Items / Machinery e.t.c.

1.
2.
3.
4.
5.

Items/goods should be collected at office within a period of 14 days upon payment of the relevant penalties, fees or charges. Failure to that, legal action will be taken.

Arresting officer: Mr. /Ms.ID / PF. No.

Sign: Date:

Witnessed by: Mr. /Ms.ID / PF. No.

Sign:Date:

Owner: Phone No. ID. No

Sign:Date:

Entered in the Office Register No. Page / Folio No. by Mr. / Ms.
PF. No. Designation office on date
...../...../2020.

Signature:

DRAFT

FORM 10**COUNTY GOVERNMENT OF NYERI****THE OFFICE OF THE GOVERNOR
DIRECTORATE OF ALCOHOLIC DRINKS CONTROL & MANAGEMENT****LIQUOR OUTLET INSPECTION/EVALUATION CHECKLIST**

NAME OF THE OWNER.....MOBILE NO

APPLICANT NO. IN THE LIST..... TYPE OF LICENCE
APPLIED.....

(Tick: New/Renewal/Upgrade) LOCALITY

(Ward).....Shopping Centre:

INSPECTION CHECKLIST

DATE OF INSPECTION:

NAME OF OUTLET:

S/NO	PARAMETER	CHECK WHERE APPROPRIATE		REMARKS
1 ADMINISTRATOR	Suitability of the premises with regard to the Nature of the licence being sought/applied for:			
	Proximity of the premises to learning institution (300 meters).	YES	NO	
	Is the premises in Zone A?			
	Is the premises in Zone B			
	Is the premises in Zone C?			

S/NO	PARAMETER	CHECK WHERE APPROPRIATE		REMARKS
	Does the owner have a previous criminal record?	YES	NO	
	Owners general conduct	YES	NO	
	Is the general security in the area good?	YES	NO	
2 PHYSICAL PLANNER	Conformity of the premises to the prescribed requirements of the Occupational Safety and Health Regulations			
	Is the premises secure?	YES	NO	
	If new, does the premises have an occupational certificate?	YES	NO	
	Are the prescribed warning signs displayed?	YES	NO	
	Entry point/emergency exit	YES	NO	
	Firefighting equipment	YES	NO	
	Status of the building/land use			
	Is the business compatible with the other users?			
	Is there encroachment on agricultural lands?			
	Is the premises a duly approved and completed development?			
	Are there extension structures on			

S/NO	PARAMETER	CHECK WHERE APPROPRIATE		REMARKS
	verandas and balconies?			
	Is the premises located adjacent to a road, street or lane whose main entrance is facing the said road, street or lane?	YES	NO	
3 PHO	Infrastructure and equipment necessary to carry out the business applied for/type of the building			
	Is the premises in a good state of repair?	YES	NO	
	Are there adequate and proper sanitary facilities for both genders?	YES	NO	
	Are there adequate measures taken to ensure sale area is not accessible to persons under eighteen years?	YES	NO	
	Are the equipment used e.g Glasses in good condition?	YES	NO	
	Is there provision of running water for washing utensils, a sink and proper drainage?	YES	NO	
	Are there proper provisions/facilities for solid waste disposal?	YES	NO	
	Is there adequate ventilation and lighting?	YES	NO	

S/NO	PARAMETER	CHECK WHERE APPROPRIATE		REMARKS
	Is the premises' drinking area space adequate? ie. at least 20m ²	YES	NO	
	For Hotel/Bar and Restaurant category:			
	A) Functional kitchen	YES	NO	
	B) Beer Hall measuring at least 20m ²	YES	NO	
	C) Separate Dining Hall	YES	NO	
	D) For hotels, are there suitable rooms for accommodation?	YES	NO	State the number of rooms:
	PHO'S REMARKS			
4	Licenses			
	Public Health Licence (current) FY/.....	YES	NO	
	Liquor license (for renewal, previous licence)			
	FY/.....			

Signed & confirmed by:

(1).....S C Administrator

(2)..... D.C.C

(4).....P/H Officer

(5).....Physical Planner

(6).....Committee Member

(7).....Committee Member

(8).....Committee Member

(9) Name..... Sign.....Bar Owner/ Agent

Remarks/Observations/Recommended/Not recommended.....
.....
.....

Approved/Not approved

.....
.....

County Liquor Committee Chairperson

Appeal approved/Not approved

.....
.....

FIRST SCHEDULE

Types of licenses Permitted

<u>ZONE</u>	<u>AREA</u>	<u>LICENSES PERMITTED</u>
Zone A	Nyeri Town, Kingongo, Ruringu, Karatina Town, Othaya Town, Mukurweini Town and Narumoru Town. <i>(Excluding alcohol free zones)</i>	All licenses are permitted including Wines and Spirits Depots Whole sale and Franchise Premises
Zone B	Kiawara, Kiganjo, Chaka, Mweiga, Kamakwa, Giakanja, Kangemi, Gatitu, Gakindu Shopping Centre and Jambo <i>((Excluding alcohol free zones)</i>	All licenses are permitted including Wines and Spirits Depots, Whole sale and Franchise Premises
Zone C	All other shopping centers within the County <i>(Excluding alcohol free zones)</i>	Only Hotels and On Bar licenses and Manufacturing plants are permitted. (Wines and Spirits Depots and Bar and Restaurants are NOT permitted.)

THIRD SCHEDULE

[Regulation 16.]

LICENCE HOURS, CONDITIONS AND EXCEPTIONS

LICENSE HOURS TO BE DISPLAYED PROMINENTLY AT THE ENTRANCE OF THE ESTABLISHMENT

LICENCES	LICENCE HOURS, CONDITIONS AND EXCEPTIONS
1. Alcoholic Drink Licence (On licence) for retail outlets commonly known as Bar	Authorized to sell alcoholic drink:
	(a) From Monday to Friday during the hours of 5.00 p.m. to 11.00 p.m.
	(b) During weekends and public holidays during the hours of 2:00 pm to 11:00 p.m.
3. Supermarket retail Chain stores Alcoholic Drink Licence	Authorized to sell alcoholic drink on any day of the week during the hours of 2.00p.m to 9:00 p.m.
4. Hotel Alcoholic Drink Licence	Authorized to sell alcoholic drink on any day of the week to a lodger for his own consumption and his guest's consumption on the premises, from 1:00 p.m. to 11:00 p.m.
5. Bar and Restaurant Alcoholic Drink Licence	Authorized to operate as specified in the Fourth Schedule and to sell alcoholic drinks on Monday to Friday during the hours of 2:00 p.m. to 11.00 p.m and on weekends and public holidays between 2:00 p.m. and 12:00 a.m. A Bar and Restaurant shall be fitted with a fully functional: (a) Kitchen (b) Dining area; and (c) Beer hall

6. Club Alcoholic Drink Licence (a) Members Club	Authorized to sell alcoholic drink to members on any day of the week at any hour.
(b) Proprietary Club (including Night Club)	Authorized to sell alcoholic drink on any day of the week during the hours of 5.00 p.m. to 3:00 a.m.
7. Theatre Alcoholic Drink Licence	Authorized to sell alcoholic drink during the hours of 5.00 p.m. to 11.00. p.m.
8. Temporary or Occasional Licence	Authorized to sell alcoholic drinks on the day and during the hours stipulated in the Licence by the County Liquor Committee for the purposes of specific occasions, ceremonies or events as indicated in the application.

FOURTH SCHEDULE

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