



THE REPUBLIC OF KENYA



MIGORI COUNTY GOVERNMENT

MIGORI MUNICIPALITY CHARTER

MIGORI COUNTY GOVERNMENT
LAND, HOUSING AND URBAN DEVELOPMENT
MUNICIPAL MANAGER
★ 14 JAN 2023 ★
MIGORI MUNICIPALITY
P. O. Box 195-40400, SUNA-MIGORI

Handwritten signature

SPECIAL ISSUE 1

Kenya Gazette Supplement No. 6

28th December, 2018

(Migori County Legislative Supplement No. 1)

LEGAL NOTICE NO. 1

THE URBAN AREAS AND CITIES ACT

(No. 13 of 2011)

THE COUNTY GOVERNMENT OF MIGORI

THE MIGORI MUNICIPALITY CHARTER PART I—PREAMBLE

PART II—INCORPORATION, NAME AND BOUNDARIES

1— Incorporation and Name

2— Boundaries

PART III— POWERS, OBJECTS AND FUNCTIONS OF THE MUNICIPALITY

3— Powers of the Municipality

4— Objects of the Municipality

5— Functions of the Municipality

PART IV—THE BOARD OF THE MUNICIPALITY

6— Establishment of the Board

7— Powers and Functions of the Board of the Municipality

8— Composition and term of the Board of the Municipality

9— Eligibility for appointment as member of the Board of the Municipality

10— Chairperson of the Board

11— Powers and functions of the Chairperson

12— Vice-Chairperson of the Board of the Municipality 13— Removal of the
Chairperson and Vice-Chairperson

14— Secretary of the Board of the Municipality

15— Committees of the Board of the Municipality

16— Remuneration of the members of the Board of the Municipality

17— Removal of members of the Board of the Municipality

18— Meetings of the Board of the Municipality

19— Quorum

20— Rules of the Board

21— Record of information of the Board

22— Citizen For a

PART V—LEGISLATIVE AUTHORITY

23— By-laws

24— Passing of By-laws

25— Effective date of By-laws

PART VI—ADMINISTRATIVE AUTHORITY

26— Resolutions

27— Approval of resolutions

28— Effective date of resolutions

PART VII—THE MUNICIPAL MANAGER

29— Office of the Municipal Manager

30— Appointment and term

31— Qualifications

32— Functions and powers of the Municipal Manager

33— Remuneration

34— Removal of the Municipal Manager

35— Acting Municipal Manager

PART VIII—MUNICIPAL FINANCES AND FINANCIAL MANAGEMENT

36— Sources of the Municipality's funds and revenue

37— Appointment of the Municipality Accounting Officer

38— Functions and Powers of the Municipality Accounting Officer

39— Financial year

40— Budget

41— Management of Municipality Finances

42— Borrowing by the Municipality

43— Audit

PART IX—MUNICIPALITY PERSONNEL

44— Municipality Personnel

45— Management of Municipal Personnel

46— Retirement systems

47— Compensation of Municipal Personnel

PART X—MUNICIPALITY PROPERTY

48— Acquisition, possession and disposal

49— Compulsory acquisition

50— Municipal Buildings

51— Protection of Municipality Property

PART XI—GENERAL PROVISIONS

52— Oath of office

53— Amendments to the Charter

54— Separability

55— Effective Date of Charter

56— Rights and Privileges Preserved

PART XII—TRANSITIONAL PROVISIONS

57— Departments

THE URBAN AREAS AND CITIES ACT

(No. 13 of 2011)

THE COUNTY GOVERNMENT OF MIGORI

THE MIGORI MUNICIPALITY CHARTER PART I—PREAMBLE

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 elections held under the Constitution of Kenya 2010.

WHEREAS Section 9 of the Urban Areas and Cities Act empowers the County Governor, on the resolution of the County Assembly, to confer on a qualifying town, the status of a Municipality by grant of a Charter in the prescribed form.

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.

WHEREAS 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.

WHEREAS The County Assembly of Migori duly approved the request by the Town Committee of Migori for grant of this Charter to the now Municipality of Migori

THEREFORE IN EXERCISE of the powers conferred by section 9 (1) 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, H.E Zachary Okoth Obado, County Governor of Migori County hereby grants the Municipality of Migori this Municipal Charter on this 20th July, 2018.

PART II—INCORPORATION, NAME AND BOUNDARIES

Incorporation and Name

1. (1) This Charter is the Municipal Charter of the Municipality of Migori within Migori County, Kenya.

(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.

Boundaries

2. The boundaries of the Municipality of Migori as now existing or as may subsequently be altered shall be the boundaries of the Municipality of Migori.

PART III— POWERS, OBJECTS AND FUNCTIONS OF THE MUNICIPALITY

Powers of the Municipality

3. (1) The Municipality of Migori 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 Governments Act and the County of Migori By-laws.

(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 By-laws and Resolutions of the Board of the Municipality, in such manner as may be provided by the County of Migori By-laws. *Objects of the Municipality*

4. The objects of the Municipality of Migori are to—

(a) Provide for efficient and accountable management of the affairs of the Municipality.

- (b) Provide for a governance mechanism that will enable the inhabitants of the Municipality to—
 - (i) Participate in determining the social services and regulatory framework which will best satisfy their needs and expectations.
 - (ii) Verify whether public resources and authority are utilized or exercised, as the case may be, to their satisfaction.
 - (iii) Enjoy efficiency in service delivery.
- (c) Vigorously pursue the developmental opportunities which are available in the Municipality and 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.
- (d) Provide a high standard of social services in a cost effective manner to the inhabitants of the Municipality.
- (e) 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.
- (f) Providing for services, laws and other matters for Municipality's benefit.
- (g) Fostering the economic, social and environmental well-being of its community

Functions of the Municipality

5. (1) The Municipality of Migori 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) Promotion and provision of water and sanitation services and infrastructure (in areas within the Municipality not served by the Water and Sanitation Provider);
- (c) Construction and maintenance of urban roads and associated infrastructure;
- (d) Construction and maintenance of storm drainage and flood controls;
- (e) Construction and maintenance of walkways and other non-motorized transport infrastructure;
- (f) Construction and maintenance of recreational parks and green spaces;
- (g) Construction and maintenance of street lighting;
- (h) Construction, maintenance and regulation of traffic controls and parking facilities;
- (i) Construction and maintenance of bus stands and taxi stands;
- (j) Regulation of outdoor advertising;
- (k) Construction, maintenance and regulation of municipal markets and abattoirs;
- (l) Construction and maintenance of fire stations; provision of fire-fighting services, emergency preparedness and disaster management;
- (m) Promotion, regulation and provision of municipal sports and cultural activities;
- (n) Promotion, regulation and provision of animal control and welfare;
- (o) Development and enforcement of municipal plans and development controls;
- (p) Municipal administration services (including construction and maintenance of administrative offices);
- (q) Promoting and undertaking infrastructural development and services within municipality;

- (r) Any other functions as may be delegated by the County Executive Committee.

PART IV—THE BOARD OF THE MUNICIPALITY

Establishment of the Board

6. (1) There shall be a Board of the Municipality of Migori.

(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) There shall be a principal and agency relationship between the Board of the Municipality and the County Government of Migori.

Powers and Functions of the Board of the Municipality

7. (1) 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 Governments Act and the Municipality By-laws.

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

(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.

(4) Subject to the Constitution and any other written law, the Board of the Municipality shall, within the boundaries of the Municipality of Migori

- (a) exercise executive authority as delegated by the County Executive Committee of the County of Migori;
- (b) ensure provision of services to its residents;
- (c) impose such fees, levies and charges as may be authorised by the County Government for delivery of services by the Municipality;
- (d) promote constitutional values and principles;
- (e) ensure the implementation and compliance with policies formulated by both the National and County Government;
- (f) make By-laws or make recommendations for issues to be included in Bylaws;
- (g) ensure participation of the residents in decision making, its activities and programmes; and
- (h) exercise such other powers as may be delegated by the County Executive Committee of the County of Migori.

(5) Notwithstanding any other provision of law or this Charter, the Board of the Municipality shall exercise such executive authority as may be delegated by the County Executive Committee for the necessary performance of its functions.

(6) The Board of the Municipality shall perform the following functions—

- (a) oversee the affairs of the Municipality;

- (b) develop or adopt policies, plans, strategies and programmes and set targets for service delivery;
- (c) formulate and implement an integrated development plan;
- (d) control land, land sub-division, land development and zoning by public and private sectors for any purpose, including industry, commerce, markets, shopping and other employment centers, residential areas, recreational areas, parks, entertainment, passenger transport, agriculture, and freight and transit stations within the framework of the spatial and master plans for the Municipality as delegated by the County Government of Migori
- (e) promoting and undertaking infrastructural development and services within Municipality as delegated by the County Government of Migori
- (f) developing and managing schemes, including site development in collaboration with the relevant national and county agencies;
- (g) maintaining a comprehensive database and information system of the administration;
- (h) administering and regulating its internal affairs;
- (i) implementing applicable national and county legislation;
- (j) entering into contracts, partnerships or joint ventures as it may consider necessary for the discharge of its functions;
- (k) monitoring and, where appropriate, regulating municipal services where those services are provided by service providers other than the Board of the Municipality;
- (l) 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;
- (m) collecting rates, taxes levies, duties, fees and surcharges on fees as delegated by the County Government of Migori
- (n) settling and implementing tariff, rates and tax and debt collection policies as delegated by the County Government of Migori
- (o) monitoring the impact and effectiveness of any services, policies, programs or plans;
- (p) establishing, implementing and monitoring performance management systems;
- (q) promoting a safe and healthy environment;
- (r) facilitating and regulating public transport
- (s) performing such other functions as delegated by the County Government of Migori

Composition and term of the Board of the Municipality

8. (1) The Board of the Municipality shall be composed of nine (9) members.
- (2) Four (4) members of the Board of the Municipality shall be appointed through a competitive process by the County Executive Committee and approved by the County Assembly.
- (3) Five (5) members of the Board shall be nominated by the following umbrella bodies.
- (a) an umbrella body representing professional associations in the area;
 - (b) an association representing the private sector in the area;
 - (c) a cluster representing registered associations of the informal sector in the area;
 - (d) a cluster representing registered neighbourhood associations in the area; and (e) an association of the Municipality.

and appointed by the County Executive Committee with the approval of the County Assembly.

(4) In appointing members of the Board of the Municipality, the County Executive Committee shall ensure gender equity, representation of persons with disability, youth and marginalised groups.

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

Eligibility for appointment as member of the Board of the Municipality

9. Each member of the Board of the Municipality shall have the following qualifications:

- (a) be a Kenyan citizen;
- (b) be ordinarily resident or have a permanent dwelling in the Municipality;
- (c) carry on business in the municipality; or
- (d) have lived in the municipality for at least five years. *Chairperson of the Board*

10. (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.

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

Powers and functions of the Chairperson

11. The Chairperson of the Board of the Municipality shall have the following powers and shall perform the functions set out below—

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

Vice-Chairperson of the Board of the Municipality

12. (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.

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

(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.

Removal of the Chairperson and Vice-Chairperson

13. (1) The Chairperson and the Vice-Chairperson of the Board of the Municipality may be removed by:

- (a) a majority decision of the members of Board of the Municipality at a duly convened meeting where quorum is present; or
- (b) upon petition by a resident of the Municipality.

(2) The procedure for the removal of a Chairperson or Vice-Chairperson of the Board of the Municipality article 13(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.

(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 10 and 12 respectively.

Secretary of the Board of the Municipality

14. (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 Secretary of the Board of the Municipality.

(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.

Committees of the Board of the Municipality

15. (1) The Board of the Municipality may:

- (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;
- (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.

(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 provision of this Charter which govern the taking of decisions and performance of functions by the Board of the Municipality.

Remuneration of the members of the Board of the Municipality

16. (1) The Board of the Municipality shall not be entitled to a salary.

(2) However, members of the Board of the Municipality shall be paid such allowances as the County Executive Committee shall, with the approval of the County Assembly, and on the advice of the Salaries and Remuneration Commission, determine.

Removal of members of the Board of the Municipality

17. (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, 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.

(2) A member of the Board of the Municipality 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; or (c) petition by the residents of the Municipality.

(3) The procedure for the removal or petition for removal of a member of the Board of the Municipality under 17(1) above shall be provided by Regulation under the Urban Areas and Cities Act.

(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 8 above. *Meetings of the Board of the Municipality*

18. (1) The Board of the Municipality shall hold its sittings to transact the business of the Board once every three months.

(2) Notwithstanding Article 18(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) 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.

(4) The Board shall have the privilege of holding executive sessions from which the public is excluded, however, no by-laws, resolution, rule or regulation shall be finally adopted at such an executive session. *Quorum*

19. (1) A majority 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.

(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 to be counted as participating in the discussions or decisionmaking, and is not entitled to vote on or agree to the subject or transaction relating to it.

Rules of the Board

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

Record of information of the Board

21. (1) The minutes and other information of the Board of the Municipality shall be kept by the Secretary of the Board of the Municipality.

(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. *Citizen Fora*

22. (1) The Board of the Municipality shall ensure the development of mechanisms for the participation of the residents of the Municipality of Migori in the management and administration of the Municipality.

(2) All recommendations from the Citizen Fora of the Municipality of Migori shall be forwarded to the Board of the Municipality for resolution.

(3) All recommendations on issues raised in the Citizen Fora and addressed by the Board of the Municipality shall be forwarded to the Municipal Manager for implementation.

PART V—LEGISLATIVE AUTHORITY

By-laws

23. The Board of the Municipality shall exercise its legislative authority by passing Municipality By-laws. *Passing of By-laws*

24. (1) Except as authorized by Article 7(2), passing of By-laws shall require approval by a majority of the Board of the Municipality at two meetings.

(2) The Board of the Municipality may adopt a By-law at a single meeting by the unanimous approval of at least a quorum of Board, provided the proposed By-law is available in writing to the public at least one week before the meeting.

(3) Any substantive amendment to a proposed By-law must be read aloud or made available in writing to the public before the Board of the Municipality adopts the By-law at that meeting.

(4) After the adoption of a By-law, the vote of each member must be entered into the Board minutes.

(5) After adoption of a By-law, the Chairperson of the Board must endorse it with the date of adoption and his title. *Effective date of By-laws*

25. (1) By-laws shall take effect on the 30th day after adoption, or on a later day provided in the By-law.

(2) A By-law may take effect as soon as adopted or other date less than 30 days after adoption if it contains an emergency clause.

PART VI—ADMINISTRATIVE AUTHORITY

Resolutions

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

Approval of resolutions

27. (1) Approval of a resolution or any other Board administrative decision requires approval by the Board of the Municipality at one meeting.

(2) Any substantive amendment to a resolution must be read aloud or made available in writing to the public before the Board adopts the resolution at that meeting.

(3) After approval of a resolution or other administrative decision, the vote of each member must be entered into the Board minutes. *Effective date of resolutions*

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

PART VII—THE MUNICIPAL MANAGER

Office of the Municipal Manager

29. (1) There is established the office of the Municipal Manager.

(2) The Municipal Manager shall be the administrative head of the Municipality of Migori

Appointment and term

30. (1) The Municipal Manager shall be competitively recruited and appointed by the County Public Service Board.

(2) The Municipal Manager may be appointed for a definite or an indefinite term. *Qualifications*

31. (1) The Municipal Manager shall—

- (a) Be a citizen of Kenya
- (b) Hold a degree from a university recognized in Kenya or its equivalent
- (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.

(2) In appointing the Municipal Manager, the County Public Service Board shall ensure:

- (a) gender equity;
- (b) the inclusion of minorities and marginalised communities; and
- (c) the person satisfies the requirements of Chapter six of the Constitution.

(3) The Municipal Manager need not reside within the Municipality. *Functions and powers of the*

Municipal Manager

32. (1) The Municipal Manager shall implement the decisions and functions of the Board of the Municipality and shall be answerable to the Board.

(2) The Municipal Manager shall perform the following functions: (a) Act on behalf of the Board of the Municipality-

- (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;
- (b) 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;

- (c) 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;
- (d) Cause to be prepared, transmitted to the Board of the Municipality, and distributed to the public at least an annual report on the activities and accomplishments of the departments and agencies comprising the executive branch of the Municipality.
- (e) Act as an ex-officio member of all committees of the Board of the Municipality; and
- (f) Such other functions as the Board may, by order, confer upon the Municipal Manager.

(3) 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;
- (b) Enforce the provisions of this Charter, Municipal By-laws, and all applicable laws;
- (c) Exercise powers granted to the Municipal Manager in this Charter, By-laws 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, by-laws and applicable laws.

(4) The Municipal Manager must—

- (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 By-laws, resolutions, franchises, leases, contracts, permits, and other Municipality decisions;
- (d) 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 intergovernmental 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.

(5) The Municipal Manager shall have no authority over the Board of the Municipality.

(6) The Municipal Manager shall be entitled to attend meetings of the Board of the Municipality but shall not be entitled to vote. *Remuneration*

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

34. (1) The Municipal Manager may be removed from office by—

- (a) the County Governor;