

BARINGO COUNTY GOVERNMENT

**SECOND ASSEMBLY
(No. 022)**



**FIFTH SESSION
(062)**

BARINGO COUNTY ASSEMBLY SECOND ASSEMBLY – (FIFTH SESSION) ORDERS OF THE DAY

WEDNESDAY 17TH MARCH, 2021 AT 9:30 AM

ORDER OF BUSINESS

PRAYERS:

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements
8. Motions/Bills

8. MOTION

(HON. ELIZABETH KIPSANG, MCA, BARINGO COUNTY)

AWARE THAT, Article 185 (2), and 186 (1) of the Constitution of Kenya vests Legislative Authority in the County Assembly and that it may make laws that are necessary and incidental for the effective performance of the functions of the County Government;

FURTHER AWARE THAT, County Health Services function including Cemeteries, Funeral Parlours and crematoria is a devolved function in accordance with Part II of the Fourth Schedule to the Constitution of Kenya;

ACKNOWLEDGING THAT, the Constitution of Kenya further embraces customs/cultural beliefs including Kenyan traditional burial rites/ceremonies which are largely emotive in nature but significant in equal measure;

CONCERNED THAT, the Public Health Act Cap 242 and the Land Act of 2012 of the laws of Kenya among other laws do not adequately provide for legal provisions that govern the allocation/planning of cemeteries' in Kenya;

RECOGNIZING THAT, burial ceremonies are conducted as last respect to the dead and they serve to bring closure to the deceased's family;

FURTHER CONCERNED THAT, cemeteries' are large burial grounds set aside for interment of the dead within the society and that the capacity of public cemeteries may not meet the growing demand owing to increased urban population, encroachment to cemeteries due to landlessness among the people;

NOW THEREFORE, this Motion urges the County Government to:

1. Allocate Public Cemeteries to all the six sub counties of Baringo and clearly demarcate/zone areas meant for Muslims and Christians;

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2. Ascertain/determine the boundaries of all public cemeteries within the County, fence off to avoid encroachment and pursue grabbed parcels meant for public cemeteries.
3. Establish the sizes/acreage of all public cemeteries in Baringo County and issue title/ownership documents for all existing public cemeteries respectively.

ADJOURNMENT