

1.0 INTRODUCTION

Following a meeting held on 1/08/2011 between KCCA; Directorate of Physical Planning and representatives of telecom mobile service providers (MSP) and after observing the clutter of kiosks and telecommunication masts across the city. It was agreed that guidelines be put in place to manage the placement of kiosks and installation of telecom facilities in the city. The objective is to enhance the aesthetics and guided placement of kiosks and telecommunication masts in the city in addition to facilitating easy access to mobile service providers by the public.

1.1 KIOSKS

These guidelines will address issues related to the type, product sold, physical location, size, distribution, materials to be used, sanitation, landscaping, and address of kiosk and mast owner(s). KCCA will only allow formal kiosks in the city and what is defined as formal shall meet the conditions from A-H below.

(A) Type:

The type of kiosk to be permitted in the city will include only; fiber glass, high quality wood and aluminum fabric

(B) product allowed:

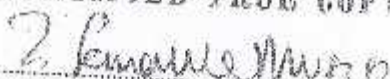
Kiosks allowed in the city will involve the following trade activities;

1. News vendors
2. Telecom and related products
3. Watch repairers
4. Stamp makers
5. Shoe shiners
6. Any other trade activities that falls within this category as may be approved by KCCA's Director Physical planning at his/her discretion

(C) Location/placement:

All kiosks will be located on private property, along gazetted streets/ road reserves and or open spaces permitted by KCCA's Physical Planning Directorate. KCCA will determine the suitable streets, open spaces and road reserves for placing kiosks and the appropriate number per street. However, location of kiosks on the following streets shall strictly be prohibited: Parliamentary Avenue, Apollo Kaggwa road, Nile Avenue, Yusuf Lule road, Bombo road, Nakasero road, Ternan Avenue, kyagwe road, Kampala road and Entebbe.

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Locating a kiosk in any other area in the city will require approval by the Directorate of physical planning of KCCA upon submitting of a formal application along with architectural and structural drawings. The location of the kiosk should not at any one time obstruct pedestrian walkways or shop premises or visibility or block the line of site.

PERMIT AND FEES

(D) Any person or company that may desire to erect a kiosk will have to apply to KCCA for a temporary use permit. A fee amounting to shillings 500,000 (five hundred thousand) shall be charged from each application to facilitate site inspection compliance monitoring. The fee shall be determined by KCCA. The fee may change from time to time as need arise. Revision of fees shall be determined by KCCA and communicated in writing to kiosk owners.

Any kiosk(s) placed in the city before commencement of these guidelines shall be required to obtain a permit from KCCA within 30 calendar days after commencement date of these guidelines.

The annual permit fees shall be paid at the time of requesting for permit extension. Any fees paid to KCCA shall be non-refundable even when the permit at the discretion of KCCA cannot be issued and/or if revoked.

(E) Size

The recommended standard for the size of kiosks will include the following:

1. For telecom kiosks, it will be 3ft wide x 5ft long x 7ft height
2. For other kiosks the size shall be 3ft wide x 6ft long x 7ft

A minimum set back of 4 ft from the road kerb face shall be observed. However, the Director Physical Planning may revise the setback according to the condition on ground at his/her discretion.

(F) Material to be used on the kiosks:

All kiosks in the Central division shall be made out of fiber glass or any other premium quality material preferably aluminum as may be approved by the Director of Physical Planning or his/her designee.

Kiosks outside central division may be made of fiber glass, metallic, canvas and wood as may be approved by the Director Physical Planning or his/her designee.

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(G) Sanitation:

Every kiosk shall maintain a litter bin which shall be emptied on a daily basis by the owner of the kiosk. The type and make of litter bin shall be approved by KCCA's Physical Planning Directorate before placement. It shall be the sole responsibility of kiosk owners to dispose of garbage daily and maintain the premises in good sanitary condition at all times.

The kiosk shall be cleaned regularly at least twice a day. If a kiosk operator fails to meet this requirement, his/her license will be cancelled without any further notice.

(H) Landscaping/paving of the site:

The developer/applicant placing the kiosk in a gazetted place shall be responsible for improving and maintaining landscaping and pavings on the site and providing bollards as approved by KCCA's Physical Planning Directorate, to prevent any possible accident caused by motorist.

The applicant shall take responsibility of landscaping and site improvement requirements such as planting grass, flowers and shrubs around the kiosks to ensure aesthetics. Site improvement plans shall form part of the application. Fees associated with landscaping and paving of the site shall be paid by the applicant.

No kiosk or paving material shall obstruct pedestrian walkways or shop premises or visibility of road junctions at any time. Permit shall be issued on temporary terms and shall be renewable every year. The extension of the permit shall be the discretion of KCCA's Physical Planning Directorate.

(I) Distribution

The distance between one kiosk and the other will be determined by the Directorate of Physical Planning of KCCA but the minimum distance between kiosks shall not be less than 5 ft from each other. In the CBD, it is highly recommended that multiple kiosks be encouraged i.e. one site with more than three (3) kiosks per site as space may permit. KCCA shall decide the number of kiosks that can be located in one geographical space in the city for each interested applicant(s).

1.2 TELECOMMUNICATION MASTS AND INFRASTRUCTURE

This involves laying of cable networks and installation of masts. Due to the increasing demand for telephone communication services, various providers have gone ahead to

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lay underground cables or construct masts at will. There are as many cable lines and masts as the MSP companies.

(A) Road cuttings

The activities of the providers have resulted into continuous excavation of roads pavements and sidewalks seldom restored to original good conditions. It is therefore necessary to harmonize the laying of cable networks and construction of masts in the city. This calls for cooperation among the MSPs and utility companies to work jointly in the effort to have interconnected network and coordinated activities in the city. It is therefore a requirement that for any MSP or utility companies to excavate a road in Kampala City it must apply for permission from KCCA and permission shall be granted after meeting the requirements of restoring the road or sidewalk and road reserve to its original condition. Before approval, KCCA shall assess the cost of reinstating works on the road and the applicant shall be asked to pay to KCCA the amount for reinstating the road to its original condition. After reinstating the road/road reserve that amount shall be refunded. The cost of reinstating shall be determined by KCCA.

(B) Mast

There is a concern that there are so many masts in the city and some inappropriately located for example close to or on top of residential buildings, with some communication gadgets over hanging on top of buildings. The company wishing to establish a mast in the city shall comply with the following conditions.

The applicant will be required to meet all but not limited to the following requirements:

- 1- Proof of ownership of the land or consent from the property owner
- 2- Attachment of NEMA certificate of approval or NEMA clearance
- 3- Architectural and structural drawings endorsed by a registered architect and structural engineer respectively (drawing shall reflect all the mandatory architectural and engineering details)
- 4- Appropriate modern technology shall be considered to keep down noise levels especially from generators. This requirement shall be clearly addressed at the time of submitting applications.
- 5- Civil Aviation certificate of approval
- 6- Comply with zoning requirements
- 7- The applicant shall guarantee safety of the public where these installations have been installed and the guarantee shall be part of the application.

The applicant shall apply to the Directorate of Physical Planning KCCA using a standard form provided by KCCA before installation of masts. Any mast placed in the

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city before commencement of these guidelines shall be required to obtain permits from KCCA within 30 calendar days after commencement date of these guidelines. Each mast shall be required to pay an annual nonrefundable fee of 500,000 (five hundred thousand) per site as inspection fees to KCCA.

PERMIT AND FEES

(C) Any person or company that may desire to erect a mast or road cuttings to install telecom lines will have to apply to KCCA for a temporary permit. A fee amounting to shillings 500,000 (five hundred thousand) shall be charged from each application to facilitate site inspection compliance monitoring. The fee shall be determined by KCCA. The fee may change from time to time as need arise. Revision of fees shall be determined by KCCA and communicated in writing to MSP companies.

Any mast(s) placed in the city before commencement of these guidelines shall be required to obtain a permit from KCCA within 30 calendar days after commencement date of these guidelines.

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