



**THE REPUBLIC OF KENYA**

LAWS OF KENYA

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**THE URBAN AREAS AND CITIES (CHARTER FOR ELDORET CITY), 2025**

NO. 112 OF 2025

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Kenya

Urban Areas and Cities Act

## The Urban Areas and Cities (Charter for Eldoret City), 2025 Legal Notice 112 of 2025

Legislation as at 18 June 2025

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**URBAN AREAS AND CITIES ACT**  
**THE URBAN AREAS AND CITIES**  
**(CHARTER FOR ELDORET CITY), 2025**  
**LEGAL NOTICE 112 OF 2025**

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**REPUBLIC OF KENYA**

**PRESIDENTIAL PROCLAMATION**

**ON THE CONFERMENT**

of

**CITY STATUS TO ELDORET**

To All Whom These Presents Shall Come, Greeting,

- WHEREAS: Article 184 of the Constitution mandates Parliament to enact legislation to provide for, inter alia, the criteria for classifying areas as cities and establishing the principles of governance and management of cities;
- AND WHEREAS: in giving effect to Article 184 of the Constitution, Parliament in the year of our Lord 2011 enacted the Urban Areas and Cities Act (Cap. 275), which sets out the criteria and process for classifying an area as a city and the process for conferment of city status;
- AND WHEREAS: for diverse good causes and considerations, the people of Uasin Gishu County and those from neighboring counties are desirous of having the Eldoret Municipality elevated to the status of a City;
- AND WHEREAS: the people of Uasin Gishu through the Board of the Municipality, the County Executive Committee, and the County Assembly of Uasin Gishu placed on record their desire; and the same was approved by the Board of the Municipality, the County Executive Committee, and the County Assembly of Uasin Gishu on the 23rd May, 2023; and was thereafter placed before the Senate;

AND WHEREAS: the Senate, having satisfied itself that all legal criteria had been satisfied and it would further Kenya's good that the Eldoret Municipality be upgraded to a city; and that on 5th December, 2023 the Senate by affirmative resolution gave its approval to the application and recommendation that the Eldoret Municipality be conferred with city status.

NOW THEREFORE, in exercise of the powers conferred on the Head of State and Government under section 7 of the Urban Areas and Cities Act and all other enabling provisions of law, I, WILLIAM SAMOEI RUTO, President of the Republic of Kenya and the Commander in Chief of the Kenya Defence Forces, DO HEREBY ordain, declare and direct that the Eldoret Municipality has been conferred with City Status.

NOW HENCEFORTH, by dint of these presents and Charter, may it be known to all that the Eldoret Municipality shall have the status of a City, together with all such rank, powers, and responsibilities as are incidental to a city under the law, and its name is decreed to be the City of Eldoret.

IN TESTIMONY WHEREOF, I have caused this Proclamation to be issued under the HAND OF THE PRESIDENT and PUBLIC SEAL OF THE REPUBLIC, on this the FIFTEENTH Day of AUGUST in the YEAR OF OUR LORD TWO THOUSAND AND TWENTY-FOUR.

WILLIAM SAMOEI RUTO,

*President.*

#### CERTIFICATION OF AUTHENTICITY

I, Dr. Jonathan Bii Chelilim, Governor of Uasin Gishu County do hereby certify that—

- (a) the contents of this Charter are factually correct;
- (b) the documentary proof has been provided to establish that Eldoret Municipality has met the criteria for grant of a city status specified under section 5 of [the Urban Areas and Cities Act, \(Cap. 275\)](#) and has been verified by the Senate following its resolution made on the 28th November, 2023;
- (c) the procedure for the grant of a city status set out under section 8 has been adhered to.

Signed and sealed on this 15th day of August, 2024 at Eldoret City.

JONATHAN BII CHELILIM,

*Governor, Uasin Gishu County.*

#### 1. INCORPORATION, NAME AND BOUNDARIES

##### 1.1. Incorporation and Name

1.1.1 This is the Charter of the City of Eldoret, within Uasin Gishu County, Kenya.

##### 1.2. Boundaries

1.2.1 The boundaries of the City of Eldoret shall be the boundaries of the Eldoret Municipality as delineated prior to the advent of County Governments as shown in the map annexed hereto.

- 1.2.2. Despite paragraph 1.2.1, the Cabinet Secretary for the time being responsible for urban areas and cities may pursuant to section 4A of the Act and any other relevant laws extend the boundaries of the City of Eldoret.

## 2. OBJECTS, FUNCTIONS AND POWERS OF THE CITY

### 2.1. Powers of the City

- 2.1.1. The City of Eldoret shall have all the powers, general and special, governmental or proprietary, expressed, which may be possessed or assumed by a city under [the Urban Areas and Cities Act](#) (Cap. 275), [the County Governments Act, \(Cap. 265\)](#), a County legislation and the County of Uasin Gishu By-laws.
- 2.1.2. No listing 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 the Board of the City may determine, or, unless a contrary intent appears in this Charter or in the By-laws and Resolutions of the Board of the City, in such manner as may be provided by the County of Uasin Gishu By-laws.

### 2.2. Objects of the City

#### 2.2.1. The objects of the City of Eldoret are to—

- (a) provide for the efficient and accountable management of the affairs of the City;
- (b) provide for the governance mechanism that shall enable the residents of the City to —
  - (i) participate in determining the social services and regulatory framework that 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; and
  - (iii) enjoy efficiency in service delivery;
- (c) vigorously pursue the developmental opportunities which are available in the City and to institute such measures as are necessary for attainment of public order and the provisions of civic amenities, so as to enhance the quality of life of the residents of the City;
- (d) provide a high standard of social services in a cost-effective manner to the residents of the City;
- (e) promote social cohesiveness and a sense of civic duty and responsibility among the residents and stakeholders in the City in order to facilitate collective action and commitment towards achieving the goal of a harmonious and stable community;
- (f) provide for services, By-laws and other matters for one City's benefit; and
- (g) foster the economic, social and environmental well-being of its community.

### 2.3. Powers and Functions of the Board of the City

- 2.3.1. Subject to [the Urban Areas and Cities Act \(Cap. 275\)](#), the Board of the City shall have all the powers and perform all functions vested in boards of cities specified under [the Urban Areas and Cities Act, the County Governments Act, \(Cap. 265\)](#), the City By-laws or any other written legislation.
- 2.3.2. Except as this Charter otherwise provides, all powers of the City shall be vested in the Board of the City.
- 2.3.3. The Board of the City shall exercise the powers and perform all duties and obligations imposed on the Board of the City.

- 2.3.4. The Board of the City of Eldoret shall, within the boundaries of the City, perform the following functions—
- (a) promote, regulate and provide mechanisms for refuse collection and recycling, solid waste management services, general sanitation and controlling all forms of nuisance;
  - (b) subject to existing laws, promote and provide water and sanitation services and infrastructure within the City;
  - (c) construct and maintain urban roads and associated infrastructure;
  - (d) construct and maintain storm drainage and flood controls;
  - (e) construct and maintain walkways and other non-motorized transport infrastructure;
  - (f) construct and maintain recreational parks, green spaces and public amenities and entertainment;
  - (g) construct and maintain street lighting;
  - (h) construct, maintain and regulate traffic controls, auto-cycle transport, non-motorized transport and parking facilities;
  - (i) construct and maintain bus stands and taxi stands;
  - (j) regulate outdoor advertising;
  - (k) construct, maintain and regulate urban commerce, municipal markets and abattoirs;
  - (l) construct and maintain fire stations, provide fire-fighting services, emergency preparedness and disaster management;
  - (m) promote, regulate and provide sports and cultural activities;
  - (n) promote, regulate and provide for animal control and welfare;
  - (o) develop and enforce municipal plans and development controls;
  - (p) provide City administration services including construction and maintenance of administrative offices;
  - (q) promote and undertake infrastructural development and services including housing and health facilities within the City;
  - (r) promote and regulate urban agriculture;
  - (s) promote and regulate pre—primary education, childcare facilities and county vocational institutions and centers;
  - (t) provide, maintain and regulate cemeteries, crematories and other burial places;
  - (u) control and regulate alcoholic beverages; and
  - (v) any other function as may be delegated or assigned by the County Executive Committee or County Assembly legislation.

### 3. THE BOARD OF THE CITY

#### 3.1. Establishment of the Board

- 3.1.1. There shall be a Board of the City of Eldoret.
- 3.1.2. The Board of the City shall be a body corporate with perpetual succession and a common seal and shall, pursuant to section 12 (2) of the Act, 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 under the Act or any other written law which may lawfully be done or performed by a body corporate.
- 3.2. Composition and Term of the Board of the City
  - 3.2.1 The composition and term of the Board of the City shall be as provided in the Act and as amended from time to time.
- 3.3. Secretary of the Board of the City
  - 3.3.1. The secretary to the Board shall be the person appointed in accordance with section 13A of the Act.
- 3.4. Citizen Fora
  - 3.4.1. Subject to Urban Areas and Cities Act —
    - (a) the Board of the City shall, in consultations with the members of County Assembly and other stakeholders, develop mechanisms for the participation of the residents of the City of Eldoret in the management and administration of the City;
    - (b) all recommendations from the Citizen Fora of the City of Eldoret shall be forwarded to the Board of the City for resolution; and
    - (c) all recommendations on issues raised in the Citizen Fora and addressed by the Board of the City shall be forwarded to the City Manager for implementation.
- 4. AUTHORITY TO MAKE BY-LAWS
  - 4.1. By-laws
    - 4.1.1. The Board of the City may, pursuant to section 21(1)(f) of the Act, make By-laws or make recommendations for issues to be included in by-laws, to aid in the management of the City.
  - 4.2. Passing of By-laws
    - 4.2.1. Before passing any by-law, the Board of the City shall submit the proposed by-law to the office of the County Attorney, upon which the county attorney shall submit it with his written advisory to the county executive and the county assembly for consideration.
    - 4.2.2. The Board of the City may adopt a By-law at a single meeting by the unanimous approval of at least a quorum of Board.
    - 4.2.3. Any substantive amendment to a proposed By-law shall be read aloud or made available in writing to the public before the Board of the City adopts the By-law at that meeting.
    - 4.2.4. After the adoption of a By-law, the vote of each member shall be entered into the Board minutes.
    - 4.2.5. After adoption of a By-law, the secretary to the Board shall avail the by-laws to the County Attorney for eventual submission to the county Assembly for consideration.
    - 4.2.6. Pursuant to the legislative authority granted by article 185 of the Constitution, the County Assembly may amend or reject a by-law submitted for consideration.
  - 4.3. Effective Date of By-Laws
    - 4.3.1. By-laws shall take effect on the 30th day after the assent by the Governor.

## 5. THE CITY MANAGER

### 5.1. Office of the City Manager

- 5.1.1. There is established the Office of the City Manager.
- 5.1.2. The City Manager shall be responsible to implement the decisions and functions of the Board.

### 5.2. Appointment and Term

- 5.2.1. The City Manager shall be competitively recruited and appointed by the County Public Service Board.
- 5.2.2. The City Manager shall be appointed for a term of six (6) years with an option of renewal of the contract subject to recommendations by the Board of the City to the County Public Service Board.
- 5.2.3. The City Manager shall not serve for more than two terms.

### 5.3. Functions and Powers of the City Manager

- 5.3.1. The City Manager shall implement the decisions and functions of the Board of the City and shall be answerable to the Board.
- 5.3.2. The City Manager shall perform the following functions—
  - (a) implement resolutions and directions of the Board;
  - (b) prepare and present for approval of the Board of the City, an annual estimate of revenue and expenditure to fund and carry out the programs and operations of the Board;
  - (c) be principally responsible for building and maintaining a strong alliance and effective working relationships between the Board of the City and the civil society, private sector and community-based organizations;
  - (d) cause to be prepared, transmitted to the Board of the City, and distributed to the public an annual report on the activities and accomplishments of the departments and agencies comprising the executive branch of the City;
  - (e) act as an *ex-officio* member of all committees of the Board of the City;
  - (f) be the Head of Administration of Eldoret City; and
  - (g) such other functions as the Board may, in writing, confer upon the City Manager.
- 5.3.3. The City Manager shall be responsible for the proper conduct of the executive and administrative work and affairs of the City.
- 5.3.4. The City Manager shall have the power to—
  - (a) exercise supervision over all departments and agencies of the City and provide for the coordination of their activities.
  - (b) enforce the provisions of this Charter, City By-laws, and all applicable laws.
  - (c) exercise powers granted to the City Manager in this Charter, By-laws and applicable laws concerning the appointment and removal of certain officers or employees; and
  - (d) exercise such other powers as may be specified by this Charter, by-laws and any other written legislation.
- 5.3.5. The City Manager shall have no authority over the Board of the City.

- 5.3.6. The City Manager shall be entitled to attend meetings of the Board of the City but shall not be entitled to vote.
- 5.4. Remuneration
- 5.4.1. The County Public Service Board shall, in consultation with Salaries and Remuneration Commission, determine the remuneration and conditions of employment of the City Manager.
- 5.5. Removal of the City Manager
- 5.5.1. The City Manager may, subject to article 6.7.4 or any other written law relating to labour practice, be removed from office by the—
- (a) the County Public Service Board upon recommendation of the Board of the City or the county Executive; or
  - (b) petition by the residents of the City to the County Assembly.
- 5.5.2. The City Manager may cease to hold office before the lapse of the employment term of if he —
- (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 Board of the City, County Governor or the Public Service Board;
  - (e) is absent from three consecutive meetings of the Board of the City without approval of the Chairperson of the Board;
  - (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.
- 5.5.3. The procedure for the removal of the City Manager may be provided by the Regulations made under [the Urban Areas and Cities Act \(Cap. 275\)](#) and in the absence thereof in accordance with a county legislation or National law having regard to fair labour practices.
- 5.5.4. Any vacancy arising in the Office of the City Manager may be filled in the manner provided under Article 5.2.
- 5.6. Acting City Manager
- 5.6.1. When the City Manager is temporarily disabled from acting as City Manager or when the office of the City Manager becomes vacant, the County Public Service Board shall appoint a serving and qualified Board staff to act as the City Manager.
- 5.6.2. The County Public Service Board shall inform the Governor of such appointment within seven (7) days.
- 5.6.3. The Acting City Manager shall have the authority and duties of the City Manager, except that the Acting City Manager shall have no power to appoint or remove any employee without the approval of the Board.
- 5.6.4. An Acting City Manager shall hold office until such a time as a new City Manager shall be appointed by the County Public Service Board.

## 6. FINANCIAL MANAGEMENT

### 6.1. Sources of Funds and Revenue of the City

The Board of the City shall derive its revenue and funds as provided under section 43 of the Act.

### 6.2. Appointment of the City Accounting Officer

- 6.2.1. The City Manager shall be designated as the City Accounting Officer by the County Executive Committee Member for Finance in the manner specified under sections 148 (1) and (2) of [the Public Finance Management Act \(Cap. 412A\)](#).

### 6.3. Functions and Powers of the City Accounting Officer

- 6.3.1. The City Manager shall have all the powers and perform all the functions of accounting officers as provided under [the Public Finance Management Act \(Cap. 412A\)](#).
- 6.3.2. Without prejudice to the foregoing, the City Manager shall be responsible for managing the finances of the City.

### 6.4. Budget and Financial year

- 6.4.1. The City shall prepare an annual budget in accordance with section 45 of the Act
- 6.4.2. The financial year of the Board of the City shall be the period of twelve months ending on the thirtieth June in each year
- 6.4.3. The budget of the Board of the City shall be developed in the manner provided under section 175 of [the Public Finance Management Act, \(Cap.412A\)](#), Urban Areas and Cities Act ([Cap.275](#)) and any other written law.

### 6.5. Management of City Finances

- 6.5.1. The management of revenues or monies generated by the City shall be in accordance with the provisions of the Public Finance Management Act ([Cap. 412A](#)) and the Public Finance Management (County Government) Regulations, 2015.
- 6.5.2. The Board of the City shall open and maintain a bank account in the name of the City in accordance with the provisions of section 119 of [the Public Finance Management Act \(Cap. 412A\)](#) and regulation 82 of the Public Finance Management (County Governments) Regulations, 2015.
- 6.5.3. All monies received by the Board of the City shall be paid into the City's bank account promptly and in accordance with [the Public Finance Management Act \(Cap. 412A\)](#).

### 6.6. Borrowing by the City

- 6.6.1. The Board of the City may only borrow as provided under section 12(2) (c) of the Act and section [142](#) of [the Public Finance Management Act \(Cap. 412A\)](#).

### 6.7. Audit

- 6.7.1. The audit of the Board of the City shall be as provided under sections [46](#) and [47](#) of [the Urban Areas and Cities Act \(Cap.275\)](#).

## 7. OFFICERS AND STAFF OF THE CITY

### 7.1. Officers and Staff

- 7.1.1. The Board of the City may, subject to the approval by the County Public Service Board, employ or remove such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other any other law.

### 7.2. Management of City Personnel

- 7.2.1. Employees of the City shall be under the general guidance of the of the City Manager.

7.3. Retirement Systems

7.3.1. The Board of the City may do all things necessary to include its officers and employees, or any of them within any retirement system or pension system under the terms of which they are admissible, and to pay the employer's share of the cost of any such retirement or pension system out of the general funds of the Board of the City.

7.4. Remuneration of Staff and Officers

7.4.1. The remuneration of all staff and officers of the City shall be determined by the County Public Service Board, upon the advice of the Salaries and Remuneration Commission.

8. CITY PROPERTY

8.1. Acquisition, Possession, and Disposal

8.1.1. The Board of the City 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 Board of the City.

8.1.2. All City property and funds of every kind belonging to or in the possession of the City (by whatever prior name known) at the time this Charter becomes effective are vested in the City, subject to the terms and conditions thereof.

8.2. Compulsory Acquisition

8.2.1. Whenever the City 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.

8.2.2. The provisions of [the Land Act](#) shall apply to any intended compulsory acquisition by the City of property within the City.

8.3. City Buildings

8.3.1. Board of the City may acquire, obtain by lease or rent, purchase, construct, operate, and maintain all buildings and structures it deems necessary for the operation of the City.

8.4. Protection of City Property

8.4.1. The Board of the City may do whatever may be necessary to protect the City property and to keep all City property in good condition.

9. CITY INTERGRATED DEVELOPMENT PLAN

9.1. The City of Eldoret shall prepare a City Integrated Development Plan as prescribed in Part V of [the Urban Areas and Cities Act \(Cap.275\)](#).

9.2. The plan shall provide for extension of all City services.

9.3. The proposed City Integrated Development plan shall be made available for public inspection and discussed during the public hearings.

10. GENERAL PROVISIONS

10.1. Oath of office

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

*"I,..... being called on to exercise the functions of [chairperson/member/City Manager etc] of the City of Eldoret, do swear/solemnly affirm that 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 City of Eldoret. I will not directly or indirectly reveal the nature or contents of any business, proceedings or document of the City committed to my secrecy, except as may be required for the due discharge of my duties as [chairperson, member/City Manager etc.] of the City of Eldoret or otherwise under the law. (In the case of an oath— So help me God.)"*

10.1.2. The Governor shall be responsible to administer the Oath on all persons subscribing to the oath.

## 10.2. Severability

10.2.1. 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.

## 11. SAVINGS AND TRANSITION PROVISIONS

### 11.1. Definitions

- (a) "former institution" means the Eldoret Municipality;
- (b) "appointed day" means the day on which this Charter comes into force.

### 11.2. Savings of the Tenure of Chairperson and Members of the Board of Municipality

### 11.3. Savings of the Tenure of the City Manager

11.3.1. The Municipal Manager shall, on the appointed day continue to serve in his capacity as the city manager.

11.3.2. Despite the Conferment of city status by grant of this Charter, the terms of service of the Municipal Manager shall not be prejudiced upon transitioning into the City Manager.

### 11.4. The Staff and Officers

11.4.1. The Municipal staff and officers shall, on the appointed day, be deemed to be the staff and officers of Eldoret City.

11.4.2. A person who, immediately before the commencement date was an officer or member of staff of the former institution, not being then under notice of dismissal or resignation shall, on the commencement of this Act, become an officer or staff of the City.

11.4.3. The terms and conditions of service of the staff and officer shall not be prejudiced in any way by the Conferment of the city status.

### 11.5. Rights, Obligations, and Contracts

11.5.1. Any rights, obligations, and contracts which, immediately before the appointed day, were vested in or imposed on the former institution shall by virtue of this provision, be deemed to be the rights, obligations, and contracts of the City.

### 11.6. Assets and Liabilities

11.6.1. On the appointed day, all the funds, assets and other property, both movable and immovable, which immediately before that date were vested in the former institution shall vest in the Board of the City.

11.6.2. On the appointed day, all rights, powers, and liabilities, which immediately before that date were vested in, imposed on or Kenya Subsidiary Legislation, 2025 1139 enforceable against the former institution shall be vested in, imposed on or enforceable against the City.

11.7. Reference to the Former Institution

- 11.7.1. Any reference in any written law or in any document or instrument to the former institution shall, on and after the appointed day, be construed to be a reference to the City.

11.8. Preservation of Pending Proceedings

- 11.8.1. Any proceedings pending before the former institution, a tribunal or a court of competent jurisdiction immediately before the appointed day to which the former institution was a party shall be continued as if the proceedings were instituted for or against the City.

11.9. Agreements, Deeds, Bonds and Other Instruments

- 11.9.1. Every agreement, deed, bond or other instrument to which the former institution was a party or which concerned the former institution and whether or not of such a nature that the rights, liabilities and obligations thereunder could be assigned, shall have effect as if the City were a party thereto or affected thereby instead of the former institution and as if for every reference, whether express or implied, therein to the former institution there were substituted in respect of anything to be done on or after the appointed day.

11.10. Administrative Decisions

- 11.10.1. The administrative decisions made by the former institution which are in force immediately before the appointed day shall, on or after such day, have force as if they were decisions made by the City.

11.11. Pension

- 11.11.1. A member of staff of the former institution who becomes a member of staff of the City shall continue to be governed by the existing Government pension arrangements or any other statutory voluntary pension scheme.
- 11.11.2. Where any person whose services are transferred to the City is, on the appointed day, a member of any statutory voluntary pension scheme or provident fund, the person shall for the purpose of this Act, continue to be governed by the same regulations under those schemes or funds, as if the person had not been so transferred, and for purposes of the regulations governing those schemes or funds, service with the City shall be deemed to be service in the former institution.

11.12. Effective Date of Charter

- 11.12.1. This Charter shall take effect upon Publication in the *Gazette*.