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Imperative of Synergy of Waste Management Laws and Planning Regulations for Proper Domestic Waste Management in Ekiti and Kogi States, Nigeria

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1. Is crucial to environmental protection
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Abstract

Proper waste management is crucial to environmental protection and the realisation of the goals of sustainable development in every society. As important as it is, it has remained the albatross of developing countries and particularly Nigeria. Improper management and indiscriminate disposal of wastes in Nigeria are major sources of environmental pollution that have continued to make the environment toxic for the survival of human being and other living things. It is not a challenge insurmountable but rather, it is a challenge of strategy. Enforcement of waste management instruments without the enforcement of planning regulations will be a puerile exercise. The study advocated a synergy of waste management instruments for proper domestic waste management and disposal both in Ekiti and Kogi States, Nigeria. Ekiti State is one of the six States in the Southwest geopolitical zone in Nigeria while Kogi State is one of the six States in the North central geopolitical zone in Nigeria. The two States were adopted to showcase waste management practices in many of the States in Nigeria. The study is doctrinal and the data were obtained from both the primary and secondary sources of data. The primary sources are the Constitution of the Federal Republic of Nigeria (as amended) 1999, Statutes, planning regulations and judicial authorities while the secondary sources are textbooks, journal articles, newspapers, government news and internet materials. The study found that in both urban and rural areas in the two States, land use is mostly without development permit or with regulations flouted in most parts, and this is a major gap that strengthens improper waste management and disposal. The study concluded that enforcement of planning regulations must be a precursor for enforcement of waste management regulations.

Keywords: Domestic waste, urban areas, urban renewal, setbacks, disposal

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1. Introduction

Domestic waste is a class of waste that is generated *ad infinitum* from anthropogenic source and particularly daily activities of households. Waste is defined as refuse or superfluous material, especially that remaining after a manufacturing or chemical process [1] Domestic waste is defined to mean garbage and other discarded solid waste from a solid material resulting from dwelling or residential home or tenement, a university and other educational establishments, and includes carcass of animals [2]. Waste management means all activities, administrative and operational, that are involved in the handling, treatment, conditioning, storage, disposal and transportation of waste [3]. Disposal means final destination of wastes including put away, sales, transformation, and burial etc. Excluding open burning of refuse [4]. Disposal is also defined as the placement of waste in an approved, specified facility including near surface or geological repository without the intention of retrieval and includes the approved direct discharge of airborne or liquid effluents into the environment with subsequent dispersion [5]. The management and disposal of domestic wastes in Nigeria as shown by the States of study are shoddy, inimical and detrimental to the goal of environmental protection and sustainable development. The environment is made toxic not only for human survival but also for plants, animal and other living resources because of the daily barrage of domestic wastes improperly managed and indiscriminately disposed by the generators. Adverse effects include regular outbreak of epidemic diseases such as cholera, diarrhoea, Lassa fever and malaria fever. Improper waste management and disposal have continued to precipitate and aggravate natural disasters such as flooding and erosion. Open dumping of wastes on land and water bodies are the major causes of the shortage of drinkable water supply and water borne diseases. The problem of improper waste management of

wastes has continued to fester not because of the absence of regulations but mainly because of lack of synergy among the body of regulations. There is also the lily-livered posture of the officials and agencies saddled with the responsibility of the enforcement of the regulations.

In Nigeria, the management and control of all land comprised in the territory of each State in the federation are vested in the Governor of the States who hold the land in trust and administers it for the use and common benefit of all Nigerians [6]. In each of the thirty-six States of the federation and the Federal Capital Territory, Abuja, there are planning laws and regulations designed to ensure sustainable land use and development. The goal of planning is to ensure that people live in harmony with nature without any adverse effect on the environment while man is busy pursuing his daily activities. Compliance with planning regulations will pave way for seamless application and enforcement of waste management and disposal laws. The essence of waste regulations is to deter improper waste disposal, hence the need for synergy of environmental laws and planning regulations. The study is structured into six parts. The first part is the discussion on domestic wastes in Ekiti and Kogi States. Analysis of Kogi State Legal Framework is considered I the second part. Also considered is the Ekiti State Legal Frameworks. Environmental and Health Impacts of Improper waste management and disposal are discussed in part five. The imperative of synergy of waste management laws and planning regulations is considered in part five while the conclusion is the last part.

2. Domestic Wastes in Ekiti and Kogi States, Nigeria

Ekiti and Kogi States of Nigeria, the two States selected for this study, are located in both the southern part and the northern part of Nigeria respectively. Ekiti State has mountains and rocks while kogi State is the meeting point of Rivers Benue and Niger. Ekiti State shares boundary with four States in Nigeria and they are: Kwara State in the north and Kogi State in the northeast. In the south, the State shares boundary with Ondo State and in the west by Osun State. Ekiti State is a homogenous State composed of the people of Ekiti ethnic group of the Yoruba nation. The uniqueness of the State can be seen in the names of each town which is usually a compound name. Ekiti State is the only State in Nigeria with surname of "Ekiti". Each town and villages has "Ekiti" as part of the names. For example, Ado-Ekiti, Ikere-Ekiti, Ijero-Ekiti, Otun-Ekiti, Ijero-Ekiti, Emure-Ekiti, Ido-Ekiti, Iyin-Ekiti etc. Ekiti State has a land mass of 6,353 square kilometres and an estimated population of about 3.5 million people as at 2022 while the major occupation of the people is farming. The State which was carved out of the old Ondo State on 1st October 1996 is one of the leading cocoa producer in Nigeria. The State is also a major producer of food crops such as yam, cassava, rice, maize, plantain, banana and citrus. The State is reputed for the giant stride in educational attainment, a feat that earned her the appellation of "Fountain of Knowledge." There is no large scale industry in the entire sixteen Local Government Areas of the State. The only large scale industry was the Oodua Textile Mills located in Ado-Ekiti during the first republic by the Western Region Government. The industry folded up in the late seventies.There are small and medium scale industries such as Sawmills, Cassava Processing Industries, Palm Processing Industries, Poultry farms. The State is blessed with some solid minerals such as granite, Columbite, Gold, Limestone, Phosphate, Gemstone and Coal in limited quantity. The State is also blessed with forest resources and tourist centres such as Ikogosi Warm Springs and the Ipole/Iloro water falls.

The types of wastes generated by each component unit of the society is dictated by the life style and occupation of the people, hence in Ekiti State, the major form of wastes generated is the domestic wastes which are mainly from agricultural and commercial activities. Apart from the State capital, Ado-Ekiti, there is no State controlled or managed refuse dump in any of the towns and villages across the other local governments. Environmental Sanitation is observed every last Saturday of the month between the hours of 7.00am and 10.00am in the State. The forms of household wastes generated across the towns and villages are solid and liquid wastes. In Ado-Ekiti, the State capital, mobile refuse containers are placed in strategic locations for people to dump their wastes, however, there are locations without the containers. The absence of the waste containers in many locations has accounted for indiscriminate dumping of wastes in public places and particularly market areas and highways. In all other towns and villages, the impact of the government in waste management appears inadequate as waste containers can hardly be seen. Solid wastes are indiscriminately disposed or managed in an unorthodox manners such as open burning, incineration, dumping in public places or on water bodies. Liquid wastes from laundry and kitchen are poorly managed in the villages and towns since many houses are built without facilities to manage waste waters. Open defecation and urination are still prevalent practices even in some areas in the State capital. In Ekiti State, households are neither mandated to provide waste bins nor supplied with waste bins by the Waste management Authority, however, it is observed that shopping malls and big supermarkets have waste bins supplied by the government. The inference is that it appears that the government is interested in the management of wastes from commercial activities than the management of household wastes. One factor that may be responsible for the absence of the waste management authority in many of the areas in the State capital is the

poor road network and inadequate or the limited number of waste collection vehicles.

The efforts of the government in ensuring a cleaner environment is usually frustrated by the people even in areas where there are mobile refuse containers. Solid wastes are still dumped in the late and early hours along the highways. The situation is also made horrible during weekends when the waste collectors are not on duty, heaps of wastes can be seen especially in the highbrow areas and market locations. In the towns and villages where there are no state managed refuse dumps, wastes are regularly dumped or managed in an unconventional way that are detrimental to environmental hygiene. In the State, household wastes are mainly waste foods, waste food wrappers, nylons, disposable food containers, plastic containers, polythene bags, peels or shells of food crops, glass bottles, metal containers, ceramics, textiles, leather, worn-out tyres, sanitary pads, foams and bedding materials, old furniture and fittings etc. In Ekiti State, there is no strict adherence to town planning laws especially in the towns and villages. Town planning law is enforced mainly in the new sites both at the State capital and the other towns and villages in all the Local Government areas. There are many dwelling houses even in the State capital without toilet facilities. The reason is because many of the old houses were built without building permit or survey plan. Some streets are impassable because of poor layout. These problems make the efficient collection of wastes a herculean task by the Authority.

Kogi State was created on the 27 August 1991 and it is located in the north central part of Nigeria. The capital of Kogi State is Lokoja. Lokoja, the first administrative capital of the Northern Nigeria Protectorate and the primary headquarters for the British colonial government under Sir Frederick Lugard after the 1914 amalgamation of Nigeria. Lokoja is located at the meeting point of Niger and Benue Rivers and it was an inland port and commercial rendezvous for European trading firms during the colonial period. The population of Kogi State as at 2016 is estimated at 4.5 million people on a land mass of 29, 833 square kilometres. The State is the only State in Nigeria that has boundaries with ten other States. In the west, Kogi State shares boundaries with Ekiti and Kwara States; and to the north, it shares boundary with the Federal Capital Territory, Abuja. In the northeast, it has boundary with Nassarawa State and in the northwest, it has boundary with Niger State. In the northwestern part of the State, it shares boundaries with Edo and Ondo States; and to the southeast, it has boundary with Anambra and Enugu States while in the eastern part, it shares boundary with Benue State. The State is known as the Confluence State because of the two major rivers, that is, Niger and Benue.

Kogi State is a heterogeneous State composed of the following ethnic groups- *Nupe, Oworo, Bassa-Nge, Hausa, Ebira, Igala and the Yorubas.* The State is blessed with rich and abundant deposit of oil and solid minerals such as Coal, Limestone, Tin ore, and Petroleum. It is the home to the Ajaokuta Steel industry and the Dangote Cement Factory located at Obajana which is one of the largest cement factories in Africa. The people are predominantly farmers and fishermen. The State has twenty-one (21) Local Government areas. The State has dumping sites at Felele area, Lokoja/Abuja road in Lokoja; Ogaminana junction, Adavi road, Okene; Eba quarters, Idah Local Government; Inachalo-Odoru road, Ankpa-Okpo road, Ankpa Local Government; and Anyigba-Iyale road, Dekina Local Government. These are dumping sites created by the government for effective disposal of wastes but which are rarely put to use by the people. Indiscriminate disposal of wastes especially in the State capital along public highways and on water bodies is a regular occurrence.

3. Analysis of Kogi State Legal Framework for Waste Management and Town Planning

Kogi State has a robust legal framework for waste management and disposal as well as for urban and town planning. The primary legislation for the management and disposal [7] of wastes is the *Kogi State Sanitation and Waste Management Board and Environmental Law 2022.* The Law provides for the establishment of Kogi State Waste Management Board. The objectives of the Board are *inter-alia* to secure the quality of the environment adequate for the health and wellbeing of the residents of the State; conserve and use the environment and its natural resources for the benefit of the State and minimising the impact of development on the ecosystems of the State [8]. Among the functions of the Board is the formulation and implementation of waste management strategies of the State; preparation, adoption, and enforcement of rules associated with the management of wastes; making arrangement for the provision of commercial, industrial and residential waste collection services involving the collection, transportation, storage, maintaining sanitary landfills, the control and disposal of solid wastes [9]. The State by this law lays a solid foundation for effective waste management and disposal in the State. It is pertinent, however, to say that the State has neither taken-off in this worthwhile venture nor demonstrated her tenacity of purpose to achieve an environment not polluted by wastes. Wastes are still disposed indiscriminately despite the plea of the government to dispose waste only at the approved dumpsite so as to prevent health and environmental hazards associated with improper waste disposal [10]. The dumpsite located along the Federal University Express road, Felele as at 2024 when the Commissioner for Environment visited the site on an inspection was found to be in a deplorable condition because of lack of machinery for maintenance. There is no excuse for waste management to be a nagging headache for Kogi State since 2022 when the legal

framework which should serve as a model for other States was enacted. The law prohibits any activity that may cause the generation of special, industrial, hazardous or healthcare waste without notifying the Board in writing prior to the commencement of such activity. The law provides emphatically that no wastes may be dumped or incinerated in the Rivers Niger and Benue or their banks or any other rivers within the jurisdictional limits of Kogi State unless a permit for the dumping or incineration of wastes has been first obtained from the Board [11]. The prohibited acts occurred daily in such a way as to conclude that the law is honoured in breach. It is suggested that the law should be amended to prohibit absolutely the dumping of wastes on river bodies or by incineration.

Kogi State Waste Management and Environmental Health Law are progressive and audacious legal instruments for environmental re-engineering. The law provides that the owner of a new residential premises must obtain certificate of fitness for habitation before the occupation of the premises. Also, the owner of existing premises is mandatorily required to ensure the inspection of the premises by a licensed Environmental Health Officer for fitness for continued habitation or certificate of fitness for continued usage. Also instructive is the provision that any alteration made after issuance of the certificate of fitness without the approval of the Board will render the already issued certificate invalid [12]. The law, if enforced will ensure that every residential building is built in such a way to ensure efficient waste management and disposal with the implication that residential buildings not qualified for habitation cannot be inhabited. Also instructive is the fact that existing premises that constitute a structural nuisance and which is injurious to the health of the occupier or the public can be sealed up without court order [13]. A premises used as residential or for boarding purposes without suitable and adequate sanitary conveniences will be deemed a nuisance [14]. Overcrowded premises are also to be considered a nuisance while environmental health officers may enter any premises for the purpose of examining the existence of nuisance. A landlord, agent or tenant is expected to maintain a sanitary dustbin. It is a crime punishable in Kogi State with the fine of N5,000.00 or two months imprisonment for throwing, dumping or counselling any person to throw or dump waste on any roads or public place [15]. Similarly, it is an offence to allow water to drain from a premise into the road in a manner likely to be injurious to health or public property [16]. Owners of premises without toilet facilities or owner of a premise overcrowded with weeds that may harbour vermin or reptile, weedy or whose gutter is used as a dump shall be deemed to have violated the law. A driver of a passenger vehicle that a fail to maintain a waste paper basket is deemed to have violated the law and therefore, liable to be sanctioned with fine or imprisonment. In order to control pollution, the law prohibits the discharge or emission of gas or any contaminant into the environment. Also prohibited is the construction, installation or operation of equipment, facility that may contribute to air pollution. In Kogi State, burning of tyres, cables, wastes or refuse of any kind is an offence [17].

The Kogi State law is a template for effective waste management and disposal as well as effective town planning for sanitation and environmental health. The law is not equivocal on how to enforce the provisions to achieve the desired goals. Environmental Health Officers are saddled with the responsibilities of ensuring that buildings are erected in accordance with the law and to promote the health of the dwellers and the general public [18]. They are to ensure that health provisions in building plans submitted are adequate before approval. They are also required to inspect the buildings under construction to ensure the adequacy of sanitary conveniences. Landlords are mandatorily required to construct drainage channels while erection of structure along the green verge or setback between a building and side gutter or side channel or drain of any street is totally prohibited [19]. One important source of environmental degradation overlooked by Nigeria and the States is the sinking of boreholes indiscriminately. Kogi State has taken the bull by the horn by the requirement that owner of boreholes is to register it with the State, and no borehole shall be drilled or sunk without the consent of the government [20]. Drilling companies are prohibited from the use of explosive in drilling [21].

Despite the comprehensive and elaborate provisions in Kogi State to ensure adequate environmental sanitation, and to prevent indiscriminate disposal of wastes, indiscriminate disposal of wastes has continued to diminish the aesthetic value of the State. Law as it is cannot enforce itself. The institutional framework is also adequate but the challenge remains the political will. The Kogi State is a step further in the determination of States to address the issue of waste management and disposal frontally, and it is recommended for other States but with strong determination to enforce the instruments. The town planning instruments incorporated into the laws would do the magic if enforced for the effective management of waste in the State.

4.Legal Frameworks for Waste Management in Ekiti State, Nigeria.

Waste management is a branch of general environmental law. Waste management and town planning are strategic to environmental protection, and to achieve this goal, the legal instruments for waste management and town planning must be enforced together. There should be synergy between the two fields of law, and precisely, the town planning laws must incorporate provisions that will enhance smooth management of waste and disposal.

The 1999 Constitution of the Federal Republic of Nigeria (as amended in 2023) is the *grundnorm* that provides inspiration and validity for all other statutes as any other law, whether federal or state, that is inconsistent with the provisions of the Constitution will be void to the extent of its inconsistency [22]. The Constitution provides for the environmental objective of Nigeria as a sovereign nation which is to protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria [23]. In Nigeria, both the Federal and States are empowered to make laws for the protection of the environment. The National Environmental Standards and Regulations Enforcement (Establishment) Act 2007 (as amended in 2018) is the next in the order of importance of legal frameworks for the protection of environment in Nigeria and particularly in the States. The Agency is also saddled with the responsibility of enforcing environmental standards, regulations, laws, policies and implementations of international agreements. The Agency is empowered to make regulations for the protection of public health sound environmental sanitation [24]. Another federal instrument relevant to waste management in Ekiti State is the *National Environmental (sanitation and Wastes Control) Regulations, 2009.*The Regulations were made by the Minister of Environment pursuant to the powers conferred on him [25] under the Act. The Regulations extend to all categories of wastes [26] and the purpose is the adoption of sustainable and environmentally friendly practices in environmental sanitation and waste management to maximise pollution. The Regulations impose certain duties on waste generators [27], food vendors [28], occupier [29], traders [30], person in care, management or control of industry [31], passengers of vehicle [32], and owners of premises [33] to ensure proper management and disposal of wastes. The Regulation also prohibit any act of discarding, throwing or dropping any litter or any similar refuse anywhere except in designated litter bins [34]. Among the liabilities of owner or occupant in care of premises punishable [35] are the release of refuse into the environment, failure to segregate waste for proper management, failure to keep litter/refuse 15 metres away within the premises or vacant plots; digging of wells within 15 metres of soak away pit or similar disposal unit, septic tank, refuse dump, landfill or other source of contamination. The Regulations are averse and have zero tolerance for improper waste management and disposal rampant in all the States of Nigeria.

Apart from federal legislations, four statutes relevant for waste management and town planning in Ekiti State are: *the Ekiti State Waste Management Authority Law No. 18, 2020; Ekiti State Environmental Health and Sanitation (re-Enactment) Law, 2020; Ekiti State Urban and regional Planning and Development Law (as amended in 2013)* and *Ekiti State Building Regulations 2017*.

The Ekiti State Waste Management Law no.18, 2020 prohibits the collection, transportation, sorting, recovery, treatment, disposal or management of waste in a manner that results in an adverse effect or in a way that creates a significant risk of an adverse effect [36]. Also prohibited is the dumping of wastes of any description at any place other than a waste disposal site designated by the Authority [37]. The law is comprehensive enough to ensure proper waste management and disposal but the prohibited acts are still perpetrated both in the urban and rural areas with impunity. The behavioural gap is due to lack of enforcement of the law and because of the limited scope of the area of coverage of the operations of the agency. Ekiti State Waste Management Authority impact is felt significantly in the State capital. The major highways such as the old garage area, Ado-Ekiti to Ikere-Ekiti; new Iyin road to Fajuyi roundabout, Ado-Ekiti; Ijigbo roundabout to NTA junction, Ilawe road, Ado-Ekiti; Fajuyi junction to Opopogbooro, Iworoko road; Fajuyi junction to Faglo junction/police headquarter are swept daily by street sweepers except weekends. The efforts of the Authority in these areas should be extended to the suburbs or the hinterland in Ado-Ekiti where wastes are still disposed indiscriminately. The Authority can achieve and make Ado-Ekiti a garden city with no trace of refuse in the public places by extending its tentacles to the remote areas. There should be synergy between Waste Management Authority and the Planning Authority in the task of ensuring proper waste management and disposal in every town and the State capital. Indiscriminate disposal and poor management of wastes are the primary sources of pollution in Ekiti State. Addressing the issue, the Department of Environmental Health and Sanitation at the State and the Local Government levels are to perform some duties [38] among which are the protection of the environment from pollution, overgrown weeds, refuse and communicable diseases; ensuring the development and maintenance of the public drainage system, sewage system, channelization of domestic water and public toilets and to educate the general public on the disposal methods approved by the Ekiti Waste management Authority for domestic and industrial wastes. The State Environmental and Health Sanitation Law, 2020 prohibits nuisance generally, dumping of wastes on streets, blockage of drainage, and indiscriminate dumping of wastes which are mostly done at nights and in the early hours of the morning by pedestrians and households. The prohibited acts are regularly committed by people both at the State capital and in the rural areas. Environmental Sanitation should be a continuous exercise and not the once in a month ritual as practised by many States in Nigeria. Environmental health Officers are not to be in the office but rather they should be deployed to the streets for daily and regular inspection alongside with the town planning officials.

The Ekiti State Urban and Regional Planning and Development Law, 2013 vests the administration of physical planning, urban development and building control in Ekiti State in the Ministry of Physical and Regional

planning which is saddled with the responsibility of initiation and formulation of policies for all physical planning, urban development, urban regeneration and building control policies in the State [39]. Two Agencies were created for effective implementation of the policies and they are the Ekiti State Physical Planning Permit and Building Control Agency and the Ekiti State Urban Renewal Agency Control Offices for the discharge of the functions of the Agency at the local level. The functions of the Agency include the issuance of planning permit, ensuring compliance with provisions of approved and operative development plan, preventing illegal development and removal of illegal buildings etc. Ther law imposes a duty on developers to ensure that buildings provide for waste facilities to prevent indiscriminate and unhygienic disposal of wastes. The Renewal Agency is empowered to carry out improvement on any existing developed area.

Ekiti State Building Regulations 2017 if fully enforced would prevent illegal construction of buildings both at the State capital and in all other towns and villages in Ekiti State. The Regulations provide for developments permissible in all land use zones identified as residential, commercial, industrial, agricultural, recreational and institutional [40]. The designation of zones for the purpose of land use in Ekiti State is the ideal but in reality, there is no such demarcation of area into zones for the purpose of land use in Ekiti. The land use practice in Ekiti State is mixed uses of land, hence it is the practice to have residential houses in commercial or industrial centres and *vice-versa.* In an ideal residential zone, development of land is strictly for residential purpose alone. In other zones as envisaged by the law, development of land for residential purpose is not allowed for more than 20%. The implication of mixed uses of land in Ekiti State is that wastes generated from households are combined with wastes of other categories. The wastes are not segregated before disposal. The Regulations make it mandatory for layout approval for any land in excess of 5,000 square metres before any development is proposed [41]. Family land owners and developers must get approval before any development on lands of the size. For the purpose of layout, land are classified into five, namely:

(a) Land less than one hectare;

(b) Land area of 1-2 hectares;

(c) Land area of more than 2 hectares but less than 10 hectares;

(d) Land area of more than 10 hectares but less than 25 hectares; and

(e) Land area above 25 hectares

In all the above classes, the layout must provide for approved percentages of land use for residential, open space, public use, commercial and road. In all the different land uses, the minimum size of road is 12 metres and the benefit for environmental protection and waste management is the access to residential locations for easy collection of wastes. Application for building development permit must be accompanied by plan showing the proposed development including the location of soak-away pit, septic tank, sewage lines, water supply lines, gas supply line, generator house and gate house [42]. Compliance with permissible setbacks requirement is mandatory for all core areas of major towns and cities in Ekiti State. The Regulations provide also for number of family/dwelling units permissible per hectare in a high density and residential area [43] in order to prevent over stressing of facilities. A minimum of a toilet and a bathroom is required in every three (3) habitable rooms [44].

The provisions are aspirational but ideal for effective waste management and disposal in Ekiti State and other States in the federation, however, the implementation has continued to be a challenge because of a complex of social issues. Enforcement would be seamless in new areas and urban centres and not in the existing areas populated by low-income people. The law would be difficult in other towns and villages where land use is governed by the customs of the people. Nigeria is one of the countries of the world where there is shortage of housing. The efforts of private individuals in solving accommodation problems may be thwarted by the strict enforcement of the provisions. Enforcement of the provisions must be gradual to achieve the long-term goals of a clean environment, and this must begin with estate developers and the housing schemes of both the Federal Government and the States.

5. Environmental and Health Impacts of Improper Waste Management and Disposal in Ekiti and Kogi States

Improper waste management as well as indiscriminate disposal of wastes, and particularly domestic waste has continued to be a front burner issue of environmental hygiene impacting the health of the people not only in Ekiti and Kogi States of Nigeria but in all the States of Nigeria, including the Federal Capital Territory, Abuja..The Koko toxic waste saga of 1988 [45] was a blessing in disguise as it was the incident that aroused the consciousness of the government on the need to protect the environment not only against waste disposal but against all activities responsible for environmental degradation. The impacts of improper waste management and indiscriminate disposal of wastes in Ekiti and Kogi States are the major reasons environmental degradation such

as pollution of environmental media-air, land and water resources; scarcity of fresh drinkable water, flooding, erosion, health challenges such as airborne and water-borne diseases like tuberculosis, pneumonia, influenza, skin infection like scabies, diarrhoea, dysentery and other respiratory diseases. In Ekiti State, it was reported that the problem of improper waste disposal is lethal not only in the towns and villages but also tertiary institutions where students live in hostels built for commercial purposes with no provision for waste management and disposal [46] Among the environmental and health challenges in some of the higher institutions are pollution, malaria, Cholera, Typhoid fever, and respiratory infections. According to the survey, about 59% of the people in Oye-Ekiti just like other tows dispose their wastes by open burning while about 21% dump their wastes on available dumpsite. In Kogi State, a study conducted revealed the level of heavy metals in vegetables cultivated in dumpsites [47].

The Koko toxic waste saga which rattled Nigeria and the global community was swiftly followed by reactions by Nigeria and the entire global community, in Nigeria, the Harmful Wastes (Criminal Prohibition) Decree was put in place while at the global level, the Basel Convention on Hazardous Wastes [48] was concluded and at the continental level, the Bamako Convention [49] was also concluded. At the Conference of Party to the Basel Convention, that is COP 9, the meeting adopted the Bali declaration on Waste Management for Human Health and Livelihood [50]. The Ministers agreed in the declaration that parties should take actions to promote awareness of the link between waste management, health, livelihood and the environment [51].

Improper waste management is not only a monster but also a fundamental threat to environmental hygiene and human health not in the two States but in Nigeria as a whole. Acts that constitute improper waste management in the States include burning of wastes,, depositing or dumping of wastes into a river, lagoon, stream, lake, pond, sea or any body of water by roadmaps, beautified sites, setbacks,, and in case of markets, dumping of wastes at any place other than a waste disposal site in the market [52]. Other acts are depositing of sewage, effluent or rubbish of any kind besides the existing well which can lead to pollution of the water, dumping of refuse in another's person waste bin, indiscriminate dumping of domestic, industrial or commercial waste, sand or gravel or discarded vehicle spare parts or tyres along highways, roads, channels, road medians, gorges, vacant land directly or through private operators except at designated refuse disposal sites [53], defecating or urinating in the drainage or any open space or around premises [54], depositing, burning or burying on any tenement or open space or the use of incinerator without prior approval [55] and discharging of sewage, effluent or liquid to any drain system, road, gorges, or water course [56].

In Nigeria, the scarcity of freshwater is a cause for concern despite the fact that Nigeria has the freshest water resources, but paradoxically, the people still experience scarcity of water for both domestic and industrial use. It is reported that only 67% of a population of over 230 million people have access to basic drinking water services while nearly two out of three people consume from polluted sources contaminated with pathogens or industrial effluents [57]. The Nigeria Centre for Disease Control (NCDC) reported in December 2021 that Cholera claimed more lives in Nigeria than the dreaded Corona virus pandemic As at November 2021, the NCDC disclosed that Nigeria recorded a total of 3,566 deaths and 1,103, 589 suspected Cholera cases across 32 States of the federation and the Federal Capital Territory, Abuja [58]. As at 14 September 2025, a total of 10,353 suspected Cholera, including 244 deaths were reported across the thirty-six States and the Federal Capital Territory [59]. Between January and November 2025 a total of 8679 suspected Lassa fever cases out of which 995 were confirmed and 184 deaths [60]. On animals, air pollution can lead to the spread of diseases affecting livestock. Plants are equally not spared of the effects of pollution. Plant diseases such as tobacco ring spot, water melon mosaic, stomata mop top, lettuce mosaic, stomata closure which reduces Carbon dioxide availability in leaves and which also inhibits carbon fixation are caused by air pollution [61]. Burning of refuse at home or dumpsites is common as a waste disposal strategy in Nigeria. On the dumpsite are all manners of wastes- toxic, flammable, biodegradable, and non-biodegradable. Burning of wastes leads to 5air pollution injurious human health and living resources. On 25th November 2015 at a place called *Omole Onirin* market in Lagos State, Nigeria, fifteen (15) people were hosppitalised after inhaling fumes from the smoke of a fire during the process of burning refuse on a dumpsite filled with fibre materials and other used industrial equipment [62]. Improper waste disposal can cause heavy metal pollution of the environment through the burning of wastes. Burning gets rid of the organic materials and oxidize the metals, leaving the ash richer in metal contents. After corrosion and oxidation, the metal will dissolve in rain water and leached into the soil [63]. Dumpsite is always disgusting to behold and because of noxious odours, recreational activities are hampered.

6.Synergy of Waste Regulations and Planning Regulations

Improper waste management and disposal have continued to wreak havoc on environmental hygiene and sanitation in Ekiti and Kogi States and Nigeria generally not because of lack of regulations but mainly because of the problem of strategy. Improper waste management is responsible for most epidemic outbreak, ecological

disaster and the subsequent decimation of natural resources. Improper waste management derives its strength not from lack of regulatory framework but because of synergy of waste regulations and planning regulations as well as lack of due enforcement, particularly the planning regulations. Enforcement of planning regulations serves as a forerunner for effective waste management. Adequate planning ensures that the use of land is planned in such a way that buildings are erected with permit in an approved place for its kind. Adequate planning will ensure that buildings meet the minimum standard prescribed to ensure proper waste management and disposal. Law as an instrument of social engineering must be general in scope, hence the rural communities and old settlements in the urban centres must not be spared or indulged in the enforcement of regulations. Government in her planning must create dumpsites and locations for public refuse bins to prevent indiscriminate dumping of refuse. The Kogi State template must be followed for certification of new building and old buildings before habitation. Inspection of old houses and at the same time the planning authority should ensure that approved building plans are executed. This should be done by inspection of buildings under construction. The problem of flooding in many States in Nigeria is mainly because of erection of buildings on flood plains. Enforcement of planning laws will not only ensure proper management of wastes but will also prevent the erection of sub-standard buildings. This will to eliminate the menace of building collapse in Nigeria.

Conclusion

The study revealed that there are enough legal instruments for planning and waste management not only in Ekiti and Kogi States, but in all the thirty six States of the federation as well as the Federal Capital Territory. Laws are to be enforced to achieve the goal of social control. The authority and officials saddled with the responsibility of enforcement of both planning and waste regulations must work together. In the enforcement of the laws, planning regulations must take precedence. Once the planning laws are enforced, the task of waste management would be less strenuous. Enforcement of planning regulations will serve as a preventive measure rather than corrective or curative measure that is more expensive. The two Sates of study have a robust body of regulations which would ensure adequate waste management, and particularly domestic waste in the States.

References

1 Black's Law Dictionary, Bryan Garner (ed), (9th ed, Thomson Reuters, 2004) 1728

2.Ekiti State Waste Management Authority Law No.18, 2020, s.56

3 Nigeria Radioactive Waste Management Regulations, 2006, s.1; See also Article 2 of the 1989 Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal which defines it to mean the collection of, transportation, and disposal of other wastes including after care of disposal sites.

4National Environmental (Sanitation and Wastes Control) Regulations 2009, s.106. The Regulation is a subsidiary legislation made under the Nigeria National Environmental Standards and Regulations Enforcement Agency (Establishment) Act, 2007 (as amended in 2018)

5.Nigeria Radioactive Waste Management Regulations, 2006, s.1

6. Land Use act, Cap L5, LFN, 2004

7 Kogi State Sanitation and Waste Management and Environmental Health Law, s.4

8 ibid, s.8

9 ibid ,s.9

10. Mariam Adams, 'Waste Management: Kogi Environment Commissioner Inspects Dumpsite, February 24,2024, Kogi State Government https://kogistate.gov.ng accessed 10/10/2026

11.ibid, ss. 40 & 41

12ibid, s. 44

13 ibid, s.45

14 ibid, s.60

15 ibid, s.84

16 ibid, s.84

17ibid, s. 86

18 Environmental Law of Kogi State, 2022, s.60

19ibid, ss.61-63

20 ibid, ss69 & 70

21ibid, s.73

22Constitution of the Federal Republic of Nigeria, 1999, s.1(3)

23 ibid, s.20

24National Environmental Standards and Regulations Enforcement Agency Act,2007, s.25(1) and 34(a)

25ibid, s.34

26 National Environmental (Sanitation and Waste Control) Regulations, 2009, s.1

27 ibid, s.4

28 ibid, s.6(a)

29 ibid, s.5

30 ibid, s.7

31ibid, s.8

32 ibid, s.3

33 ibid, ss.10

34ibid s.3(1)

35 ibid, s.71

36 Ekiti State Waste Management Authority Law No.18, 2020, s.29 (a)

37 ibid, s.29 (1)(b)

38 ibid, s.4

39 Ekiti State Urban and Regional Planning and Development Law, 2013, s.2

40 Ekiti State Building Control Regulations, s.13

41ibid, s.2 (1)

42 ibid, s.2(4)(1)

43 ibid, s.20

44 ibid, s.35

45 The Koko toxic waste saga occurred in1988. See https://www.environmentalsociety.org ; https://knowledge.uky.edu

46. Adeyemo, Oricha Moses Anawurehi, Ojo Samuel, Daodu Dolapo et al, 'How Poor Waste Disposal Exposes FUOYE Students to Dangers Associated with Solid Waste Disposal', https://www.academia.edu

47 Salihu Danlami Musa, and Olanrewaju Oluwaseyi Ifatimehin,'Human Health Implications of Waste Dump Cultivated Vegetables in Anyigba, Kogi State, Nigeria.' Research Gate. https://www.researchgate.net

48 1989 Basel Convention on the Control of Transboundary Movement of Hazardous Wastes

49 1991 Bamako Convention on the Ban on the Import into Africa and the Control of Transboundary Movement and Management of Wastes within Africa

50 COP 9 of Basel Convention took place at Bali, Indonesia between 23rd and 27 June, 2008. UNEP/CHW.9/CRP.13

51 ibid

53 Ekiti State Environmental Health and Sanitation (Re-enactment) Law,2020, s.12

54 ibid, s.14(1)(d) and s.84

55 ibid, s.18

56 ibid

57 Asari Ndem and Rejoice David, 'In Nigeria's Tug of War, Cleanliness and Access Collude', Nigeria Health Watch https://articles.nigeriahealthwatch

58 Mariam Ileyemi, 'Cholera has killed more Nigerians than Covid-19 in 2021 .Premium Times, December1,2021 https://premiumtimes.com

59 UNICEF, 'Nigeria Humanitarian Flash Update No.1 (Cholera Outbreak) 14 September, 2025, Relief Web

https://reliefweb.int

60 NaTHNaC https://travelpro.org.uk

61 Neel Kamal, Kumar V, Kamble S, Gohlar p and Bhargava, ,A . 'Effects of Air Pollution on Plants', (4)(1) Advances in Agriculture Technology and Plant Science https://academiastrive.com accessed 7/5/2026

62 WA Adebayo, Contemporary Issues in International Environmental Law (Ekiti State University Printig Press, 2017) See also ' 15 hospitalised after inhaling fumes' The Nation Newspaper, Friday November 27, 2015, p.43

63 OT Ogunmodede, IO Ajayi, IA Amoo and Adewale Ezekiel, 'Characterisation of Dumpdite Soil: Case Study of Ado-Ekiti and Ijero-Ekiti, Nigeria 2013(3)(6) Journal of Environmental Science, Toxicology and Food Technology .https://www.researchgate.net accessed 7/5/2026