



ABIA STATE TOWN PLANNING DEVELOPMENT CONTROL Regulations, 2021



**PRODUCED BY ABIA STATE MINISTRY OF LANDS,
SURVEY & URBAN PLANNING, UMUAHIA**



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DEVELOPMENT CONTROL
Regulations, 2021**

**Produced By
Abia State Ministry of Lands,
Survey & Urban Planning, Umuahia**

FOREWORD

The Abia State Government Printer has asked me to write a brief foreword to this publication: "Abia State Town Planning Development Control Regulation 2021."

This I do without hesitation for obvious reasons. The Town Planning Department of Abia State Ministry of Lands, Survey and Urban Planning in liaison with the Abia State Chapter of Nigerian Institution of Town Planners (NITP) and in collaboration with other professions in the built-up environment to provide a Physical Development Control Regulations. This quest has been hankered after for years now; as Abia State has depended on the inherited old Imo State Building Regulations of 1982, hitherto.

Over the years, the lack of Physical Development Regulations in Abia State seemed to have been perceived as a mission impossible, especially after the coming into effect of the Abia State Urban and Regional Planning Board/ Planning Authorities Law, *cap.* 40, Vol. 11, Laws of Abia State of Nigeria, 2005 (as amended). This has been effectuated by the creation of these Regulations.

The Abia State Department of Town Planning of the Ministry of Lands, Survey and Urban Planning and the collaborators have, therefore, been able to produce these Regulations that describe Physical Development Control for Abia State. The Regulations, made up of eighteen parts, treat all that is required to be known in Physical Development Control. It includes application for development permit requirements for development permit to standards for building construction and the incidentals. Moreover, the sub-titles of the publication which covers Development Permit/ Construction of Buildings Application, give full information about all developers/ applicants and the professions in the built-up environment regarding the process of securing development permit, the requirements and the services of the various professionals needed in building plan production and building construction for standard and quality development so as to achieve environmental harmony.

These Regulations secured the approval of the Hon. Commissioner for Lands, Survey and Urban Planning, Barr. Suleiman Ukandu, and the Permanent Secretary, Mrs. Joy Ezinwanyi Nwakanma, mni, at the management meeting held on 20th February, 2021.

These Regulations are expected to be welcomed by Abians and the Nigerian public, who have been saddled with the responsibility of ensuring sustainable and liveable environment.

I am confident that the Abia State Town Planning Development Control Regulations will be of immense value to Town Planning Authorities in the State, professionals in the field of Urban and Regional Planning (Town Planning), Building, Engineering, Architecture and others in the built environment and beyond.

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Umuahia, Abia State.
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Supplement to Abia State of Nigeria Gazette No. 2, dated 25th March, 2021- Part B

PUBLIC NOTICE

ABIA STATE TOWN PLANNING AUTHORITIES DEVELOPMENT CONTROL REGULATIONS, 2021

Pursuant to section 20 of the Abia State Urban and Regional Planning Board and Planning Authorities Law (*Cap. 40*), Laws of Abia State of Nigeria, 2005 Vol. II and other powers enabling him in that behalf, the Commissioner for Lands, Survey and Urban Planning, hereby makes the following:

REGULATIONS
PART I: PRELIMINARY

1. These regulations may be cited as the Abia State Town Planning Authorities Development Control Regulations, 2021 and shall apply in the entire Abia State of Nigeria.

Citation:
planning.

2. For the purpose of these regulations, Buildings shall be classified into such groups as are set out in the First Schedule hereto.

Classification
of Buildings:
First
Schedule.

3. In these regulations, unless the context otherwise requires: "Advocacy Report" means a technical report addressed to relevant Town Planning Agency by a Consultant Town Planner (in favour of) . As-Built development whose merit is considered significant and deserving condonation for the time being, until a decision is made for alternative use of the ___/and upon which the development locates. 'Air space" means space between and above two adjoining buildings or structures;

Interpretation.

"Alley" means a narrow street, or passageway between or behind city buildings or a path/lane between flowerbeds or trees in a garden or park;

"Approved building plan" means plans approved by an Authority under these regulations.

"Architect" refers to "a person" who has received an approved standard of professional training and holds current yearly Practice License issued by the Architects Registration Council of Nigeria (ARCON);

"As-Built Development" means a development that commenced or completed without development permit;

"Authority" means the Abia State Urban and Regional Planning Board and a relevant Town Planning Authority established under the Laws of Abia State *Cap 40* Laws of Abia State 2005 as as amended;

Balcony" means an open or partially enclosed horizontal projection of

'a building/structure above the ground floor, to serve as a passage or sit-out place and carrying weight;

"Basement" or "Cellar" means a storey of a building under the first storey and a portion of which is below the level of the adjoining pavement or the surrounding ground;

"Condonation permit" means a written permission to a development that was commenced or completed development for the time being, until a decision is made for alternative use of the land upon which the As-built development locates;

"Builder" means an academically trained specialist and a statutorily registered professional responsible for building production, management, construction and maintenance of buildings, and holds the current yearly practice license issued by the Council of Registered Builders of Nigeria {CORBON};

"Building" means any structure (whether of a temporary nature or not), erected or made on, in, over or under any land, and includes the demolition of an existing building or any improvement on land;

"Building contractor/constructor means an entrepreneur in the business of assembling materials, professionals and labour for building construction;

"Building line" means a line measured from the centerline of the road or street to a line within a building point, within which no building, permanent or temporary, shall be permitted to be erected;

"Carriage way" means that portion of a road on which vehicles move in one direction only;

"Chimney" means an upright shaft containing and encasing one or more flue-pipes;

"Code" refers to the approved "Operational Building Code" of the Federal Republic of Nigeria;

"Combustible materials" means building materials which are likely to catch fire and endanger the safety of lives of the inhabitants and includes thatch, timber, board, bamboo, reeds, nylon tiles, etc.;

"Commercial building" means shops, office building or any other building used for commercial purposes;

"Commercial development" means any development or use of land or any building on the land for any of the following purposes:

- (a) A shop
- (b) A bank
- (c) An office
- (d) An Hotel, Guest house, Club house, Restaurant and Wayside stall.
- (e) Petrol-filling Station, Gas Plant
- (f) A warehouse and other similar storage facilities
- (g) A cinema or arts theatre, sports stadium and a building providing indoor recreation and leisure facilities for a charge.
- (h) A market and
- (i) Any development or use of land or building on the land for any purpose incidental to any of the above purposes.

"Commissioner" means Commissioner charged with responsibility for matters relating to Urban and Regional Planning in the State;

"Contravention" means violating the provisions of the Urban and Regional Planning Board/Planning Authorities Law and Regulations, schemes or permits granted by an Authority;

"Contravention notice" means a written notice served on a developer or applicant or agent of a developer or on a Building or Structure for contravention;

"Conversion and Reconversion" include structural alteration and any substantial change in existing or approved use;

"Corner Plot" or "Corner Block" means a plot or a block at the junction of and facing two or more intersecting streets/Roads;

"Courtyard" means a space open to the sky enclosed or partially enclosed by a building/Buildings, boundary walls, or a railing or balustrade and may be at ground floor level or any other level within or adjacent to building;

"Dead Load" means the weight of all walls, roofs, partitions and other structures and attachments;

"Demolition" means pulling or knocking down of structures;

"Demolition Notice" means written information served on the developer, owner, builder, building contractor or occupier of a structure earmarked for demolition and includes any directive commanding any person engaged in land development to remove

any unauthorized Building or Structure;

"Developer" or "Owner" means any person or persons, organizations or Institutions including government and its agencies carrying out a building project under construction;

"Development" means the carrying out of any building engineering, mining or other operations in, on, over or under or any environmentally significant change in the use of land or the making of any material change in the use of any building or other land and includes demolition of buildings, the felling of trees and the placing of free-standing erections used for the display of advertisements on the land and the expression "Development" with its grammatical variations shall be construed accordingly;

"Development Control" means the enforcement of guidelines on physical development;

"Development Permit" means a written permission to develop any land or building granted by an appropriate Town Planning Authority;

"Development Plan" means a plan indicating the manner in which an area of land should be developed;

"Dwelling House" means a building erected or converted for use primarily to provide living accommodation for one or more persons;

"Enforcement Notice" includes a Stop Work Order, Contravention/Warning Notice, Demolition Notice and a Sealing Order;

"Engineer" refers to a person who has received an approved standard of professional training and holds the current yearly Practice License issued by the Council of Registered Engineers of Nigeria {COREN};

"Environmental Health Officer" means an Officer who has undergone professional training and registered to practice the profession;

"Environmental Impact Statement (EIS)" means a document that outlines the impact of a proposed or an existing development has on its surrounding environment. EIS Report identifies, predicts, evaluates the impact of a proposed or existing

development on the environment and proffers mitigation measures for the impacts. The impact could result to changes on the bio-physical, social, economic, political activities, etc., of the area where the development is situated. The impact could be either positive or negative in nature. The Environmental Impact Statement must be prepared by a Town Planner;

“External Wall” means an outer wall of a building or structure, but does not include a wall separating buildings;

“Floor” means storey, except that “Ground Floor” may be referred to as the first storey;

“First floor” means secondary storey, “second floor” means third storey and so on;

“Floor Area Ratio” or F.A.R.” means the quotient obtained expressed in percentage by dividing the multiple of the total of the covered area on all floors divided by the area of the plot and multiplied by 100.

$$\text{that is } \text{F.A.R} = \frac{\text{Total Covered Area of all Floors} \times 100}{\text{Plot Area}}$$

“Footing” means off-set portions of a foundation to provide a greater bearing area;

“Foundation” means that part of a structure which is below the lowermost floor and which provides support for the structure and transmits loads of the super structure to the bearing materials;

“Garage-Private” means a building or outhouse designed or used for the storage of privately owned motor-driven or other vehicles;

“Garage-Public” means a building or portion thereof, other than a garage private, operated for gain and designed or used for repairing, servicing, hiring, selling or storing of motor-driven or other driven vehicles;

“Geo-Technical Engineer” means a person who has received an approved standard of professional training in the mechanics of soil and rock in engineering perspective and holds current yearly practice licence issued by Registered Engineers of Nigeria;

“Habitable Room” includes a bedroom, sitting room or parlour, hall, study, dining room or any other room which is ordinarily used or

intended to be used for residential purposes;

"Health Officer" means a person who has received an approved standard of professional training and holds current yearly Practice Licence issued by Medical and Dental Council of Nigeria;

"Height of Building" means height of building measured from the mean level of the ground adjoining the outside of the external walls to the middle level of a pitched roof gable end or to the top of the walls or of the parapet, if any, in the case of a flat roof, whichever is higher;

"Hotel" means a building used as the temporary residence for persons who are lodged with or without meals being supplied to them;

"Industrial Building" means a building where an operation to process or produce or manufacture any material is carried out; either by machinery or any engineering device or by manual labour;

"Interim Development" means the carrying out of any development on or under land or of any construction, demolition, alteration, extension, repair or renewal of any building, improvement or burrowing on land pending when a Planning Scheme/Master Plan or Physical Development Plan is approved for the area where such land or building situate or upon the grant of approval by the Authority;

"Interim Development Order" means any order guiding an Authority on how to regulate and control development within its area of Authority or any part thereof, pending the coming into force of a Planning Scheme/Master Plan or Physical Development Plan;

"Interim Development Permit" means the permission granted by the Authority for development pending the preparation or the commencement of the preparation of a planning scheme and the ultimate statutory approval;

"Land" includes land covered with water and also everything attached to the earth or permanently fastened to anything which is attached to the earth and all chattels, real and tenures of every description and also land held in joint or common ownership or tenancy but does not include minerals therein;

"Landscape Architect" means a person who has received an approved standard of professional training in the planning, design, management and nurturing of the built and natural environment

and holds the current yearly practice licence issued by the relevant professional body;

“Landscape Plan” means a design ordering the landscape component as to achieve meaningful developmental aspirations, prepared by a Town Planner;

“Land Surveyor” refers to a person who has received an approved standard of professional training and holds the current yearly Practice License issued by the Surveyors Registration Council of Nigeria {SURCON};

“Land Use Planning and Analysis Report (LUPAR)” means a document which describes the properties of a site with regard to the development plan/policies of the site's location; neighborhood contexts; size; density classifications; zoning specifications (like setbacks, height restrictions, allowable site coverage, land-uses, parking requirements, etc); infrastructure; utilities; climate; natural/physical features; man-made features; circulation; sensory (e.g., noise, odour, smoke, and pollutant sources); human; cultural; social, political and legal details. It is prepared by a Town Planner and required by law to assist the Authority to determine the suitability or otherwise of a proposed development on a particular location. It shall reflect the Site Plan, Location Plan and Landscape Plan Site Analysis Report and Plan and Environmental Impact Analysis Report are variants in LUPAR, depending on the Land use;

“Law” means the operative Abia State Urban & Regional Planning Board/ Planning Authorities Law, *Cap 40* Vol. II Laws of Abia State of Nigeria 2005, (as amended);

“Location Plan” is a plan showing the disposition of the plot in question to its immediate neighbourhood and this shall entail showing streets and other landmarks leading to the subjected plot;

“Lift” means apparatus for raising and lowering persons or things to other floor of buildings;

“Masonry” means the form of construction composed of bricks, stones, concrete blocks, or similar building units or materials which are laid up units by units, bounded together and set in mortar;

“Means of Access” includes a right-of-way, whether private or public, for vehicles or for pedestrians such as a street and pedestrian walkway;

“Non-Combustible Material” means any building material which

neither burns nor gives off inflammable vapour in sufficient quantity to ignite a pilot flame;

"Open Space" means unimproved land or water, reserved for the public or private use or for the use and enjoyment of owners and occupants of land adjoining to a neighbourhood or all areas designated as such for recreation or other recreational activities;

"Planning information" means advice on land use, physical development plans, layout schemes, development guidelines, Interim Development Order, variation order and other documents required to secure development permit.

"Plot" means a unit area of land for development including the open spaces required by these regulations to be kept and having the frontage upon a street or upon a private way that has been approved by the Authority;

"Plot/Building Coverage" means the percentage of the area of a site to the area thereof which is covered by a building or buildings erected over it, including area for ancillary uses and outhouses;

"Principal Law" means the Abia State Urban and Regional Planning Board/Planning Authorities Law, *Cap 40*, volume II, laws of Abia State of Nigeria, 2005 (as amended)

"Public Building" means a building and premises used or intended to be used by the public or a section of the public either ordinarily or occasionally for religious, educational, social, cultural, recreational, medical or administrative purposes, including a public hall and a place of assembly;

"Quantity Surveyor" refers to "a person who has received an approved standard of professional training and holds the current yearly Practice Licence issued by the Quantity Surveyors Registration Board of Nigeria {QSRBN}";

"Registered Professional" means a technically and legally qualified person who has a valid registration license to practice the profession, issued by the relevant statutory regulatory bodies established for the control of that profession in Nigeria;

"Residential Building" means a structure used or intended to be used for dwelling purposes;

"Right-of-Way" means an area reserved for road construction and includes easement for utilities, side walk etc;

"Sealing" means to affix a seal to or close a building/premises with a red or yellow ribbon or caution tape;

- "Sealing Order" means a notice to seal off any building/structure or premises and to cordon off the building/premises with red or yellow ribbons or tapes;
- "Shop" includes a building or part of a building where food stuffs and other goods for personal, domestic or household use are sold or where goods of any kind are ordinarily retailed, but does not include a workshop;
- "Side Walk" means a pedestrian walkway along either side of a road;
- "Site" means an area proposed for development or a parcel of land used or intended for one use or group of uses and having frontage on a public or private street;
- "Site Layout Plan" means a plan drawn to scale based on a Survey Plan showing uses and structures proposed in a parcel of land and includes plot line, building(s), major landscape features and location of utility lines;
- "Site Plan" means a plan of a plot based on a survey plan showing the proposed developments located as designed, with dimensions (including overall sizes of the buildings and other facilities, setbacks, and set-out dimensions) walkways, driveways, parking lots, green lawns, and septic tank(s) and soak away pit(s);
- "Soil Analyst" means a person who is qualified to evaluate or interpret soils-related data for the purpose of understanding soil resources, its physical and chemical properties;
- "Street" includes a way, road, lane, square, court, alley, gully passage, path, whether a thoroughfare or not, and whether built upon or not, over which the public have right-of-way;
- "Sub-Division" means the division of a parcel or unit of land into sub-units and/or plan or sub-division, plan or survey or any instrument transferring or creating an estate or interest in a part of the parcel or unit;
- "Sub-Division Plan" means a Plan displaying the division of a parcel or unit of land into sub-units prepared by a Town Planner;
- "Town Planner" refers to a person who has received an approved standard of professional training and holds the current yearly Practice License issued by the Town Planners Registration Council of Nigeria {TOPREC};

"Town Planning Scheme" means a Town or Urban or City or Regional or a joint Town and Country Planning Scheme made under the Law;

"Tribunal" means Urban and Regional Planning Tribunal;

"Warehouse" means a building, the whole or a substantial part of which is used or intended to be used for the storage of goods, whether for keeping or for sale or for similar purposes, but does not include a store room attached to, and used for the proper functioning of a shop;

"Verandah" means an open or partially enclosed horizontal projection of the building/structure lying on the natural ground serving as sit-out or deep passage;

PART II: DEVELOPMENT PERMIT/CONSTRUCTION OF BUILDINGS APPLICATION

Application
for
Development
Permit.
Form A and B

4. The approval of a relevant Town Planning Authority or a grant of Development Permit in the Form A prescribed in the second schedule, shall be required before any land development.

5. The application for a development permit shall be in an approved Form B prescribed in the Second Schedule and shall be accompanied by:

- (i). Four (4) sets of each applicable professionals designs of the proposed building or any part thereof and a soft copy of the design.
- (ii). Survey plan - Prepared by a Surveyor
- (iii). Land Use Planning and Analysis Report (LUPAR) - prepared by a Town Planner
- (iv). Environmental Impact Statement where applicable - prepared by a Town Planner.
- (v). Soil Analysis Report for buildings of four (4) floors and above (Prepared by a Geo-technical Engineer).
- (vi). Four (4) Sets or five (5) sets if for five floors and above) of complete architectural drawing prepared by relevant professionals.

- (vii). Four (4) sets of complete Structural, Mechanical and Electrical working specifications, design calculations, benching schedules and legends prepared by Engineers, for three floors and above.
- (viii). Project quality management plan, project health and safety plan and construction programme prepared by a Registered Builder, for 3 floors and above.
- (ix). Current Tax Clearance Certificate.
- (x). All-risk insurance for the building works, personnel and equipment, for three floors and above.
- (xi). An oath of compliance sworn in a court of law - 4 copies
- (xii). Evidence of Title to Land for which the proposed building is to be developed in form of Statutory Certificate of Occupancy and/or Registered Power of Attorney and in the case of a deemed right of occupancy by an affidavit or statement on oath showing ownership or possession of land; attestation and an affidavit from the court of law within the Planning Area showing customary inheritance.
- (xiii). Evidence that a Builder has accepted full responsibility to manage the construction process, for 3 floors and above, including allowing other professionals supervise the construction in line with their input in the design.
- (xiv). Certificate of Incorporation if for a Limited Liability Company and Certificate of Registration if for a church, social, cultural organizations/associations, etc.

Recommendation Letter from:

Ministry of Education if for a school or

Ministry of Health if for a hospital or allied uses or

Ministry of Trade and Investment if for markets or

Ministry of Industry if for industrial developments, etc.

- (xv). If the Development is for a Petrol/Gas Filling Station, the following additional documents shall be submitted:
- (a). Five (5) copies of Layout Plan drawn to scale 1:100 (or drawn to scale 1:200 if the site is above 1000 metres squared), prepared by a Town Planner.
 - (b). Five (5) copies of Site or Location Plan drawn to scale 1:2,500 prepared by a Town Planner.
 - (c). Police Clearance Report.
 - (d). Fire Service Clearance Report.
- (xvi). If the Development is for a GSM Mast or Base Telecommunication Stations (BTS):
- a. A permit must be obtained from the Nigerian Communications Commission (NCC) as a condition precedent for the granting of planning permit for the erecting of any Mast and Towers whose height exceeds 20 metres (66 feet).
 - b. An application for grant of planning permit shall be submitted along with.
 - (A). Site Plan showing the proposed structure vi-a-vis adjoining structures.
 - (B). Evidence of ownership of property on which the structure is to be installed or written consent of the Landlord.
 - (C). Geographical co-ordinates as well as grid coordinates tied to the National Origin of the proposed location of the structure and that of the nearest Airport or a permit issued by the Nigerian Airspace Management Authority (NAMA) for the erection of the structure in the proposed location.
 - (D). Design of the structure showing its effective height, foundation, guys (if used), members, ladders, rest and working platforms, earthing, lightening protection and aviation lighting.
 - (E). Detailed information on the software package for easy verification of the fidelity of the design of the structure.
 - (F). Certification of the proposed installer issued by the NCC.

C. Each complete Mast or Tower must have a name plate bolted to each of its legs showing:

(A). Name, Address and Telephone numbers of the owner and permit number issued by NCC for erection of the Mast at the Location.

(B). It will also give Antenna particulars of date of erection, height, number of antenna, operating frequencies, location address and

geographical coordinates.

(C). A logbook or Stages Permit Form showing inspection dates and types of inspection performed should be displayed on site.

(D) Siting of communication towers/masts must be based on minimizing their number, protecting and promoting public safety and mitigating the adverse visual impacts on the community, while promoting the provision of telecommunication service to the public.

Environmental Requirements.

(A). Height - The maximum height that may be approved is 150m (492 feet).

(B). Set-backs and Service Space: All Masts/Towers guys/guy anchors shall be located within the buildable (coverage) area of the property and not within the front, rear or side building set-backs Towers of 150 metres shall have set-backs minimum of 50 metres from the Right-of-Way of all the access, Federal and State road ways designated as freeways.

(C). Complete payment of official fees as stipulated by the regulation/fees schedule on the Demand Notice as herewith attached.

(D). Detailed Environmental Impact Statement (EIS) report prepared by a Town Planner.

(E). All Site Location Plans accompanying applications for development permit shall show the exact locations of public utilities in relation to the proposed development.

Working
drawings

(F). Plans required to be made under these regulations shall be prepared by a land Surveyor, Town Planner, Architect, Engineer, etc. as the case may be.

f. The working drawings shall show dimensioned plans of the drawings site, all floors, basements, cellars, attics, roofs, foundations, elevations, and sections to a scale of not less than 1:100 and

1:100 and specifications describing the kind, size, quality and grade of construction materials, techniques, services and equipment and shall be prepared each by professionals involved in the designs; who should be registered and in position to produce working drawings and possesses the current Annual Practice Licence.

Detailed site plan.

G (A). A detailed site plan which shall accompany an application for a development permit shall be made to a scale of not less than 1:500. The site plan shall show the north line, sizes and locations of all proposed construction; all existing structures in relation to one another and clearly differentiated, streets, trees, sewers, building lines, drains, wells, power lines, water mains, water stanchions and other physical features. The detailed site plan shall also show all structures to be demolished and those to be retained, if any, on the particular site and must convey all necessary information for commencing the proposed structures and facilities on the plot and must be designed by a Registered Town Planner with current Annual Practice License shall prepare Site Plan when Five (5) or more buildings are involved.

(B). Every detailed site plan shall be from and accompanied by a Survey Plan signed by a Registered Land Surveyor.

(C). A separate detailed landscape design for all proposals and plan involving residential development for a land area of 1000sq.m and above, medium and large scale industrial developments prepared by a Registered Town Planner or Registered Landscape Architect.

Environmental Impact Statement Report {EISR} . (H)

An Environmental Impact Statement Report (EISR) including the accompanying locational plan on a scale 1:1000 - 1:2500 shall be prepared by a Town Planner for all proposals and plans involving:

(A). Residential development containing three or more buildings, housing estates and a public building or office building in excess of four (4) floors or 5000sq.m of lettable space.

- (B). Institutional development like schools, hospitals, museums, art gallery, and worship places with user capacity exceeding 50 persons, etc.
- ©. Commercial development such as shopping malls, markets, banks, hotels, restaurants, clubs, guest houses, terminals, GSM base stations, broadcasting stations/media houses, petrol and gas filling stations etc.
- (D). Agricultural development
- (E). Recreational development
- (F). Industrial development
- (G). Power station development
- (H). Liquefied petroleum gas plant
- (I). Mining works, quarrying, burrow pits
- (J). Tank farm and refinery
- (K). Free standing advertisement billboards and hoarding of unusual sizes and heights
- (L). Urban (street) furniture
- (M). Construction of airport, seaport or inland depot, and others
- (N). Construction of new roads and road interchanges

7(a). Two sets of the approved documents and specifications shall be returned to the applicant, one of which shall be kept at the site of operation during all times that work is in progress and until the completion of the buildings. Construction shall conform to the approved plan and specifications without any deviation or alterations, unless previously approved by the Authority. In addition to the one set of drawings to be displayed on site, for developments three (3) floors and above, the constructor / contractor or developer should conspicuously inscribed on a sign

Display of approved plans on site.

post including the project approval number, constructor/contractor name and address and the names and address of all other professionals involved in the project.

(b) A Signboard displaying the plan approval number and the names and addresses of all the professionals associated with the project as in line with clause (1) above.

Grant of development permit not conferring land ownership.

8(a) Grant of Development Permit by the Authority/Board under these regulations shall not be construed to confer, confirm or guarantee ownership of the subject land, i.e., Approval of Development does not confer title to land.

(b) False declaration in whatever form for the purpose of obtaining a Development Permit shall not only render the Approval granted to be nullity but shall be considered as a criminal offence

Enforcement of conditions attached to a development permit Form C.

9(a) The Authority shall enforce compliance with the condition attached to a development permit on Developer or his transferee or assignee (i.e., the person to whom the permit was transferred or assigned).

(b). The Builder/Developer shall give seven (7) days advance notice to the Authority prior to the date of commencement of work on Site.

(c). The Builder/Developer must ensure that a Stages Compliance Form C prescribed in the Second Schedule is signed by the Designated Professional(s)/Officer(s) of the Authority before advancing to the next stage.

10. (a) Penalty for commencement of construction before approval shall in one year imprisonment or a fine of thirty thousand naira (N30,000.00) per floor and for other land uses, fifty thousand naira (N50,000.00) for Micro and Small Scale industrial development, and one hundred thousand naira (N100,000) for petrol filling station/ GSM base stations/Medium and large scale industrial Development. This is subject to five yearly review.

(b) The Authority shall cause a developer who commenced development before approval to pay a penalty.

Development Permit valid for two years Revalidation.

11. (a). A development permit shall be valid for two years reckoning from the date of the permission grant, unless the permit is revalidated by the Authority.

11. (b). Where a development is not commenced within two years of the grant, the development permit, shall lapse and become void.

(c) The Authority may revalidate the development permit upon an application and payment of appropriate fees by the holder of the permit in the time being.

12. An application for the grant of Planning Permit shall be subject to the payment of application fees determined in accordance with the approved schedule of fees as approved by the Hon. Commissioner and published in the Gazette. Fees for building Permit.
13. Construction shall be in accordance with the approved plans and specifications without any deviations or alterations unless previously approved by the Authority. Construction to conform with approved plan.
14. Commencement of building operation without prior or due notice acknowledged by the Authority is hereby prohibited. Commencement without due notice.
- 15 (a). Whenever a provision of these regulations or of the plans and specifications approved thereunder is not complied with, a Stop Work Order **notice** in the Form D prescribed in the Second Schedule shall be served on the Developer or his representative and a copy of the Stop Work Order shall be affixed at the affected site or site of construction and/or boldly written on the wall of structure. Such pasted Order shall not be removed from the site of construction, except by another written notice of the Authority after satisfactory evidence has been supplied that the violation has been rectified or ratified. Stop Work notice Form D.
- (b) After a Stop Work Order is issued, no further work shall continue on any such building work unless the order is revoked or withdrawn, in writing; and any further continuation of such works, except work that has been instructed as abatement, shall be liable to a fine of ₦50,000.00 for residential and other development, ₦100,000.00 for commercial development and ₦200,000.00 for industrial development.
- (a) The Authority shall have power to impound working tools, building materials as a means of enforcing compliance with a Stop Work Order/Contravention Notice.
16. During the construction of a building, the building site shall be open for inspection within the hours of 06:00am and 06:00pm of the day by: Inspection of site.

- (a). Representatives of the Authority or Board so designated, led by a Town Planner/Builder for Building Inspection.
- (b). Representatives of Built Environment Professions in accordance with their respective inputs.
- (c). A Health Officer/ an Environmental Health Officer
- (d). The Fire Officer (where applicable)
- (e). The Environmental Protection Officer or his representative, (where applicable).

Power to litigate.

17. The Authority shall refer all matters for litigation to the Tribunal set up in line with Section 95 of the Principal Law. In the absence of the Tribunal such Legal Matters shall be referred to a Court of Law for adjudication.

Appeal against the Authority's decision.

18. A developer or any other aggrieved person(s) may, in writing appeal against a decision of the Authority made pursuant to the provisions of these regulations to the Honourable Commissioner within seven days (7 days) from the date of his receipt of notice of such a decision and thereafter may after due notice is given as under Section (100) of the principal law refer the matter to the Tribunal.

Power to enter and obtain information.

19(1). Any officer or agent of an Authority and other relevant professionals authorized in that behalf by an Authority:

- (a). Shall have the right of access between the hours of 7am and 6pm of the day to any land or building under construction within an Authority's area of jurisdiction for the purposes of ensuring that the provisions of the law, these regulations and term of an approved Building plan are complied with;
- (b). Willful obstruction or interference of entry by duly authorized officer(s) of the Authority shall lead to forcible entry by the Authority into a premises where a Building or construction is going on including any existing Building.
- (c). May issue a notice calling upon any person whom he has reason to believe is able to give any information regarding the ownership, possession or the boundaries of land within an

Authority's area of jurisdiction, or in whose possession or control any document relating to any such matter is alleged to be, to attend before him and give such information or produce such documents on a date and at a place mentioned in the notice.

- (d). May by notice in writing served on any person carrying on an industrial, commercial, educational, or any other building whatsoever, require that person to furnish in such manner as he may direct information on such matters as may be specified by the officer or agent.
- (2). Any person required to furnish information pursuant to section 20 (1) of these regulations shall within fourteen days (14 days) of the notice comply with the notice.
- (3). Any person who erects, uses, occupies or maintains a building in contravention of any provision of these regulations shall be guilty of an offence and liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding fifty thousand naira (N50,000.00) in the case of an individual and five hundred thousand naira (N500,000.00) in the case of corporate body or to both, notwithstanding the provisions of section 20 (2) of these regulations.
- (4). Section 20 (3) is without prejudice to the judgment of the Constituted Tribunal or a Law Court in the absence of a Tribunal to adjudicate on defaulters of these regulations.

20(1). Where the owner/developer or his representative disregards any enforcement notice or contravenes any other planning regulation under these regulations a contravention notice in the Form E prescribed in the Second Schedule shall be served.

Contravention
Notice Form E
& power of the
authority in
contravention.

- (2). A person who erects, uses, occupies or maintains a building in contravention of a provision of these regulations is guilty of an offence and is liable on conviction to imprisonment of not less than six months or to a fine not exceeding fifty thousand naira (#50,000.00) in the case of an individual and in the case of corporate body to a fine not exceeding five hundred thousand naira (#500,000.00) or both, notwithstanding the provisions of paragraph (3) of these regulations.
- (3). Where a contravention of a provision of these regulations in relation to section 20 (1) of this regulation has occurred, the

Authority may order the Developer or Builder or his representative to:

- (a). Pull down the Building/Development or part thereof;
- (b). Carry out the necessary alternations to a Building/development as may be necessary to ensure compliance;
- (c). Restore the land to its original state prior to the commencement of the work/construction.
- (d). Prepare and submit to the relevant Authority his/her building plan and relevant documents for approval; or
- (e). The relevant Authority may, pursuant to the provisions of Section 70 of the Principal Law, seal off the premises.
- (f). The Authority may refer the process of sealing off a premises to a Tribunal or Court for leave/approval provided that a Building, Structure or Development is dilapidated or under immense danger of collapse or obstructs a utility line, the relevant Authority may seal off and thereafter refer to a Tribunal (court) for ratification.

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- (4). Where an order under section 20 (3)(a) to (c) above is not complied with within seven days (7 days) , the Authority may, subject to the next following regulation, carry out the work and recover the expenses incurred thereby through the in accordance with the provisions of Section 71 of the Principal Law.
- (5.) No work shall be carried out by the Authority under section 21 (4) of these regulations until a notice in writing has been given to the developer/occupier of a building or his representative of its decision to carry out the work and at least, seven days (7 days) shall have passed thereafter.
- (6). The Authority/Board shall have power to condemn a building found to be structurally defective or dilapidated and under immerse danger or collapse and shall give notice to the occupant to vacate.
- (7). A notice to vacate shall state a period of not later than 30 days within which all the occupants shall vacate. The Authority shall then order the owner of the premise to commence immediate reconstruction/renovation as the case may be. The Authority shall

commence the reconstruction of the same Building after 7 days if the owner fails to do so provided always that the terms of section 71 of the Principal Law shall apply whenever the Authority/Board carries out a renovation/reconstruction of any Building.

21. The Authority shall carry out Sealing Order in line with the provisions of the Principal Law in the Form F prescribed in the Second Schedule. Sealing Order FORM.

22(1). The Authority shall have the power to serve on a developer a demolition notice in the Form G prescribed in the Second Schedule if a structure erected by the developer is found to be defective as to pose danger or constitute a nuisance to the occupier and the public.

(2). Notice served pursuant to section 22 (1) of these regulations shall contain a date not later than 7 days on which the Authority/Board shall take steps to commence demolition action on the defective structure. Demolition FORM G.

(3). After the expiration of the time specified in the notice under section 22(2) of this regulation, the Authority Board shall take such necessary action to effect the demolition of the defective structure.

(4). A developer shall reimburse the Authority/Board all expenses reasonably incurred in exercise of its powers under section 22 (3) of this regulation.

(5). No Building or any part thereof shall be demolished by anybody including Government and its agencies without a written approval of the relevant Authority.

23. In granting a development permit, the Authority /Board may attach to the Permit conditions requiring the person to whom it is granted to preserve existing trees on the land or to plant new ones. Preservation of existing trees & planting of new trees.

24(1). Green areas and open spaces shall be preserved in accordance with approved land use plans. Preservation of green areas, flowers, etc.

(2). No construction shall be permitted in the designated green areas excepting where necessary in the matter of:

- (i). Outdoor Sports and Recreation
- (ii). Nurseries and Green Houses
- (iii). Memorial Parks and Cemeteries

(3). Without prejudice to any existing law, no person shall cut or destroy flowers, grass lawns within areas declared as open spaces by the Authority/Board, road verges, road medians, roundabouts and green belts.

(4). Any person who contravenes section 24 (2) and 24 (3) of these regulations is guilty of an offence and liable on conviction to imprisonment for a term not exceeding two weeks, or to a fine not exceeding fifty thousand naira (N50,000.00) or to both fine and imprisonment.

Kiosks, sheds
mechanic
workshops.

25(a). Kiosks, sheds, canopies, eave projections, vehicle repair shops, otherwise known as mechanic workshops or sheds and other structures shall be erected only after a development permit has been obtained from the Authority by the person intending to erect the kiosk, shed, shop or structure.

(b). All vehicle repair shops/mechanic workshops of all types shall be located and operated only within the designated layout known as "mechanic layout" or "mechanic village".

(c). No vehicle repair shop/mechanic workshop shall exist outside designated area except with the written consent/approval of an Authority.

Advertisement
& Hoardings.

26. Notwithstanding the functions of a Local Government as the overseer of outdoor advertising and hoarding;

(a). No free standing advertisement or hoarding (sign posts, bill boards etc.) shall be set up without the approval of the Authority/Board.

(b). An application therefore shall be made in writing to the Authority before setting out and shall state:

(i). The dimensions, appearance and position of the proposed free standing erection and

(ii). The location of the site on which the proposed advertisement or hoarding is to be displayed and

(iii). The site shall be contained in a location plan prepared by a Town Planner.

(c). The Authority shall not approve an application where the proposed free standing advertisement or hoarding is likely to cause danger to road users or is open to objections on grounds of public safety.

(d). No advertisement notice shall be placed inside/against roundabout, or any other location where they will constitute nuisance to the public.

27. Set-back of buildings to public utilities shall be as follows:

Set-back to public utilities.

(a). Power lines:

The minimum horizontal distance from a building to the centre line of overhead powerline shall be as follows:

(i).	5 metres.....	11 KVA powerline
(ii).	10metres.....	33 KVA powerline
(iii).	15 metres.....	66 KVA powerline
(iv).	25 metres.....	132KVA powerline
(v).	50 metres.....	330KVA powerline
(vi).	12 metres	Sub-station

(b). Expressways (highways) and roads

- (i). Federal Highway - 90m Right-of-Way (45m from the centre of the road to the property line)
- (ii). State Highway - 60m Right-of-Way (30m from the centre of the road to the property line)
- (iii). Local Roads - 24m, 18m, 15m, 12m (12m, 9m, 7.5m, 6m; from the centre of the road respectively).
- (iv). Access Roads/Streets - 10m, 9m (6m from the centre of the road to the property line)

(c). Water ways (streams, rivers and seas)

(i).	Imo River	-	Not less than 120m
(ii).	Other Rivers	-	Not less than 50m
(iii).	Stream	-	Not less than 25m
(iv).	Springs/Drainage	-	Not less than 20m
(v).	Gorges	-	Not less than 15m
(vi).	Ponds	-	Not less than 15m

(d). Rail lines - Not less than 20 metres

(e). Oil and Gas Pipelines - Not less than 15 metres

from the caution pillar of the pipeline.

(f). Burrow pits/gully sites - Less than 200m in diameter, 30m
200m and above, 50m

(g). GSM Mast or Base Telecommunication
Stations (BTS) - In line with NCC regulations shall be observed and
the Authority shall enforce the setbacks.

Building
setbacks.

28. All Developments/Buildings shall be properly setback
from the property boundaries as follows:

(a). Minimum front setback of three (3) metres unless
otherwise stated under these regulations or any
applicable law or layout schemes; and must be surfaced to
the drainage, where soft landscape elements are not applied.

(b). Minimum side setback of three (3) metres in any of the sides

(c). Minimum rear setback of three (3) metres;

(d). Minimum distance of four (4) metres between any two
buildings on the same plot or not less than one and half
times the average height of the buildings, whichever is
greater.

Building
coverage.

(d). or cantilevered structures (i.e. projections beyond the
wall-line of the ground floors structures) including
carports/car porches, only 1.00m.

29 (1). The building coverage shall be as follows:

Maximum Plot Coverage of 55% for High Density Residential Plot
(unless otherwise stated) in these regulations or any other law or
layout scheme applicable in this State.

- (a). Maximum Plot Coverage of 45% for Medium Density Plots; (d)
- (b). Maximum Plot Coverage of 35% for Low Density Residential Plots; (c)
- (c). Maximum Plot Coverage of 30% for all Commercial Developments in the absence of special provision for parking. (b)
- (d). Maximum plot coverage of 40% for all industrial plots.
- (e). Maximum Plot Coverage of 30% for all public building plots.

(2). In all cases the Total Floor Area shall not be more than the Total Area of the Plot.

- 30(a). A residential building of only one floor height is a bungalow.
- (b). The building height of a bungalow from ground to the gable and measured externally is 7.50 metres maximum, with an internal clear storey height of 4.85 metres maximum.
- (c). Clear storey height of each floor of more than two floors is three (3) metres, and maximum of 4.00 metres.

31(1). Mixed Development for residential/commercial and other approved uses may be allowed after being considered on its own merits and approved, that maximum coverage does not exceed 60% and development ratio land use to the non-designated land uses shall be seventy to thirty percent (70-30)%.

Mixed uses.

- (2). Mixed Development for residential/industrial may be allowed after being considered on its own merit.
- (3). Mixed Development for institutional/residential and other approved uses may be allowed after being considered on its own merit and the approved maximum coverage does not exceed 50%.
- (4). High Street-Mixed Development shall be considered along the designated high streets within the planning areas.

32(a). For Low Density Layouts, the plot size shall be a minimum of 1,200 square metres. Plot sizes.

- (b). For Medium Density Layouts, the minimum size of the plot shall be 800 square metres
- (c). For High Density Layouts, the minimum size of the plot shall be 600 square metres
- (d). Existing layouts shall maintain status quo.

Fence height.

33. Fence heights shall be 1.2 metres of block walling with 2 metres iron railings or perforated block on the side fronting a road(s).

High rise buildings.

34(a). Building above four (4) floors (ground floor inclusive) is classified as high rise buildings. High rise building shall, in addition to a provision of a minimum of 2 staircases, must provide a power driven lift for ease of rising in accordance with the tables below:

Table 1: LIFT CAR PASSENGER CAPACITIES

LIFT CAPACITY	MAX. PASSENGER	NORMAL PASSENGER LOAD PER TRIP
900	12	10
1,200	16	13
1,500	20	16
1,800	24	20

Table 2: RECOMMENDED LIFT SPEEDS FOR VARIOUS BUILDING HEIGHTS

SPEED M/S	RESIDENTIAL BUILDING	OFFICE BUILDING	HOSPITAL BUILDING
0.25 - 0.357	-	-	5
0.50	15	10	10
0.75	20	15	-
1.00	25	20	20
1.50	-	30	45
2.50	-	45	100
2.00	-	50	-
5.00	-	125	-

- (b). The highest permissible height of any building in Abia State is limited to fifteen (15) habitable floors plus two (2) floor heights of pent-house for lift machine. This is otherwise equal to a total building height of fifty-two (52) metres maximum.

35. All premises must be treated with rich landscape involving the interplay between the building the enclosed space or "positive" space) and the setback (open spaces or "negative" space) with rich green grasses, flowers and trees fused with walkways, driveway (concrete/stone/sandy/earth) and car parking lots to soften the 'landscape' of the building and fence walls. Landscaping.

36(a). Every residential plot must within its plot have minimum parking lots, as follows:- Car parking lot.

- (i). Low Density Plot = 2 numbers per family
 (ii). Medium Density = 1½ number per family
 (iii). High Density = 1 number per family

(b). Every commercial plot including high rise buildings must have one parking lot per 10.00 sq. m of lettable floor area.

(c). Institutional buildings like schools, hospitals, museums and other public buildings like library, assembly halls, etc. shall have car parking spaces of not less than 30% of the plot area.

PART III - PROFESSIONAL SERVICE

37(1)(a). All buildings under this subsection shall be designed, signed and sealed by Architects with current ARCON annual practice licence; particularly buildings of: Designing of certain buildings and layouts.

- (i). Three or more floors
 (ii). Public buildings
 (iii). Hotels
 (iv). Petrol filling/gas station
 (v). Shopping plaza
 (vi). Commercial buildings
 (vii). Factories and industrial buildings
 (viii). Other complex developments

(b). All buildings from four (4) floors and above must have soil test report, signed and sealed by a Geo-Technical Engineer or soil analyst.

(c). All buildings as in (a) above must have structural drawings and specifications, bending schedules and with calculation sheets designed, signed and sealed by a Structural Engineer with current COREN annual Practice Licence.

(d). All buildings as in (a) above must have Electrical and Mechanical drawings together with legends and specifications; and shall be signed and sealed by an Electrical and Mechanical Engineer respectively.

(e). All buildings as in (a) above must have construction programme, project quality management plan and project health and safety plan; and evidence of undertaking accepting full responsibility for managing the construction processes signed and sealed by a Builder.

(2). A detailed site plan for a plot or a complex development (a plot housing residential buildings, mixed development, like schools, hospitals, industries, etc.) or comprehensive layout plan providing demarcation of plots and provision of access roads, water and electricity as well as other services, designed by an Architect or a Town Planner (for Sites containing five (5) or more buildings) with current annual Practice Licence.

38(a). The applicant shall show evidence of land ownership/title documents.

(b). A copy of the Survey Plan signed and sealed by a Land Surveyor must be attached to the title document. Provided that old survey plans within 50 years with deposited red copies shall be allowed.

(c). Each set of working drawings of any description made by a Town Planner, Architect or Structural Engineer shall not be less than three (3) sheets of standard drawings A3 size.

Certification by relevant professionals.

39. All working drawings, plans, schedules, reports and all such documents shall be certified, stamped and sealed by professionals with current annual Practice Licences, who are statutorily permitted by law or under these regulations so to do, before such may be approved by the Authority.

PART IV: EXISTING DEVELOPMENTS

40. The use and occupancy of any Building existing unchanged before the date of coming into force of these regulations for which the building has been hereto approved, may be continued, without change, if such a use is not contrary to a designated land use or detrimental to the general safety and welfare of the public; unless there is an alteration/modification of the original. Existing use unchanged.
41. If the use or occupancy of an existing building is changed to a different use or occupancy, which would be prohibited in a new building thereafter erected of similar construction and size, the entire building shall be made to conform to the requirements of these regulations for such new building. Consequence of Change in Use.
42. When an existing building is damaged by fire or other causes; or if the alterations and repairs are made to an extent of twenty-five percent or more of the bulk of the building, the construction shall be made to comply with the requirements of a new building. Alterations or repair to the Extent of fifty percent or more.
43. The replacement of more than fifty percent of the roof-covering of an existing building in any one period shall be made to comply with the requirements of a new building. Replacement of more than fifty percent of roof (Renovation Permit). Permitted No Developments.
44. Plans are required to accompany applications for building permits for the following developments:
- (a). Replacement of small- sized door, windows and ventilators by bigger ones, especially in the case of a building constructed prior to the coming into force of these regulations, where the doors, windows and ventilators are intended to admit more air and light into such a building, provided that replacement of windows with smaller window shall comply with the terms of section 42 above.
- (b). The provision of water closet within the premises, or the conversion of habitable rooms for purposes of providing water closet or kitchen facilities in an existing building previously lacking these facilities or have inadequate number of such facilities, where such development does not infringe air space, or site coverage requirements, or constitute nuisance to neighbours on adjoining properties.
- (c). Provision of pavement or terraces to building frontages on ground floors only where such terraces or pavements do not

obstruct pedestrian or vehicular access.

- (d) Provision of buttressing piers to buildings requiring the same for temporary support or strengthening against a total collapse.
- (e) Continuation or creation of a building covered with approved plan but stopped in the course of creation owing to financial difficulties or any other reason, where:
 - (i). Such old foundation or partially built house conforms to the plans approved for it at the time of initial construction; and
 - (ii). The proposed land use agrees with the predominant land uses within the area.

Power to Order
the vacation of
occupants of
the Building.

- 45(a). Where there is actual and immediate danger of collapse of a building, or where a building or a part thereof has fallen and the lives of the occupants or users thereof are endangered thereby; the Authority/Board shall condemn and seal such building and order that the occupants or users shall vacate the building.
- (b). The occupants or users shall comply with such order forthwith, within a period not more than 21 days of the Order.
 - (c). The Authority/Board shall, pursuant to section 20(4)(5)(6) of these regulations and after making the order mentioned in sub-section 45 (a) of this section, and allowing a reasonable time with "a maximum of thirty (30) days" for compliance therewith, order the building or part thereof to be demolished, removed or otherwise made safe by the owner or occupier thereof within seven (7) days after service of the notice.
 - (d). After an order for the demolition, removal or otherwise restoring the safety of a building has been made under sub-section 45(c), the Authority may, for public safety, temporarily close the streets, sidewalks and adjacent buildings before or during the execution of the order.
 - (e). Where, however, an order for the demolition, removal or for otherwise restoring the safety, of a building made under this regulation has not been complied with within seven days after service of the notice, the Authority shall employ the necessary labour and materials to perform emergency repairs thereto or to

demolish the damaged building, as may be deemed necessary for public health and safety.

46(a). Where the Authority/Board considers that the amenities of a part of its area are seriously injured by nuisance or hazards caused by the owner or occupier of a building or land, or that the structural condition of a building, garden, vacant site or open land, causes nuisance or hazards to life and property, the Authority may serve on the owner and occupier of the land or building a notice requiring such steps for removing the nuisance or hazards as may be specified in the notice and such steps shall be taken within seven (7) days of the notice or such other period as may be specified as new sentence notice from the Authority/Board shall state either referring the matter to the Tribunal (Court) or demolition or remove the offending object or material at the expense of the owner or occupier.

Nuisance and hazard notice.

- (b). Structures erected beyond building lines across drains, metal containers and other structures placed within road reservations and/or in areas which in the opinion of the Authority are not suitable shall be removed by the Authority/Board without notice.

PART V: QUARRYING AND DIGGING BURROW PITS / SCAFFOLDING

47(a). No quarrying or digging of burrow pits shall commence in an area without the approval of an appropriate Authority.

- (b). No person shall commence or carry on quarrying or digging of burrow pits unless he obtains from the Authority a written concession thereof.
- (c). A person or an organization permitted to quarry or dig burrow pits shall take all reasonable steps to ensure that the area is fully reclaimed with materials approved by the Authority.
- (d). No Building shall be erected over a land surface below which quarrying or digging operation has taken place unless:
- (i). The area affected thereby has been reclaimed and certified stable and restored to its original state prior to burrowing to the satisfaction of the Authority, and
- (ii). The erection of the building is approved by the Authority.

48. Where scaffolding, strutting, centering, fences and similar temporary erection are necessary on a building; they shall be provided by the developer or Builder, in accordance with the following requirements, so as to afford proper protection, safety and convenience to the public and all not hinder the free and safe movement of vehicles and the pedestrians.

(a). Scaffolding shall be of tubular steel with adequate baseplates and secure coupling at all points or junction; or of sound timber/hard seasoned wood securely nailed and lashed at joints. No timber-scaffolding member shall be less than seventy-five millimeters by seventy-five millimeters cross-section for square sections or seventy-five millimeters in diameter for round sections. All timber standards shall be firmly fixed to the ground. Scaffolding erected on a public road shall be placed on drums or barrels filled with sand, earth or stones. Scaffoldings must be installed under the direction and supervision of the Contractor managing the construction processes.

(b). Highways shall be protected by fixing fenders to the topmost platform of the scaffolding and be erecting fences of sufficient height along the whole length of any scaffolding which projects on the public highway. Such fences shall be lime-washed or painted white with sufficient number of danger lamps lit and displayed at night.

PART VI — SITE OF A BUILDING

Drainage of
subsoil.

49(a). The subsoil of the site of a building (other than a building or a warehouse intended to be used wholly or principally for the storage or accommodation of a plant) shall, wherever the dampness or position of the site renders, be effectively protected from dampness.

(b). Where during the making of an excavation for a building an existing drain is severed, adequate precaution shall be taken to prevent the drain from causing dampness of the site of the building.

Preparation
of a site.

50. That part of a site to be covered by a building shall be effectively cleared of turf and other vegetal matters.

51. The ground surface enclosed within the external walls of a domestic building shall unless the exceptional condition of the site or exceptional nature of the ground renders these requirements unnecessary, be:

Prevention
of damp.

- (a). Covered with a layer of concrete composed of cement and fine and coarse aggregate in the proportions of fifty kilograms of cement to not more than 0.1 cubic metre of coarse aggregate, at least 100 millimeters thick, properly laid on a bed of clean clinker, broken bricks or similar materials;
- (b). Properly asphalted; or
- (c). Covered in a suitable manner with no less suitable materials.

PART VII FOOTING AND FOUNDATIONS

52(a). A building shall have foundation walls, piers, pipes, and rafters, grillage or other approved foundation, which shall be designed to carry the load of the building. A Footing shall be designed to distribute the load as nearly uniformly as practicable.

Design of
footings and
foundations.

- (b). All buildings as in 37 (b) above must have soil test analysis report signed and sealed by a Soil/Geotechnical Engineer with current annual Practice License.

53(a). The Foundation of every new building shall be:

Design and
construction
of a building
(foundations).

- (i). So designed and constructed as to sustain the (foundations) combined dead, life and wind loads of the building and such imposed vertical and lateral loads to transmit these loads to the ground in such a manner that the pressure on the ground shall not impair the stability of the building, or of any part thereof or of adjoining works or structure; and
- (ii). Taken down to such a depth, or be so designed and constructed as to safeguard the building against damage by swelling or shrinking of the sub-soil.
- (iii). The foundation of a building shall not be constructed on a site which has been filled up with or had been used as a place for depositing excremental matter or carcasses of dead animal or such other filthy or offensive matter until such matter shall have been properly removed to the satisfaction of the relevant Authority.

Foundation
trenches.

54. All foundation trenches shall be kept free from storm-water or percolating water by bailing out or pumping.

Raft
foundations.

55. Footing for structures exceeding one floor in height and 180 square metres in plinth area shall be located in permanently undisturbed soil, except that a continuous foundations slab or reinforced concrete or other approved construction may be used when floated directly on the ground provided with a layer of broken stones not less than 150 millimeters thick, or other adequate means of sub soil drainage; or as designed by a Structural Engineer with current annual Practice Licence.

Wall footing.

56. Concrete footings for load-bearing walls shall be of adequate dimensions to distribute the load and shall be not less than 675 millimeters wide and 225 millimeters thick or as designed by a Structural Engineer with current annual Practice Licence.

Piers and
column
footings.

57. Concrete footings for piers and columns shall have a minimum area of 0.81 square meters and a minimum thickness of 300 millimeters or as designed by a Structural Engineer with current annual Practice Licence.

Concrete
segregation.

58(a). No concrete footing shall be poured through water unless deposited by approved means to ensure minimum segregation of the mix and negligible turbulence of the water for a period of not less than five days thereafter.

(b). Any water in the region of a footing shall be bailed out or pumped out from the footing by concreting works.

Reinforced
concrete
footings.

59. When reinforced concrete footings are required, the edge thickness of the footing shall be not less than 125 millimeters above the reinforcement of seventy-five millimeters. When reinforced concrete is required to resist all stresses, the wall shall be not less than 230 millimeters thick, or as designed by a Structural Engineer with current annual Practice Licence and the construction processes managed by a registered Builder with current Practice Licence.

60. Timber footings shall be used only when installed entirely below the permanent water line for wooden frame structures, or when treated with an approved pressure preservative process, or when installed as capping of wood piers over submerged or marsh lands.

Timber footings.

61. Masonry unit footings shall be laid in cement, lime-cement or other approved masonry mortar; and the width shall be not less than 300 millimeters wider than the wall to pier supported in the depth and shall not be less than two times the approved in beyond the wall supplier. The minimum offset or each course in brick footings shall be fifty millimeters if laid in single course and 750 millimeters if laid in double course.

Masonry unit/ footings.

62(a). Foundation shall be constructed of cement concrete mixed on the proportion volume of six parts of graded gravel and granite, three parts of sand and one part of cement (1:3:6) and where marshy soil is encountered, special reinforced concrete foundations shall be constructed to a mix of 1:2:4. In all cases foundation walls shall be carried to a depth of not less than 600 millimeters below the level of the ground.

Foundation walls.

(b). Thickness of foundation walls shall not be less than the thickness of the wall supported. The thickness of the foundation for building of one floor only shall be not less than the thickness of the wall, and for a building of more than one floor shall be not less than the thickness of the wall plus seventy-five millimeters; and a maximum thickness of 300 millimeters for other additional floors.

PART VIII- WALLS

63. Every external wall, including a parapet, of every building shall be resistant to the penetration of rain moisture /water.

Weather resistance of external wall.

64. No wall pier or column of a building to which the last preceding Regulation applies shall permit the passage of moisture from the ground to the inner surface of a storey of the building, or to a part of the building that would be harmfully affected by such moisture.

Protection against moisture from the ground.

65 (a). Every wall and pier of a building shall have a proper damp-proof course of cement mortar, slate, asphalt, lead or any other approved non-absorbent material.

(b). Except when building on materials such as steel or reinforced cement concrete, a building or a part of a building mentioned in

Regulations 63, 64 and 65 shall be provided with a damp-proof course composed of either:

- (i). 1-part cement, 2-part coarse sand and 5 parts gravel or some similar water-proofing materials; or
 - (ii). Bitumen sheeting; or
 - (iii). A layer of cement concrete 40-millimeter-thick with three coats of bitumen on top.
- (c). Such damp-proof course shall:

(i). Be laid below the surface of the floor of house and, at a height of not less than 800 millimeters above the surface of the ground adjoining the wall of then house at least twenty millimeters thick, and

(ii). Have such other additional barriers to moisture in continuation of the damp-proof course required by the preceding sub-regulations as may be necessary to ensure that dampness from the ground cannot reach any timber or other material that would be harmfully affected by it or the interior of the wall of any storey of the building other than a cellar for storage purpose only.

(d). Compaction of foundation shall be compulsory for all types of building.

Foundation wall,
Cellar and
Basement
waterproofing.

Termite,
Insects 67
and Microbes
Protection.

66. Where a habitable or occupiable room is located below the surface of the adjoining ground, or when required by the physical topography and the ground water conditions of the area, foundation walls below the adjoining ground level and the basement floor of all residential or institutional building shall be damp-proofed and water-proofed and where necessary adequately reinforced to withstand hydrostatic pressure and to ensure a dry basement.

67. Where protection against termites and other wood-destroying organisms is required by local condition, timbers shall be well treated with creosotes/solignum/ approved anti-termite solution.

PART IX - WALL CONSTRUCTION

68(a). Where the load-bearing walls of a building are not more than three floors or nine metres in height, the minimum thickness shall be as set out in the table hereunder:

Table 3: MATERIALS AND THICKNESS OF LOAD-BEARING WALLS
STOREY OR FLOOR MATERIAL AND THICKNESS OR LOAD-BEARING WALLS

		MUD	CONCRETE	CEMENT & SAND BLOCK	BURNT BRICKS	STONES
i	Single Storey Building ground floor	330mm	150mm	150mm	230mm	300mm to 350mm
ii	Two Storey Building first floor	300mm	150mm	230mm	230mm	300mm to 350mm
iii	Ground floor	350mm	230mm	230mm	340mm	460mm
iv	Three Storey Building Second floor	-	-	330mm	230mm	300mm to 350mm
v	Second floor	300mm	230mm	230mm	340mm	460mm
vi	Ground floor	350mm	230mm	460mm	460mm	610mm

(b). No Composite block shall be permitted in a Building the mixture of which is weaker than one part of cement to six parts of the other materials contained in them.

69. Plans for any building of two (3) or more floors or nine metres in height, or any industrial building or shed of more than 4.4 metres in width, retaining walls of more than 1.5 metres high, concrete water tanks or chimneys of over six metres high, shall be accompanied by structural drawings and calculation of all reinforcements and certified by a registered professional Structural Engineer with current practice licence.

Certified structural drawings and calculations required for a building of more than two floors or 9m in height, industrial buildings, etc.

70. All building of three (4) or more floors must be accompanied with soil test report issued by a Geo-Technical/Structural Engineer for seemingly firm soil; and for all proposed buildings on clayey/marshy soil, there shall be no limitations to the number of floors.

Soil test.

71. Non-load bearing or partition walls may be constructed with materials of lesser thickness than as specified in section 61(a) for one floor but shall not be less than half the thickness. Other materials such as timber, metal, plastic or a combination of all or some of these may be used.

Non-load bearing or partition walls.

Bonding of walls.

72. All walling materials, including cement, sand block, burnt bricks and stones shall be properly bonded and embedded in mortar.

Cement mortar.

73. Cement mortar shall be composed of one part of approved cement and a minimum of three parts of approved sand aggregate.

Mass concrete proportions.

74. Cast-in-place or mass concrete shall be mixed in the dry, volumetric proportions herein specified mixture 1:3:6 of approved cement, sand and graded coarse aggregate ballast of gravel or granite or crushed stone or other suitable material.

Water cement Ratio.

75(a). The registered professional Builder with current annual practice licence responsible for the production management on the project site shall apply the relationship between the crushing strength and the water-cement ratio for a typical 1:2:4 concrete mix.

(b). The water-cement ratio shall not increase above 0.50. The minimum water cement ratio shall be 0.35 weight of cement in the mix by volume, or be weight by the number of litres of water per 50.80 kilogrammes (weight of a bag of cement); thus, if expressed by volume, 1 cubic metre of water, 1 cubic metre of cement equals a ratio of 1:1 if by weight this ratio becomes.

$$\frac{1000 \text{ kilogrammes (weight of 1 cubic metre of water)}}{52 \text{ kilogrammes (weight of 1 cubic metre of cement)}} = 0.69$$

$$\frac{27 \times 1 \text{ kg (weight of 1 litre of water)}}{50} = 0.54$$

Lintels and arches.

76(a). All openings in walls shall be spanned by reinforcement concrete of steel lintels or arches with no less than 450 millimeters bearing on the wall at each end. Plain stone lintels shall not be used on spans greater than 1800 millimeter nor to support load concentrations on the wall less than 600 millimeters above the top of the lintel unless supplemented by structural lintels or arches.

(b). All lintels shall be of sufficient strength to support the superimposed load with a deflation of not more than one thousand, three hundred and sixty (1360) of clear span; and arches shall be designed to support the load with provision to resist the lateral thrust.

PART X — EXIT REQUIREMENTS

77. A building shall have adequate exit ways providing safe and continuous means of access to a street, or to an air space with direct access to a street.

Exit ways.

78. Every building must be constructed so as to provide a safe area of refuge to which the occupants can escape, or adequate exit facilities must be provided for occupants to vacate the building in time of emergency.

Safe means of escape.

80(a). The number and kind of required exits from a building shall be determined by the fire hazard inherent in the building's functional use and occupancy, the fire resistance of the type of construction, and the flame resistance of trim and finish materials of the building.

Number of required exits and occupancy allowance.

(b). The maximum number of persons to be accommodated in a building shall be at the rate of one person per unit of area as specified in the table hereunder:

TABLE 4: OCCUPANCY ALLOWANCE

S/No.	Use of the building	Floor area in square meters per occupant
1	Assembly place with fixed seats	0.56
2	Assembly place without fixed seats	1.39
3	Business buildings	9.29
4	Court rooms	3.79
5	Dance rooms	1.39
6	Hotels, lodging houses, multi-storey dwellings of three or more storeys	11.61
7	Industrial buildings	13.94
8	Mercantile buildings	2.79
9	Schools	1.8

(c). Storey above ground shall be served by at least one interior enclosed/exposed stairway which shall be not less than 1200 millimeters wide, when only one exit way is provided, the distance of travel to the exit shall not exceed twenty-three metres nor shall the occupancy load be more than fifty.

81. A secondary exit shall be provided to each exterior stairway or a fire escape of non-combustible construction with direct

Secondary exit.

access to a street or a second interior enclosed stairway.

Basement.

82. In a residential Building the basement of which is used as play room or for other recreational room's purposes, a direct secondary exit from the basement to street, yard or court leading to a street shall be provided.

Business buildings.

83(a). A business, industrial and storage Building shall be provided with sufficient enclosed exit ways, so that the unobstructed travel to a street exit or to the entrance of an enclosed tunnel or other enclosed passageway leading to such exit shall not exceed 30.43 metres from any point in the floor area.

(b)

Where the area is subdivided into rooms or compartments, the travel distance from the entrance to such rooms or compartments shall not exceed 30.43 metres.

Location of exit ways.

84. Where more than one means of exit is required from any room, space or floor, they shall be placed as remote from each other as practicable and within travel distances.

Assembly building.

85. All assembly Buildings, auditoriums, armories, broadcasting studios, churches, community gymnasiums, lecture halls, museums, night clubs, roof gardens, and other buildings of similar nature shall be provided with sufficient exit way so that unobstructed travel to an approved exit way from any part of the floor area shall not exceed 30.43 metres in buildings of fire proof and protected, non-combustible construction and twenty-three metres in buildings of any other type of construction.

86(a). Every tier, floor and storey of a place of assembly shall be provided with the number or required exit ways specified in the table hereunder:

TABLE 5: MINIMUM NUMBER OF EXIT WAYS

S/No.	Occupancy load per floor	Minimum number of exit way
1	Not more than 500	2
2	501 to 900	3
3	901 to 1,800	4
4	Over 1,800	5

(b).

The required exits shall be remote and independent of each other and located on opposite sides of the area served.

87. When places of assembly and rooms or spaces for similar occupancies are provided in buildings of residential or business uses, the exit ways shall be adequate for the combined occupancy; and the means of exit from the place of assembly shall be separate from other parts of the structure.

Mixed Use groups.

88. An institutional Building shall have not less than two exit ways leading directly to the street or open spaces with direct access to the street equipped with doors swinging in the direction of egress, complying with the provision of regulation 76.

Institutional building.

89(a). In a Building of more than three storeys with roof having a slope of less than twenty degrees, and so constructed and arranged that the roof, or access shall be provided by means of a ladder scuttle.

Attic and roof access.

(b). When the roof of such Building as is mentioned in sub-regulations 85(a) is used as a roof garden or for other habitation purposes, sufficient stairways shall extend to it to provide the necessary exit facilities required for such occupancy.

(c). All other roofs, except pitched roofs with a slope of more than twenty degrees and uninhabitable attic spaces without stairways shall be provided with access scuttle and ladders. Access trap-doors shall not be less than 900 millimeters by 900 millimeters in cross-sectional area, constructed of metal covered wood or of approved non-combustible materials.

90. A fire escape shall be constructed of approved noncombustible materials for the loads. Stairs of a fire escape shall not be less than 1000mm wide, with risers not more than 175 mm and the treads not less than 250mm and platform/landing at foot of stairs not less than 1000 mm wide.

Construction of fire escape.

91(a). The door leading out of a walling unit shall not be less than 900 millimeters in width and 210mm in height.

(b). A sleeping room in a residential building, unless it has two doors providing separate ways of escape or has door leading directly to the outside of the building, shall have at least one outside window which can be opened from inside without the use of tools. The top of sills of such windows shall not be less than 1050 millimeters above the floor.

Exit doors.

92. A door serving as exit within a residential building shall open to a platform, having a width not less than that of the door, and the nominal width of such door shall be not less than 1050mm and the height shall be not less than 2100mm. Exit doors for hospitals and infirmaries shall be not less than 1200mm in width.

Exit signs and Lights.

93(a). All approved means of egress in Theatres, Cinema Hotels, Dance Halls and Night Clubs shall be indicated with approved metal signs reading "Exit" in green letters not less than 150mm high on a white background.

- (b). Such signs shall be illuminated by an electric light or be internally illuminated with an enclosed case of non combustible material and transparent glass.
- (c). When necessary, such sign shall be supplemented by directional signs in the access corridors indicating the direction and way of egress.

Stairways.

94(a). All stairs and landings serving as exit ways shall be constructed of approved non-combustible materials.

- (b). Slow-burning, trim materials may be used when applied directly to a non-combustible base.
- (c). The slow-burning, trim materials shall be built of solid risers, treads and landings.
- (d). The stairways shall be provided with natural or artificial light or both, as the case may be.
- (e). Any two floor building/structure must have a staircase as follows:
 - (i). 1 Number Staircase for house on 2 floors occupied by a family.
 - (ii). 2 Number staircases for buildings of more than two floors occupied by more than four families.

Distances of staircase from second or higher storey.

95. No part of the second or higher storey of a building shall be more than 30.43 metres from any staircase landing to the ground floor.

96(a). A Building intended to be used for carrying on trade, or business in which a number of people exceeding twenty may be employed shall have at least one staircase extending from ground floor level and a minimum width of 1500mm throughout: provided that where such a staircase is, an additional width of twenty-five millimeters shall be provided for every additional fifteen persons, until a maximum width of 2,700 be obtained. Where there is more than one staircase, at least one of such staircases shall be entirely constructed of stone, cement concrete, iron or other fire resisting materials.

Staircases for buildings other than public buildings

- (b). The Maximum riser for such a staircase shall be 150mm and the minimum tread width shall be 300 millimeters.

97(a). In a public building, no staircase, internal corridors or passageways intended for the use of the public shall be less than 1,500 millimeters wide.

Staircase, internal corridors, passageways and ramps

- (b). Passages in public buildings shall be 1.60 metres minimum.

- (c). Where more than two hundred persons are to be accommodated in a public building, a staircase, internal corridor or passageway intended for the use of the public shall be of a width of not less than 1,500 millimeters; if more than 400 persons are to be accommodated the width of the staircase shall be more than 1,800 millimeters but not wider than 2,700 millimeters.

- (d). Institutional and Recreational buildings shall provide ramps of minimum width 1.2m.

98(a). Where a staircase is of stone and is the only staircase in the building, each end of it shall be built into a supporting wall of masonry column and each step shall be cut from stone and shall be at least 200 millimeters longer than the space between the walls or support at each and thereof and shall be built into such wall or support at least 100 millimeters at each end.

- (b). Where a staircase is of reinforced concrete, two iron rods each of twelve millimeters diameter, or an equivalent section of reinforcement of the step and extending at least 100mm into the wall or support, at each end, shall be embedded in each step.

- (c). Where a staircase is of reinforced concrete, two iron rods each of twelve millimeters diameter, or an equivalent section of reinforcement of the step and extending at least 100mm into the wall or support, at each end, shall be embedded in each step.
- (d). Where the staircase is of wood, the stringer shall be of not less than thirty-eight millimeters in thickness and of such breadth as will permit of twenty-five millimeters below the bottom edge of the riser.
- (e). Where a wooden staircase exceeds 120mm clear tread in width, a timber bearing shall be provided which shall be at least 150mm by sixty millimeters in extending throughout each flight of stairs 2.400mms in clear width, two bearers of the section given above shall be provided.
- (f). The minimum clear head-room in a staircase shall be 1200mm measured vertically (above the pitch line and the clearance must not be less than 1500mm measured at right angles to the pitch line e.g. from the top of the riser to the most dependent portion of the ceiling perpendicular above it.
- (g). The tread and risers of each flight of stairs or several flights in the same staircase in all buildings shall be of uniform width and height.
- (h). All stairways shall have a minimum of 900 millimeters; where landings are provided the width thereof shall be not less than the width of the stairway.
- (i). Stairs and landings serving as exit ways shall be constructed of approved non-combustible materials without openings in the enclosures.
- (j). Such stairs and landings shall be built with solid risers, treads and platform and all finished floor surfaces shall be constructed with approved non-slip non-combustible materials.

Height of rise.

99. No stairway shall have a height of rise of more than 3,600 millimeters between landings. Windows shall be permitted where the average width of tread is not less than 230mm and the minimum width is not less than 100 millimeters.

100(a). The dimension of riser and treads shall comply with the following table of requirement:

Treads and risers.

TABLE 6: DIMENSIONS OF RISERS AND TREADS

<i>Use of the building</i>	<i>Maximum riser</i>	<i>Minimum thread</i>
1 Residential building	175	250
2 Commercial building	175	300
3 Public Building	175	300

- (b). In a residential building, no staircase shall be less than 900mm in width and no step shall have a rise of more than 175mm, and the tread of less than 250mm. In the case of a service staircase, the width shall be not less than 750mm.
- (c). Windows shall be allowed in residential buildings where they are not at the head of a downward flight.
- (d). No corridor or passage or balcony in any residential building shall be less than 1200mm wide.

101. In a public building all stair cases intended for the use of the public shall be entirely constructed of stone, cement concrete or other fire-resisting material and the walls supporting or enclosing such staircases shall be of fire-proof construction. Each tread of the step shall be not less than 300 millimeters. In the case of a common stairway, the maximum rise shall be 150 millimeters and the minimum going 100 millimeters.

Fire-proof Staircase

102(a). A stairway rising more than 600 millimeters shall have continuous handrails balustrade at least 840 millimetres and not more than one metre vertically above the pitch line.

Handrails

- (b). The handrail shall be of suitable size and shape in order that it may be readily grasped by hand.
- (c). If the staircase width is greater than one metre then there must be a handrail on both sides. Where the staircase width is greater than 1.8 metres then a central hand rail balustrade must also be provided.

103(a). A stairway rising more than 1,500 millimeters shall have half-space platform between two flights to serve as a rest

and to make effective provision for turning a stair.

- (b) (i). The design of a staircase shall be such as to entail the minimum expenditure of energy in its ascent. It must neither be too steep nor inadequately pitched.
- (ii). The pitch of a private stairway shall be not less than 25° and not exceed 42° and that of a common stairway shall not exceed 38° .
- (iii). The maximum number of risers in flight of a private stairway shall be fifteen and there shall be a maximum of eighteen risers in a flight of a common stairway.

Step of private stair

104(a). A step of a private stair shall have a riser not more than 150 millimeters in height and a satisfactory stair proportion for stairs of private buildings shall be 250 millimeters for a tread. For public buildings, the proportion shall be 300 millimeters for a tread and 150mm for a riser.

- (b). The nominal thickness of the tread shall not be less than thirty-two millimeters and that of the riser twenty-five millimeters.
- (c). In any building of four storeys or more, passenger lifts must be provided, in addition with the stairs.
- (d). See table of lifts.

PART XI— REQUIREMENTS FOR LIGHT AND VENTILATION

Ventilation.

105. Every habitable and occupiable room or space shall be provided with window, ventilators, skylights, glazed doors or other light and air-transmitting media, opening to the sky or to a public street or to a courtyard or air-space. The aggregate opening area of the window or windows inclusive of frames shall be not less than one tenth of the total area of the walls of the room or space.

Window size.

106. In rooms and spaces for residential purposes, windows may be used as a natural means of light and ventilation, and when so used; their aggregate opening area shall amount to not less than one sixth of the floor area served.

Ventilation for staircase.

107. The minimum area of a ventilator in each flight shall be 0.81 square metres but if it is not possible to provide a ventilator

therein, it shall be provided at the top by means of a window or ventilator or sky-light of an area of not less than thirty-three and one third percent ($33 \frac{1}{3}$) of the area of the staircase roof.

108(a). A bath or water closet entered directly from the external area shall be provided with a sufficient opening for lighting and ventilation as near the ceiling as practicable and communicating directly with the external air. In no case shall the ventilation be less than 0.60 x 0.60m.

Ventilation.

- (i). A bath or water-closet not entered directly from the external areas shall be sufficiently ventilated and the requirements of this sub-regulation shall be deemed to be satisfied:
 - (ii). If the bath or water closet is provided with a window or roof light which opens directly into the external air and be so constructed that an area of not less than one-twentieth of the floor area of the bath or water-closet may be opened; or
 - (iii). If the bath or water closet it provided with mechanical or other means of ventilation which give not less than three air changes per hour.
- (b). No bath or water closet shall open directly into a room intended principally for human habitation (other than a bedroom or dressing room) or for the manufacture, production or storage of food for human consumption.
- (c). Where the bath or water-closet is in a domestic building, it shall, if it communicates with a bedroom or dressing room and there is not another bath or water-closet in the building which does not so communicate; be so constructed that it can be entered otherwise than through the bedroom.

109. In buildings of institutional use group, every building's habitable room shall be provided with light and ventilation as required in these regulations for residential uses.

Institutional Buildings.

110. All places of built public assembly during occupancy shall be illuminated by sufficient natural or artificial light (adequate to matter). When natural light and ventilation are provided the required open-able window area or other approved devices for natural light and ventilation shall be

Places of public Assembly.

distributed as uniformly as practicable on at least two sides of the room.

Artificial Light
and
Ventilation.

111. Where natural light and ventilation are inadequate in building, the building shall be equipped with such artificial light and mechanical ventilation to ensure the health of human occupants thereof by removing, preventing or neutralizing the effect of dust, fumes, gases, vapours or other noxious impurities.

PART XII—DIMENSIONS OF ROOMS AND REQUIREMENTS FOR BASEMENT

Dimensions
of a room.

112. A room intended or used for human habitation shall have:

- (i). A floor area at least 12.96sq. metres.
- (ii). A width of not less than 2.70 metres.
- (iii). A height measured from the floor to the ceiling, clear storey height of not less than 2.70 metre.
- (a). The size of kitchen must not be less than 9.00m²
- (b). The size of a store in a residential building must not be less than 4.00m²
- (c). The size of water closet must not be less than 900mm x 1500mm.
- (d). The size of bath without water closet or a water closet with showers shall not be less than 1200mm x 1500mm
- (e). The size of water closet with bath must not be less than (1800mm x 1800mm).
- (f). The width of a living room shall be not less than 3000mm.
- (g). The length of a living room shall be not less than 3000mm.
- (h). The width of passage/corridor shall not be less than 1000mm for residential house.

- 113(a). A basement shall be in every part at least 2.25 metres in height from the floor to the underside of the roof slab on ceiling. Basement.
- (b). Adequate ventilation shall be provided for a basement. The standard of ventilation shall be the same as required by the particular occupancy according to these regulations. A deficiency shall be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans, air conditioning plants, etc.
- (c). Adequate arrangements shall be made such that surface drainage does not enter a basement.
- (d). Adequate protection against fire shall be provided for a basement. The roofs separating the basement and the floor above shall be constructed of reinforced concrete or of such material as will provide resistance against fire.
- (e). The walls and floors of a basement shall be watertight and shall be so designed the hydraulic thrust of the sub-soil water is fully offset. Necessary arrangement to prevent condensation of moisture on walls shall be made.
- (f). No place in a basement shall be more than 24.00 meters away from the nearest exit.
- (g). The access to a basement shall be from the inside of the premises.

114. A living room below ground level intended or used for human habitation shall be not less than one-half of its height above the adjoining ground surface, unless the room is used for recreational or similar purposes. Rooms below ground level.

PART XIII—FLOORS

- 115(a). Floors shall be designed to carry the required superimposed loads Floors.
- (b). In a domestic Building, public Building or Building of the warehouse class intended to be used for the habitual employment of persons in a manufacture, trade or business, the lowest floor shall, unless the exceptional condition of the site or nature of ground renders the requirements unnecessary; adequately resist the passage of moisture from the ground.

(c) A floor shall be deemed to satisfy the requirements of these regulations if:

(i) Being a solid floor, the floor itself (or its finish) is impervious to moisture or there is secreted within the thickness of the floor a damp proof layer, or

(ii) Being a timber floor, the floor is protected from moisture rising through a wall, pier, column or chimney into which it is built, or with which it is in contact.

Timber floor:

116. Where a Building is to be provided with timber floors the minimum breadth of every joist shall be governed by the flooring requirement.

(a) The minimum depth in millimeters of each joist shall be not less than one-half of the clear span of the floor, plus an additional 25.40 millimeters for normal load conditions.

(b) Floor joists shall not be laid farther apart than 380 millimeters between their centers.

(c) The joists shall always be laid on the edge and the minimum length of bearing at each edge shall be 100 millimeters and shall be bridged or strutted at right angles longitudinally at not more than, 1,800 millimeters apart.

Timber
floor board.

117. Timber floor boards shall be not less than nineteen millimeters in thickness and then shall be of well-seasoned timber.

Concrete
floors.

118(a). Where concrete is used for the ground floor of a Building, the concrete layer shall be not less than 150 millimeters in thickness.

(b) For floors other than the ground floor, full working drawing reinforcements shall be made available with the plans submitted.

Ground floor:

119. The heights of the ground floor slab of a building shall not be less than 150mm above the heights of the access way, unless special architectural design and structural requirements dictate otherwise.

120. The floor of a bathroom with fixed baths or other sanitary fittings shall be of concrete with a cement screed nonabsorbent floor finishing material. Bathroom floors.

- (b). When an ablution compartment only is provided without fixed sanitary fittings or with only a stand-pipe or shower, the floor shall be made of concrete with a cement mortar screed or other non-absorbent material and shall also be made to slope downwards an outlet.
- (c). The slope shall not be less than forty millimeters for every 1500 millimeter length of floor.

Unless in extreme cases (low income buildings of simple character) all floors must be finished in terrazzo or glazed non-slip ceramic tiles sloped to fall.

PART XIV - ROOFS

121(a). A roof with a pitch below 100 shall be considered as a flat roof. Flat roofs.

- (b). The upper surface of a flat roof shall be inclined sufficiently to throw off water and the minimum inclination shall be 300mm per 3 metres run.
- (c). Flat roofs shall be covered by water proofing and fire resisting materials. (E.g. roof felts.)
- (d). For roof covering over large area, roof vents, roof lights must be provided.

122(a). Where a Building is covered by a pitched timber roof, no timber rafter shall be less in cross-sectional area than 50mm by 150mm. Pitched roof.

- (b). The tie-beam shall be not less than the rafters in cross section.
- (c). The dimensions of all other members of any other roof trusses shall not be less than 50mm x 75mm.
- (d). The minimum pitch shall be not less than 100.

(e). The sloped inclination shall conform to the ratio: Rise/Span.

123(a). The wind load shall be taken into account where the height of a structure is greater than four times the minimum width.

(b). Over-hanging eaves, cornice and other roof projections shall have adequate strength and stiffness to withstand an upward wind pressure of 1,953 kilogrammes per square metre.

(c). The wind pressure on the roof, signs, tank towers, chimneys and exposed roof structures with plans surfaces shall be assumed at 146 kilogrammes per square metre applied on the net projected area of the structure normal to the wind.

(d). In the design of pitch and flat roof appropriate wind load and dead load shall be taken into consideration.

(e). For span more than nine metres or more, structural design drawings must be submitted.

(f). In the case of a flat roof, structural drawings shall be employed.

124(a). All roofs shall be covered with non-combustible materials.

(b). Where combustible materials are to be used, prior approval of the Authority shall be sought.

Roof ceiling.

125(a). Where a roof is provided, with an access, the trap door must not be less than 600 x 600mm in dimension and shall be provided in the roof space.

(b). Ceiling vents for adequate ventilation of ceiling space or sizes 800mm square for eave area and 600mm square for habitable area shall be provided.

Eaves.

126. Overhanging eaves shall not project more than 1000 millimeters except where they are constructed separately to the wall to prevent wind uplift.

Height of eaves.

127. The height of the lowest part of the eaves shall not be less than 2100mm from the Finished floor level.

Anchorage of roof.

128. Roof framing shall be anchored to the wall by means of hangbolts/metal strap or any other approved material to resist the

the wind uplift and distortion.

PART XV - SANITARY FIXTURES

129(1). A Building designed for human occupation shall be provided with a sufficient number of approved fixtures, located and installed as required by these regulations for the removal of human excreta and other refuse and for the purposes of personal cleaning.

Fixtures
framing.

- (2). Every building for commercial or industrial use or any other use other than residential use shall have adequate number of toilets and water-closets
- (3). Every domestic building shall have a toilet and bathroom or combination of a toilet and bath, including wash hand basin at the rate of one set for every three bedrooms.
- (4). All commercial and factory buildings shall be provided latrine accommodation for the workers engaged at any one time on the following scale:
 - (a). Where the number of workers does not exceed 25..... 2 seats
 - (b). Where the number of workers exceeds 25 but does not exceed 50 3 seats
 - (c). Where the number of workers exceeds 50 but does not exceed 150 4 seats
 - (d). Where the number of workers exceeds 150 but does not exceed 250 5 seats
 - (e). Where the number of workers exceeds 250 1 seat for 50 or a fraction of 50
- (5). Urinal accommodation shall be provided for the use of male workers and shall not be less than 60.9cm (2 feet) in length for every 50 males. Provided that where the number of males employed exceed 500, it shall be sufficient if there is one urinal for every 50 males up to first 500 employees and one for every 100 thereafter.
- (6). Where women are employed, separate urinal accommodation shall be provided on the same scale.
- (7). In calculating the urinal accommodation required under this regulation any odd number of workers less than 50 or 100, as the

case may be, shall be reckoned as 50 or 100.

- (8). Toilet and latrine accommodations provided under sub-paragraphs (3), (4) and (5) of the regulation shall be provided with adequate and conveniently accessible water taps or wash hand basins.

Bath or toilet room enclosure.

130(1). A bath or toilet room shall be closed by walls or partitions for full storey heights; or in lieu thereof shall be provided with an independent ceiling having a clear height of not less than 2250 millimeters.

- (2). Every bathroom shall have a minimum floor area of 2.1 square metres (24 square feet) and the smallest side of 1.2 metres (4 feet).
- (3). Every toilet room shall have a minimum floor area of 17 square metres (18 square feet) and the smallest side of 0.9m (3 feet)
- (4). In the case of combined bath and toilet room the minimum floor area of 10.9 square metres (36 square feet) with the smallest side of 1.8 metres (6 Feet)
- (5). Every bathroom or toilet or water-closet shall-
- (a). Not be directly over or under any room other than another latrine, washing place, bath or terrace, unless it has a water tight floor;
- (b). Have the floor, platform or seat either plastered with cement or be made of some water pipe non-absorbent materials;
- (c). Be enclosed by walls or partitions of bricks which shall be finished with a smooth impervious surface such as cement plaster 1.3cm (half inch) thick or glazed tiles or polished marble or any suitable material to a height of not less than 0.9m (3 feet) above the floor of such room.
- (6). No room used as a latrine, water-closet or a bathroom shall open directly into any kitchen or cooking space by a door or other opening. Every such room shall have a door completely closing the entrance to it.

Salga or Pail Latrines.

131. No salga or pail latrines are to be installed.

132. A septic tank shall:

- (a). Be so constructed as to be impervious to liquid, either from the outside or the inside;
- (b). Be so sited as not to pollute a spring or well, the water from which is used for drinking or domestic purposes;
- (c). Be located at least 1.50m from external habitable building wall and 1.0m from wall fence;
- (d) Be properly covered and adequately ventilated;
- (e). Be so constructed and situated that there shall be a ready means of access thereto for cleaning, and for removing its contents without carrying them through a house;
- (f). Be so constructed as not to discharge a foul matter into a sewer or water-course or apparatus, into the soil or subsoil in such a position or at such a depth as to render liable to pollution a spring or a stream or well. It should be built in accordance with Mechanical Engineer's details. A soak-away shall be:
 - (i). Located at least 1.50m from structural wall.
 - (ii). Constructed in accordance with Mechanical Engineer's approved Standard Table.
 - (iii). Must be easily accessible.

Septic tank
and
soak-away pit.

133.(a). In a Hotel or Dormitory Building, there shall be not less than one water-closet bath or shower for every four persons of the same sex.

Sanitary
installations
in hotels and
dormitories.

- (b). The toilet room shall be readily accessible and in no case shall it be more remote than one floor below (or above the location of the sleeping rooms for which it is designed). Sanitary installations must be designed by registered Mechanical Engineer with current Annual Practice Licence.

134(a). Plumbing fixtures shall be separately trapped as near to such fixtures as possible.

Soil and
fix traps.

- (b). A trap shall be self-cleaning and shall be designed to hold a minimum of water-seal of fifty millimeters.

(c). A trap shall have the same nominal inside diameter as the drain or waste-pipe connecting thereto and shall be provided with a clean-out.

(d). No fixture, plumbing waste, soil-line or a storm drain, or any combination thereof, shall be double-trapped.

Soil and
fixture vents.

135. The diameter of an individual vent shall be not less than half the diameter of the drain to which it connects, but in no case be less than thirty-two millimeters in diameter.

Quality of
fixtures.

136(a). Water closets, urinals and other receptacles for the disposal of human faeces shall be made of vitreous earthenware, or cast-iron with porcelain enamel interior surface or other impervious and sanitary materials.

(b). Kitchen sinks for dishwashing and cutlery purposes shall be made of corrosion-resistive and non-absorbent materials and shall be installed in such a manner that the space underneath each fixture can be readily accessible for inspection and cleanings.

Location of
vents.

137(a). Except in an approved water-closet or a similar fixture, the vent-opening from the soil or waste-pipe shall be located above the dip of the trap.

(b). A vent-stack shall connect full size at its base to the main solid or liquid waste pipe and extend not less than 800 millimeters above the roof, except when the roof is used for purposes or uses as a weather covering, the vent-stack shall extend to the height of not less than 1800 millimeters or 800m above any window/open's lintel.

Water supply.

138(a). Where potable water is supplied to a building, provision shall be made for a main shut-off valve, and on the supply discharge side water service controlling tap sage shall be provided.

(b). A well, ground water tank constructed in connection with a building and intended to supply water for human consumption shall comply with the following provisions:

(i). The well shall be so situated as not to be liable to pollution.

(ii). The well shall have a manhole fitted with a proper cover of sufficient size to allow the tank or cistern to be cleaned.

- (iii). The ground adjoining the well shall for a distance of not less than 1,200 millimeters in every direction be covered with a water-tight paving, constructed so as to slope away from the well.
- (iv). The top of a dug well shall be surrounded by a concrete kerb extending not than 200 millimeters above the level of the paving and so constructed as to prevent a surface water gaining access to the well.
- (c). Water supply boreholes:

Where a borehole is constructed, the service of a Hydrogeological Consultant shall be engaged. The geology, structural geology, geography and geomorphology of the specific site, shall be provided in detail. Field mapping and geological observation shall be employed.

Where a rotary air percussion drilling employing a Down The-Hole (DTH) hammer or any feeling in need, it shall be verified and certified by the consultant as suitable depending on site specific circumstances.

A borehole shall;

- (I). Be drilled with 6 ½ inch drill bits and reamed with a minimum diameter of 8 inches to install class 10 PVC casing of 140mm outside diameter.
- (II). Be constructed with UPVC casing, screen and sand trap.
- (III). The depth to penetrate below the shallow water table aquifers and tap the first potential deeper aquifer in confined/ semi-confined cooption with a minimum discharge of 0.25 liters per second to sustain continuous pump testing of 6 hours.
- (IV). Slotted screens should be of DIN 4925/8061 or equivalent approved by international standard and have the following dimensional specifications; U-PVC casing pipe, class 10 drinking water standards, nontoxic and standard length of three (3) waters, nominal diameter of 125mm, OD 140mm, flush jointed, male, female trapezoidal threads, slot with 0.75mm and not more than 1mm, and open area a percentage of internal surface area 9.26% per linear meter.

- (V). In addition to dimensions in (IV) above, casing pipe and sand trap shall have WT 7.5mm for installation down to 90 meters
- (VI). Be fully cased to bottom
- (VII). Back filling and grouting is done when the minimum acceptable yield of 0.25 liter/ second is confirmed. The borehole cuttings or clay or soils are back filled up to 6 meters below the ground surface.
- (VIII). The side of the well shall be rendered impervious to water down to such a depth as will prevent contaminations through the adjoining ground.
- (IX). A tank or cistern constructed or fitted in connection with a building and intended to be used for the storage of water for human consumption shall comply with the following provisions;
- A(i). The tank or cistern shall be so covered as to prevent pollution;
and
- B(ii). Where a fixed cover is provided, the tank or cistern shall;
- (a). Be provided with a sufficient ventilator;
- (b). Be provided with an overflow pipe.
- (iii). An overflow pipe and a ventilator shall be so arranged as to prevent pollution;
- (iv). If the tank or cistern is either wholly or partly below the level of the adjoining ground, its walls, floor and roof shall be constructed of burnt bricks, concrete or other suitable materials in such a manner as to be impervious to water and all the pipes connected to it shall be of durable material, and the joint between a pipe and a tank shall be water-tight.
- C(c). Where a stanchion is used; the stanchion shall be:
- 1(i). Constructed to detailed structural specification.
- 2(ii). Approved by the Authority.
- 3(iii). Constructed to a minimum of 1.8m on any side to a structure

139(a). All pipes shall be laid in a straight line from point to point and all junctions shall have an angle of not less than sixty degrees in the direction of flow. Piping.

(b). Drain pipes shall be laid to an even gradient throughout their length, so as to give the fall shown in the following tables:

Internal Diameter or Pipe (Gradient (slope))	
1000 millimetres	1 in 60
150 millimetres	1 in 80
225 millimetres	1 in 120

PART XVI- CHIMNEYS

140. A chimney, (including a chimney added to or altered in an existing building) constructed of suitable non-combustible materials so put together and arranged as to prevent the ignition of any part of the building

141(a). All chimneys shall extend above the adjoining roof surface and through the finishing and shall terminate in atop of roof assembly with a venting capacity not less than that of the vent. Height of Chimneys.

(b). The top shall prevent rain and debris from entering the vent.

142(a). The inside of a chimney shall be lined with fire brick or fireproof piping/lining of at least twenty-five millimetres thick, unless the spandrel angles are filled in consumption/combustible materials. Inside finishing of chimney.

(b). Where two or more flow-pipes are contained in the same chimney, the width of the brick or mortar not less than eighty millimeters thick shall be provided at intervals not exceeding 790 millimeters horizontally, but not more than two flues sections shall be placed side by side without such separation.

143. Flue pipe shall be cleaned out thoroughly at the time of construction and shall be left smooth on the inside. Cleaning of Flue pipes.

144. A chimney shall have a minimum thickness of 100 millimetres of solid materials constructed of brick, blocks or concrete, cast in-situ, or of 150 millimetres of solid materials if constructed of stone: provided where the chimney passes through a roof which is covered with that or other combustible materials, the thickness shall be increased to not less than 225 millimetres Thickness of Flue pipes.

millimeters above and below the materials.

Timber, etc.
In or near
chimney.

145(a). No timber or other combustible materials, shall be placed in a wall or chimney breast flue or fire-place opening.

(b). No timber or other combustible material being part of the structure shall be near the face of any chimney.

Metal
fastenings.

146. No metal fastening which is in contact with any combustible material shall be placed within 5cm (2 inches) of any fire-place opening or flue.

The height of
chimney above
the roof.

147. Where a chimney is carried up through the ridge above of not less than ten degrees with the horizontal, the top of the chimney shall be not less than 600 millimeters above the ridge and in any other case the top of the chimney shall be not less than 900 millimeters above the roof, measured from the highest point in the line of junction with the roof.

Width of
chimneys.

148. The least width of a chimney or a group of chimneys bounded together measured horizontally at right angles to its greatest horizontal dimension, shall be not less than one sixth of the height of the chimney or group of chimneys above the roof, unless the chimney or group of chimneys is otherwise made secure.

PART XVII-ELECTRIC EQUIPMENT AND WIRING

Electrical
installations.

149. All new electrical wiring for light, heat or air conditioning power, and all alterations or extensions existing wiring systems in a building shall comply with the standards prescribed by the Nigerian Electricity Regulatory Commission (NERC) and Standards Organization of Nigeria (SON).

Elevators, lifts,
etc.

150. The design, construction, installation, maintenance and operation of an elevator, lift, moving stairway, or an escalator or conveyor for moving persons, materials for merchandise hereafter installed, relocated or altered in the building shall comply with the approved standard member and cover of the Nigerian Electricity Regulatory Commission (NERC).

Elevators, lifts
or moving
stairways.

151. An elevator, lift or moving stairway shall be enclosed and if any opening is provided to let in air or light, such opening shall be

protected with an approved exhaust system with curtain thermostatically controlled to operate simultaneously with the detection of fire shutter having a one-and half hour fire resistance rating as specified by the Nigerian Electricity Regulatory Commission (NERC), for five (5) floors and above.

152. An acceptance test and inspection or a major alteration thereto shall be carried out as prescribed by the Nigerian Electricity Regulatory Commission (NERC).

Test and inspections.

153. No electric wiring system shall be approved and no current shall be supplied for light, heat or power in a building until the required certificate or inspection and approval has been issued by the relevant Authority.

Certificate of approval.

**PART – XVIII SPECIAL PROVISIONS:
PLANNING INFORMATION, BUILDING CONDONATION &
PROVISIONAL PERMIT**

**Planning
Information**

154 (a) The approval of the relevant Town Planning Authority for Planning Information should be required by for development.

(b) The Planning Information shall cover information on requirements for securing development permit, choice of site for appropriate development, land use compatibility and conformity of building developments in-line with physical development plans and settlement patterns, development control regulations, development guidelines, interim development orders, variation orders and planning schemes, among others.

- (c) The application for a Planning Information shall be accompanied by:
- (i) Valid correspondence/contact addresses, e-mail address, telephone numbers with social media handles.
 - (ii) Title document with a survey plan of the subject site (possibly with photographs)
 - (iii) The evaluation of the application inspection of the site seeking Planning Information, charting, vetting of application and recommendation shall not exceed 14 working days and 7 working days while issuance of Planning Information shall not exceed 3 working days, after site inspection, where clearance is not required.

Regulation of

155 (a) Where the owner/occupier/developer erects, uses, occupies or maintains building(s)

without development permit, such existing development that are illegal may be evaluated and regularized As-Built special development project or Building Condonation

As-Built
Development,
Building
Condonation

155 (b) Building Condonation shall cover:

- (i) Buildings of all land uses and
- (ii) Developments within Layouts

155 (c) The application for Building Condonation (As-Built Special development shall require the submission of:

- (i) Valid correspondence/contact addresses, e-mail address, telephone numbers with social media handles;
- (ii) Application in writing on "As-Built Special Project";
- (iii) Advocacy report, prepared by a Town Planner consultant

155 (d) The Authority shall refer all applications on "As-Built Special Development" to the Board for the purpose of regularizing such As- Built illegal development as Building Condonation:

- (i) Residential development containing four (4) or more buildings;
- (ii) Institutional development like schools, hospitals, museums, art gallery, with user capacity above 200 persons and all Federal, State and Local Government developments;
- (iii) Commercial development such as shopping malls, markets, hotels, Guest houses, terminals, broadcasting stations/media houses, petrol and gas filling stations, etc
- (iv) Industrial development, power station, liquefied petroleum plant, tank farm & refinery, mining works, quarrying, sand dredging, burrow pits
- (v) Airports, seaport, inland depot and others
- (vi) Developments above five (5) floors
- (vii) All As-Built Special Development Housing Estates or Layout Development, and shall be processed for Honourable Commissioner responsible for physical planning matters in the state, concurrent consent for condonation.

156 The Processing of application for building condonation shall undergo the provisions of section 5 (i) – (viii), xiv, xvi of these regulations.

shall undergo the provisions of section 5 (i) – (viii), xiv, xvi of these regulations.

- Condonation Permits** 157 (a) As-Built developments shall be granted a condonation permit by the Authority after payments of the planning fees.
- (b) The development granted condonation permit shall have after assessment meet reasonable satisfaction of the planning standards of the planning area.
- Annual Revalidation Fees** 158 The As-Built development granted condonation permission shall pay annual revalidation fees as follows:
- (a) Residential and others 50% of the planning fees
 (b) Commercial: (i) Petrol/Gas filling station, 100% of the planning fees and
 (ii) 70% of the planning fees
 (c) Industrial: (i) small scale 60% of the planning fees
 (ii) Medium scale, 80% of the planning fees and
 (iii) Large scale 100% of the planning fees
- Provisional Permit** 159 The relevant Town Planning Authority may grant a Provisional Development permit in Form I prescribed in the second schedule, if: The application has been assessed and found satisfactory with respect to the These Regulations/Planning Standards and upon payments of Statutory Planning payments.
- 160 (a) The provision of a development permit shall not be used for obtaining demolition, revalidation and renovation permit, as the case may be.
 (b) No demolishing of an existing Building whether built pursuant to a development permit or not shall be carried out except with the permit of the Authority pursuant to the provisions in section 161 of these Regulations.
- Demolition Permit** 161 (a) Any developer who intends to demolish any existing structure that is defective, dilapidated, structural unstable, causing nuisance to man and the environment, shall apply in writing to the Authority for the issuance of a Demolition Permit as provided in the Form J prescribed in the Second Schedule of these Regulations.
- (b) No site with existing structure shall be demolished in the State without Demolition Permit granted by the Authority to remove the structure.

© Any intending applicant for Demolition Permit shall submit an application to the Authority accompanied with the following documents:

- (i) Evidence of title document(s) -
- (ii) Photograph of the existing structure(s)

(d) The fee payable for demolition permit shall be for:

- | | |
|--------------------------------------|------------------|
| (i) Building of 1 floor | N50,000.00 each |
| (ii) Building of 2-4 floors | N70,000.00 each |
| (iii) Building of 5 floors and above | N100,000.00 each |

(e) An applicant for the grant of demolition permit shall after payment of the prescribed fees, site inspection and assessment, be granted a demolition permit within 3 working days after the site inspection and assessment.

Planning scheme and inconsistent building bye-law.

PART XIX - PLANNING SCHEME, AND INCONSISTENT BUILDING BYE-LAW AND FITNESS PERMIT & EXISTING DEVELOPMENTS WITHOUT DEVELOPMENT PERMIT

161: No Building or any part thereof shall be demolished by anybody including Government and its agencies without a written approval of the relevant Authority.

162. All Planning Permit Approvals shall be granted within the context of an approved planning Scheme for the area.

163 (a). Where a provision of an approved Planning Scheme is inconsistent with any provision of these Regulations, the Planning Scheme shall prevail.

164 (a). No building Bye-Law shall operate or have force of law where these regulations apply accordingly. All Building Bye-laws are hereby repealed.

Certificate of fitness & Completion.

(b). The provisions of any Building Bye-Law, Scheme or these Regulations shall be constructed and given interpretation that will advance the terms of National Building Code

165 (a). A Town Planning Authority shall issue a Certificate of Fitness/Completion in the Form G prescribed in the Second Schedule before habitation upon completion of any structure, including partial completion of any structure, before occupation which equally includes a set of completed or built building drawings of all services.

(b). The Authority may from time-to-time request for inspection of the Certificate of Completion of any building.

166 (a). The Imo State Town Planning Authority Building Regulations 1982 hitherto applicable to Abia State is hereby repealed.

(b). The repeal of the regulations mentioned in subsection 164(a) of these regulations as well as the Building Bye-Law in section 166 (a) of these Regulations shall not affect any action validly, anything rightly done or purported to be done under or pursuant to that Regulation on any Building Bye-Law.

167. These Regulations shall come into force on the 1st day of April, 2021.

Made in Umuahia, this 20th day of January, 2021.

Barr. Suleiman Ukandu
Commissioner for Lands, Survey and Urban Planning
Abia State of Nigeria

FIRST SCHEDULE (REGULATION 2)

CLASSIFICATIONS OF BUILDINGS

- Group 1. Residential Buildings*
- (i). All buildings used for dwelling purposes.
 - (ii). Flats.
 - (iii). Tenement buildings or residential compounds.
 - (iv). Hostels/Dormitories.
 - (v). Home for the aged.
- Group 2. Commercial Buildings*
- (i). Shops.
 - (ii). Market Stalls.
 - (iii). Filling and Service Stations.
 - (iv). Hotels.
 - (v). Restaurants.
 - (vi). Cafeteria.
 - (vii). Motor showrooms.
- Group 3. Industrial Buildings – mainly used for manufacturing purposes*
- (i). Manufacturing and processing plants.
 - (ii). Motor repair shops.
 - (iii). Commercial laundries.
 - (iv). Non-residential kitchen.
 - (v). Saw-mills and corn-mills.
 - (vi). Refineries, mills, dairies, etc.
 - (vii). Mining.
 - (viii). Quarry.
 - (ix). Borrow-pit.
- Group 4. Storage Buildings*
- (i). Buildings for the storage of goods and materials not specified as hazardous in paragraph (ii) shelters goods, wares or merchandise like warehouses, cold storage, garages, stables or transit sheds etc.
 - (ii). Hazardous buildings used for storage, handling, manufacture or processing of highly combustible explosive materials or products which are liable to burn with extreme rapidity which may produce poisonous fumes, building which is used for storage, handling or manufacturing highly corrosive, toxic, acid or other liquids or chemical producing flames, fume

explosive, paints, compressed liquefied or dissolved gas, etc.

Group 5. Business Buildings – Any Building or part of a building used for business transactions.

- (i). Office Buildings
- (ii). Banks.
- (iii). Civil Administration Building.
- (iv). Radio and Television Stations.
- (v). Recording and Film Studios.
- (vi). Barber and beauty shops.

Group 6. Assembly Buildings

- (i). Town and Community halls.
- (ii). Theatres.
- (iii). Cinemas.
- (iv). Concert halls.
- (v). Dance halls.
- (vi). Churches, Mosques and other Buildings for Worship.
- (vii). Museum and Exhibition halls.
- (viii). Courtroom.
- (ix). Stadia and Grand-stands.
- (x). Night Clubs.
- (xi). Radio and Television studios to which the public are admitted.

Group 7. Institutional Buildings

- (i). Hospital.
- (ii). Nursing homes
- (iii). Sanatorium.
- (iv). Orphanage.
- (v). Remand Homes.
- (vi). Homes for the disabled.
- (vii). Isolation centre
- (viii). Jails/prisons

* Government Institutional Buildings includes: City Halls, Court Houses, Judicial Centres, Police Headquarters, Detention Facilities, Military Bases, and Transportation Terminals (airports, railway stations, bus stations and educational facilities.

- Group* 8. *Educational Buildings*
(i). Crèche.
(ii). Pre-nursery.
(iii). Primary.
(iv). Secondary.
(v). Skills Acquisition Centres.
(vi). Tertiary.
(vii). Libraries.

- Group* 9. *Miscellaneous*
(i). Sheds.
(ii). Kiosks.
(iii). Sign posts.

SECOND SCHEDULE
REGULATION 4(1)

DEVELOPMENT CONTROL REGULATIONS, 2021
INTERIM/DEVELOPMENT PERMIT

Sir/Madam,

BUILDING PLAN REGISTRATION NO:/BP
BUILDING PLAN APPROVAL NO:/BP/
LAND USE (TYPE OF DEVELOPMENT)
IN FAVOUR OF:
LOCATION OF SITE:

I refer to your application dated in respect of the above named
Matter and return herewith two sets/copies of your approved building plan
registered as

.....TPA/BP/.....

CONDITIONS ATTACHED
.....
.....
.....
.....

Executive Secretary

Date

This Permit is issued in accordance with Regulation 3(1) of the Development
Control Regulations, 2021.

ABIA STATE OF NIGERIA

TOWN PLANNING AUTHORITY

The Executive Secretary,
Town Planning Authority

REGULATION 4(2)

APPLICATION FOR INTERIM/DEVELOPMENT PERMIT
DEVELOPMENT CONTROL REGULATIONS, 2021

- 1. Full Names of Applicant: Mr/Mrs/Miss
2. Present Residential Address of Applicant
3. Postal Address (If different from above)
4. Land-Use of Proposed Development
5. Location of Proposed Development
6. Approximate Area of Site
7. Approximate Area of Building Coverage
8. Land Use Applied for
9. Status of the development: (a) Existing (b) Under construction (c) Proposed
10. Serial No. and Date of Allocation Letter (if any)
11. Contact of Agent: a. Name: b. GSM No: c. Address:
12. Name of Consultant:

- 13. Profile of Professional
-
- 14. Address of Professional:
-
- 15. Submission of Letter of undertaking (by the professional):
YES..... NO
- 16. Documents submitted
 - a. 4 copies of Building Plans (5 copies if for 5 floors and above)
 - b. Structural Calculation (3 floors and above)
 - c. Soil Test (4 floors and above)
 - d. Current Tax Clearance Certificate
 - e. Site Analysis Report and Plan/Land Use Planning and Analysis Report
 - f. Environmental Impact Statement (as applicable)

This application is in accordance with the Building Regulations, 2021

Signature or R.T. Impression of Applicant

Signature of Agent/Consultant

Date

Date

B 75

Date:

Ref. No:.....

REGULATION 10(C)

STAGES COMPLIANCE FORM/ PERMIT

BUILDING PLAN NO: /BP:

LOCATION:.....

Before embarking on any clearing of site, you must give written notice to the Authority. On completion of work, you must also seek the approval of the Authority for fitness of the building for occupation.

- The "Stages Form" must be kept readily available at the site for inspection by the Authority's Town Planning Officer/Officers of Health/and Engineer who will sign below the different stages of construction/

You must not proceed from one stage to another without applying in writing and getting approval for the previous Stages.

Date	Stage of Development	Department: Development Control	Name & Rank of Officer	Signature
	<i>ONE FLOOR BUILDING</i>			
	1. When site has been Cleared, Drained and Pegged.	Town Planning		
		Evn. Health		
		Engineering		
		Building		
	2. When foundation has been Excavated and Concreted. (sub-structure).			
	3. When the walls have risen to Window Plate Level.			
	4. When the Roof Trusses are in the next Floor Level.			

	5. When entire Building is Completed and ready for Occupation.			
	<i>ADDITIONAL FLOOR</i>			
	6. When Reinforcements for 1 st Floor Slab are in PLACE for Concreting.			
	7. When the walls have risen to Window Plate Level.			

REGULATION 15(1)

...../SWO/ 120

NAME OF DEVELOPER:
LOCATION:
OFFENCE:
STAGE OF DEVT:

STOP

WORK

ORDER

..... TOWN PLANNING
AUTHORITY

SIGNED:.....

EXECUTIVE SECRETARY

PHONE NO:.....

DATE:.....

GOVERNMENT OF ABIA STATE OF NIGERIA

PHONE:

TOWN PLANNING AUTHORITY

Date:.....

Our Ref:

REGULATION 20(1)

Sir/Madam.

CONTRAVENTION NOTICE AND STOP WORK ORDER IN RESPECT OF THE DEVELOPMENT AT

It is regrettable to observe with dismay that you have commenced construction of which has been identified as an ILLEGAL/UNAUTHORISED structure/development contrary to the provision of section 37 sub section 1 and 2 of Abia State Urban and Regional Planning Board and Planning Authorities Law Cap 40 of the Laws of Abia State 2005 (as amended) and punishable under section 68 of the said Law, as well as Planning Authorities Extant Regulations, of Abia State of Nigeria.

2. In pursuant to the said provision of afore mentioned law and regulations you are cautioned to prepare and submit to the Authority your development plan for approval within days from the date of this NOTICE/ORDER or show evidence of approved building plan as the case may be.
3. You are warned to comply with paragraph two above or face the wrath of the law including compelling you to reinstate the land to the state in which it was prior to your action/construction.

Dated at Town Planning Authority this..... Day of 20

Executive Secretary

Town Planning Authority

I hereby certify that a copy of the above notice was served by me on Day of 20..... at By being (state mode of service) in the presence of Within the following set item impounded:

B 79

(i)
(iv)

(ii)
(v)

(iii)
(vi)

ENDORSEMENT AFTER SERVICE

SERVED ON THE

Owner/Occupier/Agent by:

TOWN PLANNING OFFICER

IN THE PRESENCE OF:

SIGNATURE OF WITNESS

Mode of service:

REGULATION 21

SEALED

Pursuant to section 70 of Abia State
Urban & Regional Planning Board/Planning
Authorities of Abia State 2005 as
ammended by Law No. 4, 2015.

BY ORDER

.....
TOWN PLANNING
AUTHORITY

SIGNED: _____
Executive Secretary

DATE: _____

GOVERNMENT OF ABIA STATE OF NIGERIA
TOWN PLANNING AUTHORITY

PHONE:

Date:

Our Ref:

REGULATION 22(1)
DEMOLITION NOTICE!!!

Developer/Occupier/Owner:
Site Location:
L.G.A:
Level/Stage of Development:
Land Use:
Date:

The Town Planning Authority (a.k.a the Authority) has observed with dismay that you have failed to comply with the **STOP WORK** and **ENFORCEMENT NOTICES** served on you against your illegal development. You are hereby commanded to remove the illegal structure and restore the land to its former state prior to the construction/erection of the building, within seven (7) days from the date you receive this notice for the following reasons:

- i. The structure is illegal, as it was not approved by this Authority
- ii. The illegal structure constitutes nuisance to man and the environment
- iii. The illegal structure contravenes section 37(1)(2) of Abia State Urban and Regional Planning Board/Planning Authorities Law, Cap. 40, Vol II, Laws of Abia State, 2005 (as amended) and terms of the extant Regulations.

If you fail to comply with the terms of this notice, the Authority shall vide the powers vested on her in the section 70(1) and section 71 of Cap. 40 (supra) proceed without further notice to demolish the illegal structure.

And Take Notice that this shall serve as Demolition Notice as provided in section 57 subsections (1) (2) of Cap. 40 (supra).

By order

Signed: _____

Executive Secretary

..... Town Planning Authority

ENDORSEMENT AFTER SERVICE

I hereby certify that a copy of the above notice was served by me on this

....., the..... day of..... 20.....

at..... by (mode of service)

Signed:.....

Signed:.....
Serving Officer

Signed:
Witness

**REGULATION 157 (a)
CERTIFICATE OF FITNESS OR COMPLETION**

This is to certify the Building (s) here under described for which Planning Permit No:..... was granted has been constructed in accordance with term of Planning Permit, Building Regulation/Planning Scheme and Law and is hereby approved and Certified Fit for Human Occupation

Given under the hand and seal of Town Planning Authority this day.....

Signed:.....
Executive Secretary

PHOTOCOPY UNCERTIFIED BY THE GOVERNMENT PRINTER, NOT VALID.