Council of Ministers Building Regulation No.243/2011

This Regulation is issued by the Council of Ministers pursuant to Article 5 of the Definitions of Powers and Duties of the Executive Organs of the Federal Democratic Republic of Ethiopia Proclamation No.691/2005 and Ethiopian Building Proclamation No.624/2009.

PART ONE

GENERAL

1. Short Title

This Regulation may be cited as the “Council of Ministers Building Regulation No. 243/2011”.

2. Definitions

In this Regulation unless the context requires otherwise:

1/ “temporary construction” means a temporary construction erected for a limited period of time and to be demolished at the completion of such period;

2/ “public building” means any building such as a theatre hall, public library, conference hall, a recreational place, academic institution, a medical center, or a market or any other similar building serving the public;

3/ “analysis” means a mathematical computation worked out so as to prepare the plan or a description to support the same;

4/ “planning consent” means a document verifying the compliance of a proposed construction plan.
with that of the plan, the type of permitted buildings and services prohibited, permitted heights of buildings to be constructed in a given topology, or indicating the adjacent infrastructures, as well as the size of existing and planned buildings on the area;

5/ “plan revision” means an expansion or revision of an existing plan without causing full revision of the requirements and descriptions thereof;

6/ “real estate” means a building built for the purpose of sale, rent or lease services;

7/ “alteration of service” means changing of the existing service of a certain building;

8/ “construction permit” means a document verifying the permission given to a person to construct a building upon fulfillment of necessary requirements of the plan;

9/ “notice” means a letter of request, an order, information, or waiting which the urban administration, designated organ, or a building officer produces to the owner of a building or vice versa;

10/ “Proclamation” means the Ethiopian Building Proclamation No.624/2009.

PART TWO
ADMINISTRATION

3. Submission of Application and Plans

1. Application submitted as per Article 4 of the Proclamation shall contain:

   a) full name and address of the applicant,

   b) permitted service for the building,

   c) location of construction,

   d) table showing the total area of the floors,

   e) planning consent,

   f) architectural, structural and electrical designs for buildings of Category “A” having concrete roofing.
a) architectural and electrical designs for buildings of Category “A” which have no concrete roofing,

b) architectural, structural, sanitary, electrical designs and soil test and structural analysis report for buildings of Category “B”,

c) in addition to the plans required for buildings of Category “B”, fire safety plans and descriptions thereof shall be submitted for buildings of Category “C”,

d) electro-mechanical designs and analysis for buildings using lifts and artificial ventilation,

e) number of floors of neighboring buildings below and above ground level and their distance from the boundary lines, and

f) full name, address, signature and a copy of registration certificate of professionals who prepared plan of the building.

2/ The information relating to neighbors referred to in sub article (1) (k) of this Article shall be submitted by making such neighbors to fill the form prepared by the urban administration.

3/ Possessors of the lands adjacent to the area for which a building permit is requested are under obligation to fill the form mentioned in sub article (2) of this Article.

4/ The request for any alteration of services or renovation shall be as per requirement stated for the new category of building to which it belongs. Where the building plan does not exist, the request shall be submitted with as built drawings and analysis.

4. Planning Consent

1. The owner of a building shall fill the form prepared by the urban administration by showing the height and the type of service of the building to be constructed and submit his application attached with the original and a copy of the title deed in order to obtain a plan consent.
2/ The urban administration or designated organ shall, in case of a request for plan consent to build a new building, grant:

a) title deed and

b) a plan information describing the height and the permitted type of service.

3/ In case of a request of plan consent for a renovation of a building, the urban administration shall grant:

a) title deed, and

b) a plan information describing the height and the permitted type of service.

4/ For urban centers having no urban plan, the height, the type of services of buildings and the issuance of consent shall be determined by directives to be issued by the respective regions.

5/ The building officer shall determine the category of buildings submitted for his approval in accordance with the criteria set within the Proclamation and these Regulation.

6/ The building officer shall decide the compliance or non-compliance of the application with the urban center and notify the applicant his decision and the reasons thereto, in writing, within three working days.

5. Approval of Plans

1/ Without prejudice to Article 6 of the Proclamation comments referring to minor non-compliance shall not:

a) be made in a manner that reduces the legibility of the plan:

b) be dull and easily removable and shall appear on the copy when the plan is copied.

2/ The lists of minor non-compliance shall be determined by directives to be issued in accordance with this regulation.

3/ A building owner shall be issued with a copy of such plan stamped with “For Inspection Purpose Only” together with the construction permit to be displayed at the site.

6. Plan Review Period

1/ The time needed for review of plans shall not exceed:
a) five working days for plans of Category “A” building excluding real estates;
b) seven working days for plans of buildings of Category “B”; and
c) twenty one working days for plans of buildings of Category “C” and real estates of Category “B”.

2/ Where buildings of different types are to be built on a project area belong to one person, the time taken for the review shall be the multiple of the number of categories of such buildings and the time fixed to review a single building. However, the total time for review of all plans shall not exceed 21 days.

3/ The time for a review of each category shall begin to be counted from the time of submission of the plan.

4/ The building officer may request the urban administration or the designated organ additional time to review huge or complex projects.

7. Validity Period of Plans

1/ The request for extension of validity period of a plan whose validity has been expired before the commencement of construction may be accepted where the reasons for the delay were timely reported to the building officer in writing.

2 The request for extension of validity period of a plan mentioned in sub article (1) of this Article may be accepted where:

a) there exists a border conflict preventing the construction activity; or
b) the urban administration failed to fulfill the necessary infrastructure to begin the construction; or
c) the urban administration failed to clear the existing infrastructure which prevented the construction; or
d) there exists a conflict of possession right over the construction site; or
e) there exists an apparent lack of construction materials at national level; or
f) there exist other causes of force majeure, which attributed delay of the construction activity.

3/ The request for extension of validity period of a plan whose validity has been expired before completion of the construction may be accepted for the following reasons if they were timely reported in writing to the building officer:

a) if there exists an apparent lack of construction materials at national level:

b) where a revision in the design was necessary during construction period resulting from an error which was unforeseen during design period;

c) where the completion of such construction takes more than five years;

d) where there exists pending court case that prevents the construction work.

4/ Where the reasons specified in Article 6 Sub-article (4) of this Regulation justify the extension of the validity period of a plan, the period so extended shall be equivalent to the time taken by the respective reason.

8. Construction Permit

A construction permit shall have a serial number showing the date of issuance and validity period.

9. Modification of Plan During Construction

1/ Where need arises to modify the original plan during construction, the modified plan shall be prepared and submitted to the building officer for approval prior to implementation.

2/ The approved modified plan shall remain part of the original plan.

3/ The type of plans or a part thereof which could be modified during construction without the approval of the building officer shall be determined by directives to be issued in accordance with this Regulation.

4/ A consolidated plan comprising modifications of a completed building shall be submitted to building officer for approval before an application for occupancy permit.
10. Building Officer

1/ A building officer to be appointed by the urban administration shall be a professional in architecture, civil engineering, construction technology and construction management, or in other related disciplines. The particular requirements shall be determined by directive.

2/ A building officer is empowered to order inspection of exempted buildings in accordance with Article 11 sub article (5) of the Proclamation where:

a) he is informed that the building is likely to cause damage;

b) a visible crack, sink or tilt is observed on the building;

c) there exist some other defects which could put public safety at risk.

3/ Where the building officer is convinced that, upon examination of the building, the building is likely to cause damage to life and property, he may order the demolition or rectification of such building wholly or partly.

11. Outsourcing Professional Service

1/ Where the building officer is unable to find a professional within the administration to carry out a specific work, he may procure the service of a registered professional in accordance with the relevant law.

2. The professional engaged in accordance with sub-article (1) of this Article shall be responsible to carry out the work in accordance with the provisions of the Proclamation, this Regulation and the outsourcing contract.

3/ The building officer shall be responsible to follow up and ascertain that the professional who is undertaking the work under sub-article (1) of this Article properly discharges his responsibilities.

12. Non-compliance

1/ Where an owner of a temporary building fails to comply with the order of the urban administration to demolish such building at the end of the time prescribed by the agreement made at its erection with the urban administration, the latter may demolish the building by its own expense and claim the reimbursement of such cost from the owner.
2/ If the owner of a building fails to rectify the condition under which construction works carried out beyond the approved plan, after receiving notice in writing, the building officer may suspend such construction works.

3/ A building owner who has received an order to rectify a construction work made beyond the approved plan shall notify in writing to the building officer, his completion of the work in compliance with the order.

13. Notice

1/ Any person who has an approved plan for category “B” and “C” buildings shall notify to the building officer, in writing, the starting date of each stage of work before five working days of such starting date.

2/ The stages of work for which an advance notice is required in case of new construction shall be in the following order:

a) on completion of surveying work for the foundation;

b) before starting concrete cast for grade beam;

c) before starting floor concrete works at all levels;

d) before starting final concrete works;

e) testing of completed water supply, sanitary, electrical and electro mechanical Installations;

f) other stages of work required by the building officer based on the type and method of construction.

3/ The stage of works for which an advance notice is required in cases of alteration, extension, and demolition of existing buildings, shall be disclosed, in writing, to the building owner at issuance of the construction permit.

4/ The notice to be given for the alteration and extension of existing buildings shall follow the same order with that of a new construction where the nature of the existing building so permits.

5/ The building officer shall inspect the site and ensure that the construction of such stage is in compliance with the permit.

6/ Any order or notice shall be given in writing. An order given orally is invalid.
14. Inspection

1/ Any person who is carrying out a construction work shall keep a site book on the construction site.

2/ An inspector visiting a site of a completed or building under construction shall record the objective of his visit and the findings thereof on the site book.

3/ Stop orders shall be issued by recording on the site book or the inspection report form.

4/ The stop order form shall comprise the location of the building, owner’s name, construction permit number, stage of the illegal construction and the supervisor’s full name.

5/ The building officer shall, upon receipt of the report and the stop order of the inspector, specify the provision of the laws so violated, the period within which the rectification, removal or demolition of such building is to be carried out and communicate the same to the owner in writing within five working days.

15. Ascertaining Quality of Building Materials

1/ If a material used or destined for construction made subject to sample testing is found to be defective or below standard, the building officer may order its removal or adjustment in its use.

2/ The owner of the building is responsible for any damage due to use of substandard materials of construction.

16. Occupancy Permit

1/ The owner of a Category “C” building, shall apply for an occupancy permit upon completion of construction. The application form for occupancy permit shall indicate:

a) full name and address of the owner;

b) location of the building;

c) type of service of building;

d) construction permit number;

e) date of starting and completion of construction, and

f) the document verified by the registered professional who carried out the inspection as to the compliance of the construction with the plan.
2/ The building officer shall respond within 10 working days after receipt of the application.

3/ The building officer may charge fines in accordance with Article 44 of this Regulation where a Category “C” building is found to have begun rendering service without occupancy permit, or suspend its service until such permit is obtained or it may take both measures simultaneously.

4/ A Category “C” building with extension or alteration shall be approved for compliance with the construction permit and use intended to be issued occupancy permit.

5/ The buildings mentioned in sub article (4) of this Article shall follow the same procedure to obtain occupancy permit like that of the new buildings.

17. Temporary Constructions

1/ Any person who wants to construct a temporary building shall apply to the urban administration or the designated organ to obtain a temporary construction permit.

2/ A person who has a temporary land permit shall obtain a temporary construction permit from the building officer.

3/ The application for a temporary construction permit shall specify or attach:

   a) the intended service of the building;
   b) the permit obtained from the urban administration or the designated organ for temporary use of the land;
   c) the agreement made with the authorities specified in paragraph (b) of this sub-article on the conditions under which the site is to be handed over at the expiry of the permit;
   d) documents and types of plans required for Category “A” buildings.

4/ Where an application to obtain a temporary construction permit relates to public buildings, it shall be accompanied by plans and designs required for Category “C” buildings pursuant to Article 3 sub article (1) (i) of this Regulation.
5/ Temporary constructions shall be built up with materials having no permanence nature and which are easily removable.

6/ The temporary construction permit to be issued by the building officer shall be valid only for the duration of the land permit.

7/ The extension of time for the land permit shall be valid to the temporary building permit.

8. Upon completion of the time limit, the temporary construction shall be removed and the site shall be cleared and handed over in accordance with the agreement made during the issuance of the land permit.

18. Alteration of Use, Extension, Repair or Demolition

1/ Any person who intends to alter the use of a building or to extend, repair or demolish a building shall obtain a permit.

2/ An application to alter the use of a building or to extend or repair a building shall be accompanied by the following documents:

a) title deed;

b) plan displaying adjoining sites;

c) construction permits, if the building is built after the coming into force of the Proclamation;

d) the previous and the modified plans of the building;

e) plans and analyses of the building based on its category.

3/ The application to demolish a building shall be accompanied by the following documents:

a) title deed;

b) plan of the building;

c) statement of reason for demolishing;

d) height of neighboring buildings and their distance from the border of the building to be demolished;

e) agreement made with the respective authorities to interrupt power, water, sewerage, telephone and other infrastructures;
f) analysis of safety methods to be applied and the sequence of activities to be carried out.

4/ Demolition shall be carried out in compliance with detail procedures indicated in the directives to be issued in accordance with this Regulations.

5/ If alteration of use requires the demolition of the whole building, the permit to be given shall be similar to the permit given for a new building in accordance with Article 3 of this Regulation.

6/ Where the alteration of service, modification or expansion relates to a Category “C” building, such building shall obtain an occupancy permit before it is put for use.

7/ Any work of alteration of service, expansion, renovation, maintenance or demolition of a building shall be carried out by competent registered contractor.

19. Employment of Registered Professionals

1/ The coordination activity of the Architect shall be confined to assuring the designs prepared by different registered professionals are fit to each other with respect to the intended service of the building.

2/ Any person who is planning to have a building design shall employ registered professionals who have a renewed licenses and qualified for the building category as stated below:

a) for Category “A” buildings, registered professionals in architecture and electrical design works;

b) for Category “B” buildings, registered professionals in architecture, structure, electric, sanitary and soil test; and

c) electro-mechanical professionals for buildings using lifts and artificial ventilations.

3/ Without prejudice to sub article (2) of this Article, the urban administration or the designated organ may prepare standard designs for Category “A” buildings by registered professionals and provide to users with reasonable price.

4/ Expatriate consultants who prepare building designs shall submit certificates of legal personality, work permit, the project sizes to which they are licensed and their insurance coverage.

5/ The level of registered professionals employed for designs and inspection shall be determined by directives on the basis of project prices and building categories.
6/ In accordance with sub article (3) of Article 26 of the Proclamation, the form and amount of the guarantee to be produced by a registered professional who has reached agreement to carry on the design of Category “B” and “C” buildings shall be as follows:

<table>
<thead>
<tr>
<th>No.</th>
<th>Building category</th>
<th>Project cost /Birr/</th>
<th>Guarantee (% of project cost)</th>
<th>Maximum guarantee /Birr/</th>
<th>Duration</th>
<th>Mode of the guarantee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Category B buildings excluding real estates</td>
<td>5,000,000</td>
<td>10%</td>
<td>500,000</td>
<td>One year from completion of project</td>
<td>From recognized insurance company before commencing project</td>
</tr>
<tr>
<td>2</td>
<td>Building Category C and real estates</td>
<td>2,500,000</td>
<td>20%</td>
<td>500,000</td>
<td>One year from completion of project</td>
<td>From recognized insurance company before commencing project</td>
</tr>
</tbody>
</table>

7/ The guaranty period provided under sub article (6) of this Article shall not affect contracts of work relating to immovable property provisions of the Civil Code.

8/ The project cost estimate for guarantee shall be calculated by multiplying the total area of the project and the construction price for each square meter of the given category of building prepared by the building officer and approved by the urban administration or the designated organ.

20. Employment of Registered Contractors

1/ Without prejudice to Article 27 sub article (1) of the Proclamation, the construction of Category “A” buildings may be carried out by medium professionals certified by authorized bodies.

2/ Requirements to recruit appropriate registered professionals shall be determined by directives to be issued pursuant to this regulation.

3/ A registered contractor shall have a renewed license and a registration certificate to engage in construction contracts.

4/ The project amount in which registered contractors may engage shall be determined by a directive to be issued by the Ministry.
5/ Expatriate contractors who carry out construction works shall submit certificates of legal personality, work permit, the project sizes to which they are licensed and their insurance coverage.

6/ Any contractor who has reached agreement to construct Category “B” and “C” buildings as per Article 27 sub article (2) of the Proclamation shall produce guarantee and the amount and procedure of production a guarantee on basis of categories of building shall be as follows:

<table>
<thead>
<tr>
<th>No.</th>
<th>Building category</th>
<th>Project cost Birr</th>
<th>Guarantee (% of Project cost)</th>
<th>Maximum guarantee (Birr)</th>
<th>Duratio n</th>
<th>Mode of the guarantee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Category “B” buildings excluding real states</td>
<td>10,000,000</td>
<td>20%</td>
<td>2,000,000</td>
<td>one years from completi on of project</td>
<td>From recognized insurance company before commencin g project</td>
</tr>
<tr>
<td>2</td>
<td>Category “C” Building and real estates</td>
<td>10,000,000</td>
<td>30%</td>
<td>3,000,000</td>
<td>one years from completi on of project</td>
<td>From recognized insurance company before commencin g project</td>
</tr>
</tbody>
</table>

7/ The provisions of sub article (6) of this Article shall not affect the guarantee period provisions of the Civil Code regarding contracts of work relating to immovable property.

8/ The project cost, for insurance purpose, shall be calculated by taking in to account the total project area and the price of the construction per square meter which is to be prepared by the building officer and approved by the urban administration or the designated organ.

9/ Where the construction contract includes design and build /a turn-key contract/ the method and the amount of guarantee to be produced shall be determined pursuant to sub article (6) of this Article.

PART THREE

APPEALATE BOARD

21. Formation of the Board

1/ The Appellate Board shall be set up, composed of members drawn from the urban administration or the designated organ and the relevant bodies, consists of 5 to 7 members depending on the complexity of the case and the level of the urban center.
2/ The term of office of the Appellate Board shall be equivalent to the term of office of the urban administration.

3/ The composition of the Appellate Board shall be as follows:
   a) administrator of the urban administration ..........Chairperson
   b) a representative of Contractors Association ......member
   c) a legal professional representing the justice organ or a similar institution of the urban administration … member
   d) representatives to be elected from the workers, teachers and youth associations and urban dwellers …..members
e) a representative of the urban administration …….secretary

4/ Any person who has a complaint against the decision or order of the building officer may appeal to the Board within five working days from the date he has received such order or decision.

22. Powers and Duties of the Board

Without prejudice to Article 13 sub article (2) of the Proclamation:

1/ the Board shall, notify the appellant the venue date and time of hearing within fifteen working days after its acceptance of the appeal and five working days prior to the date of hearing;

2/ the Board shall decide on the appeal within one month. This period may be extended to a maximum of one additional month if the nature of the case demands;

3/ the Board may request professional support of any kind to decide a case;

4/ the board shall notify its decision to the appellant and the respective building officer in writing;

5/ the urban administration may arrange allowances to Board members;

6/ the Board shall be accountable to the urban administration.

23. Meeting of the Board

1/ There shall be a quorum where a majority of the members of the Board are present.

2/ Decisions of the Board shall be passed by a majority vote, in case of a tie, however, the chairperson shall have a casting vote.
3/ Without prejudice to the provisions of this Article the Board may draw up its own rules of procedure.

PART FOUR

SERVICE FEES

24. Planning Consent and Review Fees

1/ A plan review fee shall be paid for building of all categories.

2. A planning consent shall be obtained from the urban administration upon request and payment of a service fee of birr 300.

3/ If the applicable building plans are standard plans prepared by the urban administration, payments made to obtain the plan shall be considered as if they were made for the review of the plan.

4/ The plan review fee shall be calculated as indicated in the Table below while the project cost shall be the product of the total area of the building and the construction cost per square meter.

<table>
<thead>
<tr>
<th>No.</th>
<th>Project Estimate (Birr)</th>
<th>Plan Review Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Upto 2,500,000</td>
<td>1250</td>
</tr>
<tr>
<td>2</td>
<td>From 2,500,000+upto 5,000,000</td>
<td>2250 + 1250</td>
</tr>
<tr>
<td>3</td>
<td>From 5,000,000+upto 10,000,000</td>
<td>3920 + 2250</td>
</tr>
<tr>
<td>4</td>
<td>From 10,000,000+upto 20,000,000</td>
<td>6770 + 3920</td>
</tr>
<tr>
<td>5</td>
<td>From 20,000,000+upto 50,000,000</td>
<td>14270 + 6770</td>
</tr>
<tr>
<td>6</td>
<td>Above 50,000,000</td>
<td>14270 + 6770</td>
</tr>
</tbody>
</table>

5/ The building officer shall prepare average current unit price per meter square for each category of buildings on the basis of the construction price prevalent in the specific urban center and submit to the urban administration or the designated organ for approval. The price quoted per meter square may be reviewed as necessary.

6/ Where the plan review is made by the service obtained by a registered professional in accordance with Article 11 sub article (1) of this regulation, the plan review fee shall be the fee awarded by the winning bidder.

7/ Where there are identical building blocks, the plan review fee shall be the sum of the building cost of one of the blocks and ten per cent of the total building cost of all other blocks.
8/ Where rejected plans are re-submitted for approval, additional review fee shall be charged as follows:

a) for Category “A” buildings, half of first payment;

b) for category “B” and “C” buildings, 25% of the first payment;

9/. If the plan was rejected due to overlook in the review of the previous plan, no plan review fee shall be charged to review the resubmitted plan.

10/ The review fee for modified plans shall be 25% of the payment made for a new plan. However, where the plan modification requires changing the structural plan, the plan review fee payable for the modified plan be equivalent to that payable for a new plan.

25. Plan Approval Fees

The plan approval fee for all categories of buildings shall be 10% of the plan review fee.

26. Inspection Fees

1/ Inspection of construction works shall be carried out on buildings specified in sub article Article 13 sub-article (2) f this Regulation and as per the stages of work therein.

2/ The fee payable at each inspection visit and one stage of inspection in accordance with sub article (1) of this Article shall be:

a) Birr 400 for Category “A” building; and

b) Birr 800 for Category “C” building.

27. Refunds

1/ Refund is payment for which no service is rendered or payment made remains unnecessary or excessive.

2/ A person who requests a refund of payment shall specify the type of service for which payment is made, the reason for the refund and apply the same, in writing, with attached copy of the receipt of payment.

3/ The refund shall be made in accordance with relevant provisions of financial administration regulation and directive.
PART FIVE

LAND USE, RELATED STUDIES AND DESIGNS

28. Designs

1/ The plans or designs which shall be prepared for each category of building shall be as follows:

   a) for Category “A” buildings:
      (1) architectural, structural and electrical designs for buildings having concrete roofing;
      (2) architectural and electrical designs for buildings without concrete roofing.
   b) for Category “B” buildings, architectural, structural, sanitary and electrical designs;
   c) for Category “C” buildings, in addition to the requirements for Category “B” buildings, fire safety plans and the analysis thereof;
   d) buildings using lifts and artificial ventilation shall have electro-mechanical designs and analysis.

2/ Designs of Category “C” buildings shall have suitable access to stairs, parking lots, and lavatories accessible for people with disability.

3/ The conditions under which public buildings of below twenty meters of height shall be accessible to people with disability without having lifts shall be stipulated by directives.

4/ For buildings having glass walls it shall be ascertained before hand that the performance terminal shall be comfortable to the public.

29. Precautionary Measures during Construction

Without prejudice to the provisions of Article 31 of the Proclamation:

1/ a building owner shall, prior to construction of any new building:

   a) avoid disturbances to the safety and services of existing buildings and infrastructures;
   b) avoid conditions which may endanger the safety of adjoining properties and health of the community; and
   c) remove any obstacle which might hinder the traffic flow in the area.
2/ if a construction activity is to be carried out at nights, it shall be permitted by the building officer that such activities do not cause nuisance to the public and could be carried out safely and conveniently;

3/ for buildings carried out according to Article 31 sub article (2) of the Proclamation the building owner shall support precautionary measures by written document, designs and specifications and shall obtain approval from the building officer;

4/ the neighbor has the right to be notified of and to ensure by himself, if he has the technical knowledge, or by represented technical professional that the safety measures taken by the building owner are satisfactory to prevent danger to his properties and to follow up during construction in consultation with the owner;

5/ in order to prevent the occurrence of any danger during any construction work, the owner of the building shall take the following measures:

a) cover the construction site with acceptable materials;

b) protect utility lines in the ground from being damaged during excavation;

c) ensure the well being of the traffic flow around the site;

d) prevent the exposure of inflammable construction materials to fire;

e) provide safety wears for site employees and visitors;

f) take precautionary measures to avoid danger on the life of human being and property which may be caused by the misuse of chemical products for construction purpose; and

g) employ appropriate mechanisms which protect any mote of dust, smoke, ray, and other similar elements from causing nuisance and pollution to the area.

30. Building Site Operations

1/ If the owner of the construction fails to comply with the notice mentioned in sub article (3) of Article 32 sub-article (3) of the Proclamation within the given time, the urban administration or the designated organ shall remove materials and residues and claim costs incurred thereby to be refunded.

2/ Any person carrying out an erection or demolition of a building shall fulfill the following temporary facilities on site prior to commencing:

a) store;

b) lavatory for employees;
d) dressing room;

e) dining rooms or temporary sheds as may be necessary.

31. Architecture

1/ Architectural designs shall take into consideration the requirements of the master plan, the local development plan and surrounding buildings.

2/ Any building design shall consider the weather condition of the specific area.

3/ Any architectural design shall take into consideration energy efficient mechanisms.

32. Electrical Installations

1/ Electrical designs and installations shall be carried out in accordance with acceptable code and standards and directives to be issued by the concerned body.

2/ A building shall have sufficient power supply, a standardized security and fixed controlling devices to avoid the likelihood of danger and ensure safety of users.

3/ Designs of Category “C” buildings shall give priority to cost effective renewable alternative power supply system within their installations in addition to the main power supply, for their essential services.

33. Lifts

Lifts shall:

1/ have alternative power source in addition to the main power supply to provide service without interruption;

2/ have batteries which enable users to reach the next floor and to open their doors in cases of unexpected power interruptions;

3/ be suitable for all users including people with disabilities;

4/ have continuous professional follow up, timely inspection and maintenance by a certified entity so as to prevent their interruption as a result of defects and ensure the reliability of its service.
34. Facilities for Disabled Persons

1/ Any public building or a part thereof shall not prevent or hinder the movement of disabled persons.

2/ Manufacturing buildings shall fulfill suitable dressing rooms, bathrooms and other facilities for persons with disability.

3/ Suitability for persons with disability shall be one of the criteria to be considered in giving an occupancy permit for partially completed public buildings.

4/ In any public buildings, international standard signs shall be posted at junctions to keep persons with disability from any obstacles and to indicate parking lots allocated for them.

PART SIX
WATER SUPPLY AND SANITATION

35. Water Supply

1/ The supply and quality of water for human use shall fulfill the local and international codes and standards which the country has adopted.

2/ Designs of water supply system for all buildings and the sanitary fixtures and appliances installed thereto shall be efficient in water saving.

3/ Water reservoirs and supply systems of any building shall be accessible for inspection and cleaning.

36. Sewerage

1/ Any sewage disposal design shall be prepared by registered professional in accordance with the Proclamation and acceptable codes and standards.

2/ Where in the vicinity of any building a suitable means of sewage disposal is available, the sewage line of such building shall be connected with the existing sewage line.

3/ Where any building has not suitable sewage disposal system in the vicinity, it shall use any other means acceptable by the urban administration or the designated organ to discharge sewage.

4/ Any sewage disposal and its construction in a compound shall fulfill the requirements set for the same by the concerned bodies.
37. Control of Objectionable Discharge

1/ The urban administration or the designated organ shall ensure that the rules and regulations prohibiting the mixing of toilet waste sewage with flood lines are strictly observed.

2/ The urban administration or the designated organ shall control and follow up that the flood line shall not enter to sewage line or reservoir.

38. Industrial Effluent

1/ No person shall release any industrial effluent or solid matter to any sewage, river or solid waste removal sites without obtaining permission from the concerned body.

2/ Environmental Impact assessment of industries or factories having residues shall be conducted in order to prevent environmental pollution and such assessment shall be approved by the concerned bodies prior to any release.

3/ A construction of a sewage disposal or treatment shall be approved by the concerned body prior to commencement of the service to ensure that it is carried out in accordance with the impact assessment and acceptable standards.

39. Solid Disposal

Without prejudice to Article 43 of the Proclamation:

1/ the area allocated for storage of solid disposal shall be accessible to waste disposal vehicles;

2/ manufacturing buildings generating toxic solid wastes shall have different storage and disposal methods which qualify international standard.

40. Disposal of Flood Water

1/ Any owner of site shall join the flood water discharge line to the main flood water line which is built for the same purpose.

2/ The owner of any site shall use suitable means which is in compliance with directives of the urban administration or the designated organ for part of the rain water to be absorbed within the site.

PART SEVEN

FIRE PROTECTION AND FIRE FIGHTING INSTALLATION

41. General Requirement

1/ Any building shall have an access for fire fighters to get into in case of fire accident
Category “C” buildings shall have installed their own fire alarm and automatic fire extinguisher system.

Category “C” buildings shall have installed their own emergency escape routes and exit signs in a conspicuous place so as to be visible at all times.

There shall be a suitable storage for inflammable chemicals.

In buildings having more than five floors, there shall be a safe escape route for emergency cases besides the main staircase.

The emergency escape route of a building shall be easily accessible and shall have international standard exit signs posted to indicate the escape route in case of emergency and shall also have alternative power supply for illumination during power interruptions.

### Installation of Fire Extinguishing Instruments

1/ Fire extinguishing instruments shall be installed by licensed persons having professional certificate.

2/ Fire extinguishing instruments and lines shall be placed in a position where they can be easily seen and with their user manuals.

3/ The fire extinguishing instruments shall meet the standard, approved for same by the concerned body, and shall be regularly inspected.

4/ A fire extinguisher installed in a public building shall be made ready at all times for its purpose.

5/ The owner of a Category ‘C’ building shall keep a record of the maintenance of fire extinguishing and protection equipment available for inspection by the concerned body.

### Supply of Water for Fire Protection

The fire fighting water hose shall meet acceptable standards of water pressure and supply.
### PART EIGHT

**MISCELLANEOUS PROVISIONS**

<table>
<thead>
<tr>
<th>No</th>
<th>Types of breaches</th>
<th>Building Categories and amount of fine (birr)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Category A</td>
</tr>
<tr>
<td>1</td>
<td>Failure to display copy of plan permit at construction site</td>
<td>2000</td>
</tr>
<tr>
<td>2</td>
<td>Commencing construction works without fulfillment of preliminary works or facilities</td>
<td>2000</td>
</tr>
<tr>
<td>3</td>
<td>Failure to notify completion of rectification orders</td>
<td>1000</td>
</tr>
<tr>
<td>4</td>
<td>Failure to effect orders within the given time limit</td>
<td>1000</td>
</tr>
<tr>
<td>5</td>
<td>Failure to remove construction materials or residues out of site in accordance with the given written notice</td>
<td>1000</td>
</tr>
<tr>
<td>6</td>
<td>Working without inspector</td>
<td>3000</td>
</tr>
<tr>
<td>7</td>
<td>Starting construction without notification</td>
<td>2000</td>
</tr>
<tr>
<td>8</td>
<td>Renovating without permit</td>
<td>2000</td>
</tr>
<tr>
<td>9</td>
<td>Carry out an expansion work without permit</td>
<td>2000</td>
</tr>
<tr>
<td>10</td>
<td>Demolish without permit</td>
<td>2000</td>
</tr>
<tr>
<td>11</td>
<td>Failure to take safety measures during construction</td>
<td>3000</td>
</tr>
<tr>
<td>12</td>
<td>Failure to obtain occupancy permit</td>
<td>3000</td>
</tr>
</tbody>
</table>

1/ Without prejudice to criminal and civil liabilities, the urban administration or the designated organ may impose the following administrative fines on building owners who violate the provision of the Proclamation or this Regulation depending on the category of the building:

2/ Where a breach which is not specified in the above table is committed, the building officer shall impose fine displayed in the table which he considers reasonable to the breach committed.

3/ Where the breach committed is one which falls under the criminal provisions stipulated in the Proclamation, the building officer shall refer the case to the relevant body for prosecution without prejudice to taking any legal measure he considers appropriate.
The fines imposed in accordance with sub article (1) and (2) of this Article may not relieve the offender from complying with the requirements of this Regulations or other additional corrective measures to be taken by the urban administration or the designated organ.

45. Transitory Provisions

1/ The codes and standards which have been in force before the promulgation of the Proclamation in so far as they are not contradictory with this Regulation, are deemed to have been issued under this Regulation and are applicable to all buildings on which the provisions of the Proclamation apply.

2/ Notwithstanding sub article (1) of this Article, the provisions of the codes and standards which contradict with the provisions of the Proclamation and this Regulations are hereby repealed.

46. Power to Issue Directives

The Ministry of Urban Development and Construction may issue directives to implement these Regulations.

47. Effective Date

This Regulations shall enter into force up on the date of publication in the Federal Negarit Gazetta.

Done at Addis Ababa, this 24th day of May, 2011.

MELES ZENAWI
PRIME MINISTER OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA