
(DEVELOPMENT AND BUILDING CONTROL) BYE-LAW, 2017

IN exercise of the powers conferred on the Sekondi Takoradi Metropolitan Assembly by section 181 of the Local Governance Act, 2016 (Act 936), the following Bye-law is hereby made.

Title

I. This Bye-law may be cited as the Sekondi Takoradi Metropolitan Assembly (Development and Building Control) Bye-law, 2017 and shall apply to the area Of administration of the Sekondi Takoradi Metropolitan Assembly (hereinafter called "the Assembly").

Mandate and Responsibilities

1. The Assembly shall mandate the building inspectorate unit Of the Work Department to be responsible for the regulation of all physical developments.
2. The unit will also oversee and inspect daily work on buildings, erections and installations.

Permit to Commence Development and Building

3. A person shall not commence a development or a building unless prior to the commencement the person has obtained a permit from the Assembly.
4. A person who commences a development or building without a permit from the Assembly commits an offence.
5. - The Assembly may enter into an .unauthorized development or building and cause it to be demolished.

Property Description

6. The Assembly shall ensure that every property within the Metropolis have, amongst others:
 1. a house number plate
 2. property address
 3. street name

Notice on State of a Property/Business

1. An owner of a building shall give at least one month notice to the Assembly where:
 1. the property has collapsed or
 2. the property is undergoing major repairs and/or renovation.
2. Where a business has stopped operation for more than one financial/calendar year, the owner of a business shall give at least one month notice to the Assembly.

Power of Entry

3. A qualified building inspector from the building inspection unit of the Work Department of the Assembly shall:
 1. have the right to enter into premises of a developing site anytime convenient without hindrance to request for the building permit, and inspect the building or work being carried out or on-going;
 2. have the right to write on the structure(s) with paint to stop the work and ask them to produce their permit if not present at site during the visit;
 3. have the right to seize the tools and equipment of persons who fail to comply with the final warnings of the building inspector;
 4. not be responsible for any damage caused to artisans' tools and equipment when seized;
 5. stop all authorized development contrary to the Land Use and Spatial Planning Act 2016, (Act 925) section 1 13, subsection 1 .

Seizure of Tool/Equipment/Items

11. Artisans whose tools/equipment or items are seized shall retrieve them within 5 working days.

1. Persons who breach section 5 of this Bye-law shall have their equipment forfeited to the Assembly.
2. Retrieval of tools and/or equipment shall attract the penalty fee as enshrined in the fee fixing resolution of the Assembly in addition to administrative cost.

Temporary Structures

1. Temporary structures shall be locked by the Assembly building inspectors if owners fail to comply with the directive of the officer.
2. Notwithstanding regulation 13 above or any other provision, no person shall construct a temporary structure along any of the major roads within the Metropolis.

Hindrance

1. A person who prevents an officer from performing his authorized duties under this Bye-law shall be arrested and prosecuted under the laws of Ghana.
2. An artisan or property owner who causes harm or injury to an officer in the course of his duties under this Byelaw shall be prosecuted.

Offence and Penalty

3. Any person who contravenes any of the provisions of this Bye-law commits an offence and shall be liable on summary conviction to a fine of not less than 100 penalty units and not exceeding 250 penalty units, or to a term of imprisonment not exceeding six months, or to both.

Interpretation

19. In this Bye-law unless the context otherwise requires -
"Development" includes renovations, rehabilitations and/or extensions.