

Ga East Municipal Assembly (Building) Bye-Law, 2016

In exercise of the powers conferred on the Ga East Municipal Assembly by section 181 of the Local Governance Act, 2016 (Act 936) this Bye-law is hereby made.

Building permit

1. (a) A person who proposes to develop land for any purpose or make changes to an existing building shall apply to the Assembly for a building permit before developing the land or making changes to an existing building.
- (b) The prospective developer shall purchase a set of application forms and complete same for consideration by the Assembly.

Application

2. (a) An application for a building permit must contain or be accompanied by particulars of the following documents;
 - i) Evidence of title to the land to be developed,
 - ii) The drawings of the building to be developed signed by a licensed surveyor, a qualified architect and a structural engineer where necessary.
 - iii) The completed application forms with the attachments shall be submitted to Assembly after paying the requisite fee fixed by the Assembly.

Inspection of site

3. (a) On receipt of the application form, the Physical Planning and Works Departments of Assembly together with the applicant shall proceed to the site of the proposed development within one week and inspect the area earmarked for the development,
- (b) Where the applicant's building will obstruct the flow of water, drain and other elements or sit in a road or part of it and/or for any other reason, Assembly shall refuse granting the permit and notify the applicant in writing the reason(s) for the refusal.
- (c) The Assembly shall monitor and ensure that such a person does not develop the proposed site.
- (d) Where the Assembly is satisfied that the proposed development will not obstruct access and further satisfies all the conditions laid under the law, shall approve same and grant the building permit to the prospective developer.

Development without a permit

4. (a) This Bye-law applies where a development has been commenced without a building permit.
- (b) The Assembly shall upon finding development without a building permit write/serve notice to the owner, owner's agent or representative to whom the building work relates, to stop work and go through the application process before continuing with the development.
- (c) The said applicant shall pay a penalty, purchase the application forms and follow the procedure spelt out above.
- (d) Where the owner of the property ignores the notice to apply for a building permit before continuing, the Assembly shall demolish/remove the said development and surcharge the

developer the cost of the demolition and/or issue out a criminal summons before a Law court to compel the owner to procure the building permit.

(e) Where the building is located at an unauthorized location by virtue of non-conformity to the prescribed zoning in the planning scheme, GEMA shall after serving notices in line with act 936, demolish the structure and surcharge the owner of the development for the cost of destruction.

(f) A building permit is to ensure that the work complies with each relevant requirement of this Bye-law and the National Building regulations.

Consideration of factors for the grant

5. (a) The Assembly shall take into consideration the following factors in granting the building permit;

(i) There are appropriate provisions for the early warning of fire; and the appropriate means of escape in case of fire;

(ii) Faecal containment structure placement in the house;

(iii) Waste water discharge from the house;

(iv) Drainage systems and adequate provision for toilets and baths in the house

(v) The architectural and structural designs are set and stamped by approved professional.

(b) The Assembly shall ensure that the construction of drainage systems shall substantially affect the granting of the building permit.

(c) GEMA shall ensure that no drainage system constructed by a landlord shall cause floods or/and nuisance to the neighbourhood. Where the drainage floods the area, the landlord shall rectify the situation by directing the waste water to the main drainage system provided in the area concerned.

(d) A household whose waste water passes through the surface of a road shall lay pipes with the advice and supervision of the officers of the Assembly to join the main drainage system provided in the area concerned.

Ventilation

6. (a) A building must have adequate ventilation and lighting for people in it.

(b) The above paragraph does not apply to a building or space within a building that is used solely for storage or is a garage.

Access

7. The Assembly shall ensure that in granting a building permit, there shall be reasonable provision for people to gain access to and to use, the building and its facilities.

Application

8. This Bye-law shall apply within the jurisdiction of the Assembly.

Title

9. This Bye-law may be cited as the Ga East Municipal Assembly (Building) Bye-law, 2016.

Revocation

10. Any Bye-law on Building in existence within the area of authority of the Assembly before the coming into force of these Bye-laws is hereby revoked.

Interpretation

11. In this Bye-law, unless the context otherwise requires;

“Building” means –

- (a) A permanent or temporary structure with a roof;
- (b) A part of a building;

“Building permit” means a license that authorizes work to be carried out for which authority is required in pursuance by this Bye-law;

“Adequate ventilation” means the kind of ventilation as elaborated in the Building Regulations, LI 1630

“Assembly” means Ga East Municipal Assembly;

“Title” means an acceptable documentary proof of ownership which shall include a lease, an allocation note with a site plan, and a devise in a will among others.

Made at a meeting of the Ga East Municipal Assembly held on the 24th April, 2017

SIGNED
HONOURABLE JESSE NII NOI ANUM
Presiding Member
Ga East Municipal Assembly

SIGNED
ALHAJI SHEHU AWUDU KADIRI
Municipal Co-ordinating Director
and Secretary of GEMA

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government and Rural Development.

Regional Minister

Regional Coordinating Director.