



LAMU COUNTY BUILDING PROCEDURES



- (a) No person shall carry out development within the jurisdiction of **Lamu County** without development permission from the department of **Physical Planning & Urban development**;
- (b) Any person who contravenes section 30-33 of the Physical Planning Act Cap 286 shall be guilty of an offence and shall be liable to a fine not exceeding Kenya shillings one hundred thousand or to an imprisonment not exceeding five years or to both such fine and imprisonment;
- (c) Any person who lodges any application to the County government under the provision of the Physical Planning Act shall at the time of such lodging pay to the County fees in accordance with the County Finance Bill (approved fees and charges);
- (d) Any person who erects a building shall comply in all respect with the County requirements, for the purpose of this By-law the requirements of the County shall be deemed to be satisfied in regard to the following:
- sitting, design and amenities;
 - coverage;
 - space about buildings, lighting and ventilation;
 - boundary walls, hedges etc;
 - materials;
 - building sites requirements as to loadings, foundations, resistant to fire, damp and weather, roofs, floors, chimneys, flues, hearths, reinforced concrete and steel structures, stairs and lifts;
 - drainage, sewerage, septic tanks, conservancy etc;
 - fire precautions, escapes, refuse disposals;
 - water supply;
 - advertisements and signs

The plans and building are in conformity with the municipal Council of Lamu (building) by-laws in force from time to time, the British standard specification published by the British standard institution, for any material or the British standard code of practice published by the British standard institution, for any building preparation.

The approval of any plans by Lamu County for the erection of a building shall be null and void if:-

- a. The erection has not been commenced within twelve (12) months after the date of such approval, or
- b. Erection has been commenced as aforesaid but the building has not been completed within a period of two (2) years from the said date of approval unless the County approves an extension of such period.

Offence 16. (Building code) Any person who-

- a) commences to erect a building without plans thereof having been approved by County government of Lamu, or in respect of which the approval of plans has become null and void, or

b) having obtained the County approval of the plans for the erection of a building, erects such building otherwise than in accordance with the approved plans, shall be guilty of an offence. In such case, whether or not proceedings have been instituted against the person offending, the County may serve upon the owner of building a notice requiring him/her within the period of the time specified in such notice to do any of the following things:

- i. To cease the erection of such buildings;
- ii. To erect such building strictly in accordance with the approved plans;
- iii. To execute such work or alterations or additions to such buildings as may be prescribed in such notice in order to render such buildings safe and sanitary or otherwise conform to the requirements of building laws and;
- iv. To remove or demolish such building.

If the owner shall fail to comply with all or any of the requirements of such notice, then the County, after not less than fourteen days notice, in writing served upon the owner. The Director of Physical Planning may instruct the Building Inspector (s) or Enforcement officers enter the premises and execute such work or make such alterations or additions to such building or remove or demolish the building without liability of any loss or damage which may be auctioned thereby and recover any cost incurred from the owner as a civil debts.

Commencement 17.1 (Building code) any person who proceeds to erect a building shall so often do the following:

(a) Give the County Building Inspector or any other officer duly authorized by the Director of Physical Planning not less than four days' notice in writing, of the time and date when:

- i. The erection of the building will be commenced;
- ii. The concrete or other materials laid over the site, or the foundation, damp-proof course will be completed and ready for inspection;
- iii. The reinforcement of a reinforced concrete structure will be placed in a position ready for inspection;
- iv. The roof construction will be commenced; and
- v. Any drainage work will be commenced;
- vi. At all reasonable time afford the County Engineer, Medical officer of health, Building Inspector, Health Inspector and other persons deriving authority from the County free access to the building site for the purpose of inspection;