

# **EKITI STATE BUILDING REGULATIONS, 2017**

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# **EKITI STATE BUILDING REGULATIONS, 2017**

## **PART TWO**

### **1. ENACTING FORMULA**

In exercise of the power conferred on me by section 86 of the Ekiti State Urban and Regional Planning and Development Law, No 16 of 2011, and all other power enabling me in that behalf, **I, TPL. (PRINCE) TAELOLU OTITOJU**, the Commissioner for Lands, Housing and Urban Development hereby makes the following regulations and guidelines:

### **2. APPLICATION TO CARRY OUT DEVELOPMENT**

#### ***(1.) Application for Layout Approval***

Any land in excess of 5,000 square meters (0.5 ha) must be laid out and approved by the Ministry of Physical, Urban and Regional Planning before any form of development is proposed. An application form as in Schedule 20 shall be submitted for such scheme. The guidelines to be followed are contained in Schedule 19.

#### ***(2.) Application for Land Use Clearance***

Any development specified under schedule 1 of these Regulations must obtain a land use clearance from the Ministry of Physical, Urban and Regional Planning before any form of development is carried out.

#### ***(3.) Application for Development Permit***

Without prejudice to regulation 2(1) and 2(4), any person intending to carry out any development on any land within the State shall apply to the Ministry/appropriate Area Urban and Regional Planning Office (AURPO) for appropriate advice/directives in accordance with Part 1 schedule 2.

#### ***(4.) Submission of Application and Payment of Processing fees***

On completion of an application form for a building Development Permit, the applicant shall submit it with the following documents to the Ministry/ Area Urban and Regional Planning Office (AURPO) for processing:

- (a.) A Location Plan and Site Plan Analysis Report prepared by a registered Town Planner registered to practice in Nigeria and recognized by the ministry.
- (b.) Four sets of architectural drawing of the proposed development, Five Copies for GRAs prepared and signed by an Architect registered to practice in Nigeria as provided in schedule 3 to these regulations and shall include:
  - (i) A block plan showing the following:
    - The proposed development including the location of the soak-away pit, septic tank, sewage lines, water supply lines, gas supply line, generator house and gate house.
    - Front drains and concrete side walk abutting the property.
    - Landscaping of the front setback between the edge of the side walk and the property boundary.
  - (ii) Floor plan of every floor showing appropriate details including dimensions of rooms, positions of doors, windows, stair case/stair well/lift and services;

- (iii) Cross and longitudinal sections of drawings showing the height of rooms/spaces along appropriate lines;
  - (iv) Front, rear and side elevations of the building, the height, floor levels, and others that may be required;
- (c) Four sets of the structural drawings of the proposed development prepared and signed by a Civil/Structural Engineer registered to practice in Nigeria as provided in Schedule 3 to these Regulations together with the following:
- (i) Structural calculation sheets,
  - (ii) Letter of undertaking to supervised and ensures the structural stability of the proposed development during construction issued by a registered Civil/Structural Engineer,
  - (iii) A certificate of structural fitness issued by a registered Civil/Structural Engineer certifying the ability of the existing structure to bear additional or modification to an existing structure;
  - (iv) A certificate of structural stability by a registered Civil/Structural Engineer certifying the stability of an existing building development;
  - (v) Subsoil test report in case of all structures above four floors or in swampy/marshy locations or where sites are close to water bodies.
- (d) Four sets of mechanical, electrical and plumbing detailed drawings for all high rise, commercial and public buildings prepared and signed by appropriate Engineer registered to practice in Nigeria as provided in Schedule 3 to these Regulations.
- (e) One sun Print Survey Plan signed by a Surveyor registered to practice in Nigeria with photocopy of the survey plan pasted at the back of each of the four (4) block plans.
- (f) Photocopies of the receipt of processing fee and other charge paid.
- (g) Evidence of ownership of the land on which the proposed building is to be developed with stamp duty in Ekiti State.
- (h) Where the land is a State land, photocopies of letter of allocation and receipt of payments of relevant land charges with letter of clearance issued by the appropriate Government Agency.
- (i) A detailed Site Plan Analysis Report prepared by a registered Town Planner covering a radius of at least 250 metres of the site of the proposed development. The plan must indicate adjacent development(s), name of roads and other land marks sufficient enough for easy location of the subject site, and shall be on an appropriate readable scale.
- (j) Three (3) copies of a Technical or Environmental Impact Analysis (EIA) Report, (as specified in regulation 6(1) a-1 of this Regulations, prepared by a registered Town planner. Sub soil test report, in case of structure above a storey building written and certified by a Civil/Geotechnical Engineer registered to practice in Nigeria, Buildability and Maintainability Analysis Report in respect of the site must be submitted as may be found necessary.

### 3. **RECORD OF LIST OF REGISTERED PROFESSIONALS**

The Ministry/AURPO shall keep a register of all relevant professionals registered to practice in Nigeria as may be submitted to it by their respective professional bodies from time to time.

4. **SUBMISSION OF DRAWINGS OR DETAILS**

(1) Any drawings or details submitted for the purpose of issuance of a Development under these Regulations shall be prepared and signed by the relevant professionals registered to practice in Nigeria.

(2) The Ministry/ AURPO shall have power to reject any application submitted for processing which drawings or details are not prepared, signed or submitted for processing by a relevant professional registered to practice in Nigeria.

(3) The name(s) or practice/business name, registered office and any further particulars of the Town Planner, Architect, Engineer, Builder, Surveyor as well as the name, registered office and occupation of the developer or his agent with the date of preparation of the drawings or details shall be on the application, and the drawings.

5. **SCALES AND SHEETS TO BE USED FOR SUBMITTING PLANS**

(1) a. Sheets Size A2 420 x 594mm  
b. Sheet Size A3 420 x 297 mm  
c. Other sheet sizes as deemed fit

(2) a. Plans, Sections and Elevations for architectural, structural, sanitary and plumbing electrical and mechanical; 1:100  
b. Block plan 1:200  
c. Location plan  
d. Other scales as found appropriate.

6. **SUBMISSION OF TECHNICAL REPORT, ENVIRONMENTAL IMPACT, BUILDABILITY AND MAINTAINABILITY ANALYSIS REPORT AS MAY BE REQUIRED**

(1) A developer shall at the time of submitting his application for Development Permit submit a detailed Technical/Environment Impact Analysis Report and Buildability and Maintainability Analysis Report as may be required in respect of an application for:

- a. A residential land in excess of ½ hectare or development in excess of 3 floors or 6 family units
- b. Factory building or expansion of factory building;
- c. Office or other commercial buildings; such as Shopping Complex, Hall etc.
- d. Places of worship with user capacity exceeding 50 persons.
- e. Major recreational development covering more than 2,000 square metres;
- f. Institutional buildings and public buildings; such as Schools etc;
- g. Petrol/gas filling and services stations;
- h. Telecommunication towers and stations;
- i. Advertisements billboards of unusual sizes and heights, urban furniture;
- j. Change of use of an existing development;
- k. Tank farm and refinery
- l. Any other physical development as may be specified in the Regulations made pursuant to this Law.

(2) A developer at the time of submitting his/her application for a change of use shall also submit a Technical Report prepared by Registered Town Planners registered to practice in Nigeria and recognized by the ministry.

(3) A developer shall before the commencement of any work on the site submit his/her production



- document for the project which shall be prepared by a builder registered to practice in Nigeria.
- (4) Where the application submitted is in respect of a Petrol or Gas filling station, such application shall be subject to Schedule 1 or schedule 22 of these Regulations.
  - (5) Where the application submitted is in respect of Telecommunication towers and stations such application shall be subject to Schedule 21 of these Regulations.

#### **7. PHYSICAL DEVELOPMENT AUDIT REPORT**

The Ministry may request for a Physical Development Audit Report on any existing development listed in regulation 6 whenever such is to be altered or modified. The Physical Development Audit Report shall be prepared by a Registered Town Planner.

#### **8. INSURANCE POLICY REQUIREMENT**

Any applicant, building any structure above two floors shall be required to submit at the commencement of and throughout the duration of construction works a Contractor's All Risk Insurance Policy for the protection of workers, passers-by and neighbors.

#### **9. PROHIBITION OF ALTERATION, ADDITION, REPAIR OR RENOVATION OF BUILDING WITHOUT PRIOR APPROVAL**

- (1) No building plan shall be altered, added to, repaired or removed anywhere in Ekiti State without the prior development permit granted by the Ministry/AURPO after the preparation of the necessary architectural specifications and structural/construction detailed drawings and builders report connected thereto by relevant professionals respectively registered to practice in Nigeria and recognized by the ministry.
- (2) Any person intending to alter, add to/ or repair or renovate any buildings shall before carrying out such alteration, addition repair or renovation work submit to the can application for a permit and building plan proposal signed by appropriate registered professionals.
- (3) An application in sub-regulation (1) of this regulation shall be accompanied with a photocopy of the approved plan of the existing building and other documents specified in sub-regulation (2) of these Regulations and as may be required by the Ministry / AURPO.
- (4) After submission of the above documents an appropriate official of the AURPO shall inspect the building.
- (5) After satisfactory inspection of the building for the purpose(s) of establishing that the existing building can withstand the repair or renovation intended and subject to any other additional repair, as may be required, the ministry or AURPO may after such inspection issue a permit to proceed with the repair(s) or renovations.

#### **10. PROHIBITION OF FENCING WORK WITHOUT DEVELOPMENT PERMIT**

- (1) No fencing work shall be allowed on any land in Ekiti State without the prior written permission of the Ministry or AURPO.
- (2) Any person who intends to carry out any fencing work shall submit the following documents to the Ministry/ AURPO.
  - (a) Written application; accompanied with site plan and fence drawings

- (b) Survey plan in respect of the land to be fenced;
  - (c) Evidence of land ownership;
  - (d) Any other document(s) as may be required by the Ministry /AURPO and
  - (e) Payment of prescribed fees as may be stated from time to time.
- (3) Fence line shall be recessed by a minimum of 0.9metres from the front property boundary for the purpose of landscaping/beautification in other areas outside Government Residential Areas or approved scheme areas.

#### **11. DEFECT IN TITLE DOCUMENT**

The grant of a development permit by the Ministry /AURPO under these Regulations shall not validate any defect in the title documents submitted by the applicant.

#### **12. GRANT OF DEVELOPMENT PERMIT NOT CONFERRING LAND OWNERSHIP**

- (1) The grant of development permit by the Ministry /AURPO under these Regulations shall not be construed to confer, confirm or guarantee ownership of the subject land.
- (2) 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 a criminal offence.

#### **13. PERMISSIBLE DEVELOPMENT**

The following shall be developments permissible under these regulations in all various Land Use Zones as specified under schedule 5 of these regulations;

- (1) **Residential Zone :**  
Residential developments are permitted generally within residential Zone alone and in other land use Zones where complementary residential use is not more than 20% of the gross land area of the designated land use.
- (2) **Commercial Zone:**  
Commercial development shall be permissible in commercial zone and
  - (a) In other land use zones where retail trading activity of not more than 700m<sup>2</sup> floor space and maximum of four (4) floors may be permitted at locations considered on merit but subject to other relevant provisions of these regulations.
  - (b) In other land use zone where condonation activities such as are in schedule 6 to these regulations may be permitted at locations considered on merit.
  - (c) In industrial zone where complementary office/commercial use building not exceeding 30% of the gross industrial floor space and maximum of four (4) floors or 13.8 meters in height.

**(3) Industrial Zone**

Industrial developments shall be permitted generally in industrial zones and in other lands where non-offensive or noisy service workshops not exceeding 650m<sup>2</sup> gross floor area and six (6) metres double volume height in locations considered on merit and subject to other relevant provisions of these Regulations.

**(4) Agricultural Zones:**

a. Complimentary uses shall be permitted generally in agricultural zones and in other land use zones where subsistence farming on vacant lands may be permitted provided that animal husbandry such as piggery, poultry and sheep/goats rearing shall not be practiced.

b. No development shall be allowed in the agricultural zone except where such development is a complementary use as may be set out by the Ekiti State Ministry of Agriculture, Forestry and/or in an approved Land Use Plan, or the State Regional Plan.

**(5) Recreational**

No development shall be allowed in designated recreational land except where such development is of complementary use and shall not exceed 10% of the major land use.

**(6) Institutional**

The plot sizes for institutions is as contained in schedule 5

**14. MIXED USES**

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

(2) Mixed development for Residential/Industrial may be allowed after being considered on its own merit.

(3) High street- mixed development shall be considered along the designated high street in the state. However, only medium and high rise buildings of commercial, institutional and banking hall shall be encouraged.

**15. SPECIAL APPLICATIONS**

All special applications (specified in regulation 6(1) (a-j) of these regulations shall require a written application and technical report prepared by a registered Town Planner or consortium of appropriate professionals headed by a registered Town Planner registered to practice in Nigeria.

**16. OTHER ZONES**

1) Developments within other zones not stated above including conservations, forestry etc. shall be strictly in accordance with the approved state regional plan and shall relate to an approved development scheme or approval order.

2) For the avoidance of doubt, the minimum extent and the minimum width of plots for different classes of building shall be regulated according to the limit specified in schedule 5, except where otherwise specified in these regulations.

- 3) Approval orders shall be issued from time to time, for new schemes, layouts and urban renewal scheme.
- 4) All private estates in the state must have their scheme approved by the agency responsible for urban and physical planning with their approval order. Any alteration, modification or amendment to an approved layout requires formal approval of the Ministry otherwise it become null and void.

## **17. PERMISSIBLE SETBACKS**

1. For any development permit to be obtained, the architectural drawings shall conform to the following minimum setbacks:
  - a. For all core areas of major towns and cities in Ekiti State, the following shall apply
    - (i) three (3)metres front setback to the property line, and 1.5 metres for the rear, left and right airspaces
    - (ii) No building shall be cantilevered on any side having 1.5 meters airspace.
    - (iii) Where parting wall shall be introduced on one side development the other airspace shall not be less than three (3) metres.
    - (iv) However building over 3 floors shall observe a minimum of 4.5 metres at the rear, unless otherwise stated in these Regulations.
  - b. Residential building in the major towns and other areas of Ekiti State shall observe a minimum of six (6) metres setback at the frontline to the property boundary, the air-space shall be 1.8 metres at the rear, right and left side.
  - c. Commercial or industrial buildings shall have a minimum of nine (9) metres setback while the sides and the rear airspaces shall have a minimum of six (6) metres.
  - d. Setback and airspaces for mixed-use development shall be the average of the requirements for the component mix.
  - e. Applications for any development permit where the standard requirements are not met shall be considered on its merit.

### **(2) Setback to Public Utilities**

Setback of buildings to public utilities shall be as follows:

#### **Highways and Roads**

- 1) Primary (Federal or State) Highway (90m right of way)- 50 meters from the center;
- 2) Secondary (Federal or State) Highway (60m Right of way)- 30 metres from the center;
- 3) Local Roads (State) (24m, 18m, 15m, 12m): 12m, 9m 7.5m, 6m; from the center respectively;
- 4) Access Road/Street - 9 metres, 4.5meters from the edge.

### **(3) Setback to Rail line**

The minimum setback between a building and rail line shall not be less than thirty metres (30) metres from the edge of the nearest rail line to the building.

**(4) Setback to power lines**

The minimum horizontal distance from a building to the center line of overhead power line shall not be less than the following.

- (a) 11 KV.....4.5 metres
- (b) 33 KV.....10 metres
- (c) 132 KV ..... 15 metres
- (d) 330 KV..... 45 metres
- (e) Substation ..... .12 meters

**(5) Setback to Gas and Oil Pipeline**

The minimum horizontal distance between a building and Oil pipeline shall not be less than 30 metres from the predetermined edge of the alignment.

**(6) Setback to water Bodies and Gorges**

The setbacks to water bodies and gorges shall be as follows:

**(a) Dam and large water bodies**

The minimum distance between any building and the Dam and large water bodies shall not be less than one hundred metres (100) metres.

**(b) River**

The Minimum distance shall not be less than sixty metres (60 metres).

**(c) Stream**

The distance between any building and any stream shall not be less than thirty (30) metres

**(d) Gorge/Canal/drainage**

The distance between any building and gorge/canal/drainage shall not be less than ten metres

**(7)**Without prejudice to regulation 17, sub-regulation 1-6 above the minimum distance of a building to any public utility may be subject to amendment from time to time as may be directed by the appropriate statutory bodies.

**18. BUILDING COVERAGE**

**1 RESIDENTIAL**

- a. The maximum building coverage permissible under schedule 5 of these regulations shall be thirty percent (30%) in the GRAs.
- b. Other Government Residential scheme shall not exceed fifty percent (50%) except where otherwise stated in these Regulations.
- c. In other areas, building coverage shall not exceed fifty percent (50%) except where otherwise stated in these Regulations.

**2. COMMERCIAL**

The maximum coverage permissible on a commercial plot shall not be more than sixty percent (60%) of the entire plot.

**3 INDUSTRIAL**

The maximum coverage permissible on an industrial plot shall not be more than sixty percent (60%) of the entire plot.

**4 PUBLIC/INSTITUTIONAL**

The maximum coverage permissible on a plot for a place of worship, assembly or auditorium is fifty percent (50%) of the entire plot.

**5 RECREATIONAL**

- a. Maximum coverage for all other types of proposal shall not exceed fifty percent (50%) except where specially provided for in a scheme, approval order, or the Land Use Plan
- b. The provision in schedule 4 to these regulations shall also apply.

**19. PROVISION OF LANDSCAPING**

- (1) Every undeveloped space in all residential, commercial, industrial and public buildings/ plots in the state shall be appropriately landscaped.

**20. PERMISSIBLE DWELLING UNIT (SCHEDULE 5)**

The following shall be the number of family/dwelling units permissible per hectare:-

**(1) Government Residential Areas and Schemes**

- A. No raised boys Quarters allowed.
- B. Low Residential Density on Government GRAS and Schemes; Ado-Ekiti and other Local government headquarters etc, a maximum of one (1) unit per plot is generally permitted, with boys quarters of maximum of two bedrooms per unit except in designated areas where high-rise and multiple units developments may be permissible and as specified by schedule to these regulations.
- C. No attachment to and/ or on the wall fence except the security unit, which shall not exceed one floor level.

**(2) Medium government residential Areas and schemes**

- (a) Maximum of twenty (20) units per plot is permitted with boys quarters of maximum of one (1) Bedroom per unit except in designated areas where high-rise and multiple unit's developments may be permissible.

**(3) High Residential Density Government Areas and Schemes**

- (a) In other government residential areas, maximum of four (4) units per hectare is permitted. No boy's quarters area allowed.
- (b) The height provision in Government Residential Areas may include a penthouse or tank room of not more than thirty (30%) of the floor area of the immediately preceding floor.

**(4) Other Areas**

- a. High Density Residential areas: the maximum number of dwelling/family units permissible is thirty six (36) units per hectare.
- b. Tenement Housing
  - (i) Maximum of four (4) floors shall be permissible provided that four car parking spaces per floor are provided. The ground floor shall be reserved for car parking except as otherwise provided in these regulations.
  - (ii) The first two upper floors shall not be more than eight (8) rooms per floor and service with minimum of two (2) each of toilets, bathrooms, and kitchens.
  - (iii) The development proposed must satisfy other planning regulations including parking, building line, air spaces, site coverage, E.I.A / Technical Report, Industrial and Commercial density.

**21. PARKING REQUIREMENTS**

**1. Residential**

- a. parking provisions shall be calculated at a minimum of two (2) car parking spaces per dwelling unit in all residential areas including houses, flats and duplex buildings,
- b. Parking provision shall be allowed within the air spaces and front setback but shall not obstruct the free movement of vehicles and persons on those areas.

2. **Industrial/Commercial**
  - a. Parking provisions for industrial building shall be one (1) car parking space for ninety square meters (90m<sup>2</sup>) of the lettable floor areas.
  - b. There shall be a separate car park designed for visitors in every industrial development.
  - c. Loading and off-loading bays shall be provided for every factory
  - d. Parking provision for a commercial building shall be one park for every ninety square metres (90m<sup>2</sup>) of the settable floor area.
  
3. **Other Commercial Uses**
  - a. In case of hotels and guest houses:
    - (i) Two (2) car parking spaces for every three hotel/guest rooms in residential zones (GRA/ Schemes)
    - (ii) One (1) car parking space for every three (3) hotel/guest rooms in other residential zones and other land use zones.
    - (iii) Restaurant and conference room attachments are calculated separately as in sub regulation (a)( ii) and sub regulation 4 of this regulation.
  - b. One (1) car parking space for every twenty square metres (20m<sup>2</sup>) of eating area in the case of restaurant, eatery and fast food outlets;
  - c. One (1) car parking space for every three (3) bed spaces in the case of private clinics and 100m<sup>2</sup> of usable area of hospital.
  
4. **Public/Institutional Uses**

Place of worship, place of Assembly, Auditorium/Conference Centre shall not be less than 1,300 square metres, 50% of which must be reserved for parking and other ancillary uses e.g security post and Generating House; one car parking space for every 60m<sup>2</sup> of the floor space.

## 22. **CAR PARKING STANDARDS**

- (1) A car parking space shall not be less than 2.5 metres by 5 metres in size. Parking requirement shall be as stated in Schedule 5b of these regulations
- (2) **Covered Car Parking Spaces**  
Covered car parking spaces within a proposed building shall be excluded from the calculation of the floor area ratio stated in Schedule 5 of these regulations except where the building is used entirely for car parking.

## 23. **HEIGHT**

- (1) The height of building in the State shall be as stated in the provisions of the approval order as may be amended from time to time by the Ministry.
- (2) The height of buildings in the GRA and Schemes shall be in conformity with the provision of the approval order as may be amended from time to time by the Ministry.
- (3) All development planning reports shall contain recommendation(s) to the Ministry.
- (5) Where a scheme is not available, the maximum floor area permissible shall be determined taking into account the further character of the buildings in the area, the location of the site, the capacity of infrastructure system in the area and the applicable density.

**24. SPECIAL PROHIBITION**

The heights of buildings shall be restricted in areas near the airport, military installations, stadium state house and any other classified development as specified in these regulations and as may be amended in consultation with the relevant body from time to time.

**25. REGISTRATION OF APPLICATION FOR DEVELOPMENT PERMIT**

- (1) A duly authorized official of the Ministry or AURPO shall inspect the site accompanied by the intending developer(s) or his duly authorized representative after registration.
- (2) On submission of all documents required under Part V of schedule 2 of these regulations, the application shall be registered by the Ministry or AURPO.
- (3) All relevant documents stated in Part V of schedule 2 with drawings shall be submitted at the time of registration together with assessment fee payment receipts.
- (4) Any application which complies with the entire requirements stated in the relevant provisions under this regulation shall be granted Building Development Permit, which shall be communicated in writing under Schedule 8 to these Regulations, accompanied by duly stamped and signed "Approved" Building Plan.
- (5) Any application which requires amendment before it can be approved shall be communicated in writing under schedule 4 to these regulations.

**26. CONFORMITY OF PROPOSED DEVELOPMENT**

- (1) All proposed development(s) shown on the set of drawing(s) shall conform with the Operative Development Plan for Ekiti State, or appropriate Layout Plan/Scheme covering the area of the proposal.
- (2) In a schemed area, all development proposals in that area shall conform strictly with the provisions of Schedule 5 to these Regulations and their respective approved approval order(s).

**27. CONVERSION OF OPEN SPACES**

No approval shall be granted for change of use of a public open space, sites for utilities and service plots

**28. DEVELOPMENT PERMIT**

- (1) All development permits granted/disapproved/voided/revoked shall be published periodically.
- (2) Any development permit granted under these regulations shall bear the approved number, the seal and stamps of the Ministry or AURPO.
- (3) The intending developer shall comply with the conditions specified on the approval stamps.
- (4) The intending developer shall keep at all times a copy of the approved building development plan at the site of construction and shall produce same on demand by a duly authorized official of the Ministry / AURPO.

**29. NOTICE TO COMMENCE CONSTRUCTION**

Any owner/developer shall give seven (7) days notice in writing to the Ministry / AURPO of his/her intention to commence construction.



### **30. SIGN BOARD**

A signboard shall be erected at every construction site showing:

- a. Building development permit number
- b. Title of projects;
- c. Name and address of the Consultants/Agent.

### **31. CONDONATION**

- (1) The Commissioner may from time to time but based on its own merit, tolerate any development found not deserving of a grant of Development permit subject to certain conditions that may be imposed.
- (2) Subject to satisfy certain conditions that may be imposed, a condoned building may be issued a Letter of condonation as in Schedule 6 to these regulations.
- (3) The letter referred to in sub regulation (2) of this regulation shall not be construed to be grant of a development permit as provided in these regulations.
- (4) The Commissioner may for overriding public interest direct the demolition of a structure which has been granted condonation after the service of relevant enforcement notice(s)
- (5) Any structure which is demolished pursuant to sub regulation (4) of this regulation shall not qualify for the payment of any compensation.
- (6) A Beneficiary of a Condonation approval shall swear an oath to comply with all conditions that may be attached to such permit

### **32. DISAPPROVAL OF APPLICATION FOR DEVELOPMENT PERMIT**

- (1) Any application for development permit, which fails to satisfy the provisions of this regulation, shall be disapproved and the documents submitted shall be stamped "Not approved".
- (2) The Ministry/ AURPO shall give the applicant reasons for such DISAPPROVAL in writing.
- (3) Where the Authority requires an amendment to a submitted set of drawings and the amendment is not effected within twenty-one(21) days from the date of receipt of the letter requesting the amendments, the drawings shall be stamped "Not Approved" shall be deemed to have been processed by the Ministry / AURPO.
- (4) Any processing fees and other charge paid in respect of an application for grant of a development permit which has been stamped "Not Approved" shall not be refundable.
- (5) An application may be disapproved based on misleading and or false information/documents presented for the processing of such application that were not known as at time the application is submitted for processing.

### **33. VOIDING OF APPROVED DEVELOPMENT PERMIT**

- (1) The development permit granted to a building shall become null and void if the proposed development or part thereof:
  - a. blocks or obstructs any existing or proposed access meant to serve any other existing or proposed development in the area;
  - b. has inadequate setback as stated in regulation 17 of this regulation;
  - c. is erected on an open space or part thereof or any other land not zoned for the use to which the land is being put.
  - d. falls wholly or partly on any public school site or on any land designated for any public use;
  - e. blocks or obstructs an existing or proposed Drainage Channel or part thereof;

- f. falls under any low or high tension power line or NNPC pipeline or right of way;
  - g. has been overtaken by overriding public interest;
  - h. contravenes any of the provisions of the Ekiti State Regional Development Plan.
  - i. fails to comply with the approval granted or the condition(s) attached to it;
  - j. is erected on a site different from the site for which approval was granted.
- (2) A development permit will be null and void if found to have been obtained as a result of false pretences, non disclosure of relevant information, improper documentation, or through false documentation.
- (3) A development permit granted as result of facts hitherto unknown at the time of grant of the permit becomes null and void if knowledge of such facts before the grant of the permit would have resulted in the disapproval of the application.

#### **34. NOTICE OF WITHDRAWAL**

(1) A notice of withdrawal of a development permit shall be communicated in writing to the owner/ developer or his agent as provided in Schedule 9 to these Regulations. Such withdrawal automatically places the approval status to nullity.

- (2) A development permit can be withdrawn if:
- a. It was obtained by fraud or misrepresentation which must be specified by the approving authority.
  - b. It was overtaken by a later specified public purpose.
  - c. The building is being built contrary to the building development permit originally granted.

#### **35. SPACE STANDARD**

1. All habitable rooms shall as much as practicable have cross ventilation and shall not be less than 10.8m<sup>2</sup> with a side not less than 2.4m
2. Every room in a building shall be provided with the following:-
  - (i) Natural lighting by means of windows, doors or other recognized transmitting media;
  - (ii) Natural ventilation by means of windows, doors or any other recognized ventilation opening
3. The number of toilets in public institution and commercial buildings should not be less than 1:25 (toilet facility user)
4. Toilet facilities in public institutions and commercial buildings for female and male shall be separated into different compartments.
5.
  - (i) In every 3 habitable rooms there must be a minimum of a toilet and bathroom.
  - (ii) Where only (1) toilet and (1) bath provision exists in a dwelling unit each facility shall be in a separate compartment.
  - (iii) The minimum floor area for a bathroom shall not be less than 1.5m<sup>2</sup> with the minimum height of 0.75.
6. The minimum floor area for toilet and bath facilities shall not be less than 2.70m<sup>2</sup> if combined and with a minimum of 1.5m.
7. The minimum floor area provision for kitchen facility shall not be less than 1.8 metres × 1.3 metres (5.4m<sup>2</sup>).
8. Every room in a building meant solely for storage articles shall not be less than 1.8 metres × 1.2 metres (2.6m<sup>2</sup>).
9. The minimum ceiling height of living rooms, kitchen and all other room spaces in a building shall be 2700mm from the floor level.
10. The minimum ceiling height for storage of articles in a residential building shall not be less than 2100mm from the floor level.

11. In all developments, adequate emergency exits shall be provided.
12. (i) A minimum of two staircases shall be provided for any proposal more than one unit above the ground floor and the width of the staircases shall not be less than 1.00m.
13. The risers of all stairs shall be uniform and the sum of the goings twice the risers must not be less than 375mm and not more than 700mm.
14. The maximum height of a fence abutting any road shall be 2.4 metres made up of block wall, 1.5metres high topped with iron grill 900mm high.
15. Adequate provision must be provided for easy movement of the disable and ease of covenant facilities.

**36. SAFETY REQUIREMENTS FOR HIGH-RISE AND OTHER TYPES OF BUILDINGS**

1. In all high rise buildings and public buildings every element therein shall conform with the Ekiti State Fire Service Regulations specified in schedule 10
2. The minimum width of escape doors in a high rise building shall be as follow:
  - a. 1 to 5 floors.....0.9 metres
  - b. 6 to 8 floors.....1.20 metres
  - c. above 8 floor.....1.50 metres
3. There shall be minimum of (one) escape staircase in all buildings above 4 floors, and shall be provided with at least a lift or elevator.
4. Underground water storage of not less than twenty thousand litres shall be provided for a structure above five (5) floors.
5. Every high-rise building shall have fire prevention, detection and alarm devices acceptable to the Ekiti State Fire Service.
6. A high-rise or public building shall be certified by a Registered Architect in respect of its Architectural articulation, functionality and suitability; Registered Engineers in respect of its structural, Mechanical and Electrical plans, before a Certificate of completion and Fitness for Habitation is issued.
7. A high-rise or public building shall be subjected to a mandatory test by the BEDC for all electrical installations before a certificate of fitness for habitation can be issued.
8. Any application for building development permit for any building above four (4) floors shall be provided with a lift or an elevator whose design, installation; testing, inspection and operation shall be in accordance with the approved standards.
9. Any building or structure of over five (5) floors or above twelve (12) metres in height shall be subject to the provision of schedule 10 of these Regulations.
10. The grant of building development permit to all other buildings with respect to protection from fire hazard shall be in accordance with the provisions of Ekiti State Fire Service Regulations or clearance from same.

### 37. REQUIREMENT FOR PHYSICALLY CHALLENGED IN PUBLIC BUILDINGS.

TYPE OF BUILDING	MINIMUM PROVISIONS
(1) Single detached, single dwelling units	A minimum of 2 percent of the total number of units to be constructed with barrier –free features. (Adoptable units)
(2) staff housing, multiple dwelling and high rise residential units and tenements	A minimum of (1) unit for every 25, plus 1 additional unit for every 100 units thereafter, Entrances and exits to be accessible.
(3) Tenement houses, row houses. Apartments and town houses.	A minimum of 1 unit for up to 150 units, and a minimum of 1 additional unit for every 100 units thereafter to be accessible.
(4) post offices, banks and financial services institution premises	A minimum of 1 lowered service counter A minimum of 1 lowered automatic teller machine (ATM) 1 cash disbursement point on the premises. Stamp vending machine.
(5) Shop houses and single-storey shops	Accessible shopping area
(6) Places of worship	Entrances and exits and main area of worship to be accessible. Mosques: access to area for ablutions; Churches: access to confessionals, fonts and chapels. Temples: access to shrines arid courtyards.
(7) Food centres	A minimum of 1 table without stools or seats attached to the floor for every 10 tables.
(8) Community centres, village halls, auditoria, concert halls,	Accessible entrances, exits aisles and main community or gathering areas.
(9) Assembly halls, cinemas, theatres and other places of public assembly.	Accessible toilet facilities should be nearby. Seating for persons with disabilities to be accessible from main entrances and lobbies. Various seating/viewing choices to be provided for persons in wheel chairs throughout the main seating area. A minimum of 2 wheelchair spaces for seating capacity up to 100 seas. A minimum of 4 wheelchairs space seating capacity from over 100 to 400 seats.

**38. RAMP**

1. A grade level of a ramp is a moderate rise of 10mm to each 120mm of travel.
2. Provide a flat surface 150mm or more in length at the top and bottom of the ramp for a wheelchair to pause and prevent it from going out of control.

**39. ENTRANCE LANDING**

Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800 x 200mm. The entrance landing that adjoin the top end of a slope shall be provided with floor materials to attract the attention of visually impaired persons (limited to coloured floor materials whose colour and brightness is conspicuously different from that of the surrounding floor materials or the material that emit different sound to guiding visually impaired persons hereinafter referred to as “guiding floor materials”).

**40. CORRIDOR CONNECTING THE ENTRANCE/EXIT FOR THE HANDICAPPED**

1. Guiding floor materials shall be provided or devices that emit sound to guide visually impaired persons
2. The minimum width shall be 1500mm
3. In case of different level, slope ways shall be provided with a slope of 1:12.
4. Hand rails shall be provided for ramps/slope ways.

**41. REQUIRED WITH FOR PASSAGE OF WHEELCHAIR**

1. The wheelchair body itself is about 560mm wide. Allowing for the use of hands and arms outside the wheelchair, the passage must be as wide as 900mm or more.
2. Locations such as entrances and exits can be 900mm wide.

However, a continued passage (e.g. a corridor) must at least be 900mm wide to allow for slight side-to-side movement of the wheelchair as it travels.

**42. ENTRANCE/EXIT DOOR**

Minimum clear opening of the entrance door shall be 900mm. and it shall not be provided a step that obstructs the passage of a wheelchair user. Threshold shall not be raised more than 12mm.

**43. WINDOWS**

1. A window should have handles/controls at a height that permits use from wheelchair.
2. A window should have an unobstructed viewing zone for wheelchair users.
3. Curtains or venetian blind controls/ropes should be accessible for wheelchair users.

**44. LIFTS**

Provision of at least one lift shall be made for the wheelchair users with the following cage dimensions of lift recommended for passenger lift of 13 persons capacity. Clear interval depth: 1100mm. clear interval width: 200mm. Entrance door width: 900mm.

1. A hand rail not less than 600mm. long at 800-1000mm, above floor level shall be fixed adjacent to the control panel.
2. The lift lobby shall be of an inside measurement of 1800mm x 1800 or more.
3. The time of an automatically closing door should be minimum 5 seconds and the closing speed should not exceed 0.25M/Sec.

4. The interior of the cage shall be provided with a device that is audible of the cage for entrance/exit is either opened or closed.

#### **45. TOILETS**

One special W.C in a set of toilets shall be provided for the use of handicapped with essential provision of wash basin near the entrances.]

1. The minimum size shall be 1500mm x 1750mm.
2. Minimum clear opening of the door shall be 900mm and the door shall swing out.
3. Suitable arrangement of vertical/horizontal handrails with 50mm clearance from the wall shall be made in the toilet.
4. The W.C shall be 500mm from the floor.
5. Toilet floors shall have a non-slip surface.
6. Guiding blocks near the entry should have a textural different (e.g Diamond tiles, Prima Regina tiles, undressed granite).
7. Light weight PVC door shutter should be provided as a sliding door.
8. Provision of vertical and horizontal rail as 40mm C.P steel pipe.

#### **46. CERTIFICATE OF FITNESS FOR HABITATION**

1. Every developer or owner shall obtain and complete an application form for a Certificate of Completion and Fitness for Habitation as provided under schedule 11 to these Regulations.
2. Every developer or owner shall obtain from the Ministry or AURPO a Certificate of Completion and Fitness for Habitation, as specified in schedule 12 on completion of any building approved under these Regulations, before such building is occupied.
3. The said Certificates shall be signed by a duly authorized and professionally competent officer (Architect, Engineer, Builder) of the Ministry or AURPO.
4. All construction in Ekiti State shall conform to the National Building Code and be supervised by the relevant professionals registered to practice in Nigeria.

#### **47. CONSTRUCTION STAGE CERTIFICATION**

- (1) On the completion of each stage of building construction, the developer or owner shall obtain a stage certificate of satisfactory execution from the appropriate professional (Architect, Engineer, Builder) registered to practice in Nigeria.
- (2) The Certificate shall be filed with the Ministry or AURPO and copy must be produced at site on demand.

#### **48. CERTIFICATE OF WORTHINESS**

- (1) Before occupation of high-rise building, Structural/Civil, Electrical/ and Mechanical Engineer registered to practice in Nigeria shall issue a certificate of worthiness for Structural, Electrical and Mechanical elements.
- (2) The certificate shall be filed with the Ministry or AURPO.

#### **49. POWER TO ISSUE AND SERVE NOTICES**

- (1) The Ministry or AURPO shall have power to issue and serve all or any of the following
  - a. Contravention Notice
  - b. Stop work order Notice
  - c. Quit Notice

- d. Seal up Notice
  - e. Demolition Notice
- (2) Without prejudice to sub regulation (1) of this regulation, the Ministry or any of its AURPO may mark in red print the inscription “X” on any illegal development.

**50. SERVICE OF CONTRAVENTION NOTICE**

- (1) Any person who contravenes the provisions of these regulations shall be served with a Contravention Notice by the Ministry / AURPO.
- (2) Such person(s) shall be required to show cause within a specified period of the service of the Notice why the development should not be demolished. (Schedule 14)

**51. SERVICES OF STOP WORK ORDER NOTICE**

- (1) The Ministry or AURPO shall have power to issue and serve a Stop Work Order Notice demanding that a developer or owner should stop further development on the land.
- (2) The reason(s) for the issuance and service of such Stop Work Order Notice shall be stated therein (schedule 13)
- (3) A stop work order notice shall take immediate effect upon service on the developer or owner.
- (4) Any developer or owner served with a stop work order notice shall immediately stop any development on the land.
- (5) The Ministry or AURPO shall record the stage of development found on site at the time of service of stop work order Notice (schedule 13)

**52. SERVICE OF QUIT NOTICE**

- (1) A quit notice may be issued and served on the owner or occupier of any completed and occupied development with or without permit.
- (2) The reasons for the issuance and service of such quit notice shall be as stated in schedule 15 to this Regulations

**53. SERVICE OF SEAL**

The Ministry / AURPO may serve a Seal Up Notice or remove an illegal development after two (2) days of the services of the Quit Notice. (Schedule16).

**54. POWER TO SEAL**

The Ministry or AURPO shall have power to seal any illegal or defective building. (Schedule 16)

**55. SERVICE OF DEMOLITION NOTICE**

- (1) The Ministry or AURPO shall have power to serve on a developer a Demolition Notice, if a structure erected by the developer is found to be illegal or defective as to pose danger or constitutes nuisance to the occupier and/or the public. The provisions in Schedule 17of this Regulations shall empower the authority to effect all necessary removal.

**56. POWER TO DEMOLISH BUILDING**

After the expiration of the time specified in the notice served under regulation 55 of these Regulations, the Ministry or AURPO shall take such necessary action to effect demolition of the structure.

**57. COST OF DEMOLITION TO BE RECOVERED FROM THE CONTRAVENOR**

- (1) A developer or owner shall reimburse the Ministry / AURPO for all expenses reasonably incurred in exercise of its power under regulation 55 of these Regulations.
- (2) A demand notice shall be served on the Contravenor for the reimbursement of the cost of demolition incurred by the Ministry / AURPO
- (3) A developer or owner who fails to respond to the notice served in sub regulation (2) of this regulation within the specified period of the notice shall be sued for the recovery of demolition cost and other expenses.

**58. AUTHORIZED PERSON(S) TO SIGN NOTICE**

- (1) Every Notice or Order required to be served by the Ministry or AURPO under these regulations shall be signed by a duly authorized officer.
- (2) Any such Notice or Order shall be deemed to have been duly signed if it bears the signature of the authorized officer.

**59. MODE OF SERVICE OF NOTICE**

Service of any Order or Notices required to be served under these regulations on any person or structure that may be affected and be deemed to have effectively served by any of the following modes;

- (1) By delivery of same to the developer or owner or occupier or any such person at the premises; or
- (2) By pasting same on the offending structure or.
- (3) By forwarding same to the last known address of the developer or owner.

**60. POWER TO ENTER PREMISES**

- (1) The Ministry / AURPO and/or any authorized agent shall have power to enter any premises for the purpose of ascertaining compliance with the building development permit granted under these Regulations.
- (2) If the development on site is at variance with the development permit granted, the Ministry / AURPO shall have power to,
  - a. Compel the owner/agent to carry out such alteration as may be necessary to ensure compliance; or
  - b. Withdraw the development permit granted.
- (3) Any developer, owner and or occupier who prevents any authorized officer of the Ministry / AURPO from carrying out his/her statutory responsibility shall be guilty of an offence and liable on conviction to a fine of ten thousand naira (₦10,000.00) or three months imprisonment or both. If a corporate body, a fine of two hundred and fifty thousand (₦250,000.00) or one year imprisonment or both for the Managing Director and a fine of one million naira (₦1,000,000.00) for the company.



**61. SEIZURE OF CONTRAVENOR'S ITEMS**

- (1) The Ministry shall have power to seize any item on the site of anyone found carrying out physical development and is unable to produce the permit granted for such development/Exercise by the Ministry.
- (2) Such Seized items are returnable to the owner on compliance with Ekiti State building regulations.
- (3) The list of items seized shall be enumerated on form CS4 and duly signed by appropriate officer before it is handed over to the contravenor or pasted at the site of the illegal development.
- (4) Form CS4, and or necessary application for approval shall be produced by the contravenor before the release of the seized items.
- (5) Any seized item not claimed within three Months shall be forfeited to the Ministry.
- (6) Any contravenor whose items is seized and brought to the Ministry's custody shall reimburse the cost of conveying such items before it is released.

**62. DEMOLITION PERMIT**

Any developer/owner who intends to demolish an existing structure shall apply in writing to the Ministry / AURPO for the issuance of a Demolition Permit as provided in schedule 18 of these Regulations.

**63. COLLAPSED STRUCTURE**

- (1) Any Developer, Agent, Owner or Occupier of any structure, which had collapsed in Ekiti State shall within 24 hours of such collapsed report to the nearest office of the Ministry / SEMA/AURPO or the nearest Police Station stating the cause(s) of such collapse, the extent of damage to the properties and such injury to person(s).
- (2) Any Developer, Owner, or Occupier of any structure, which had collapsed in Ekiti State who fails to comply with sub- regulation (1) of this regulation, is guilty of an offence and liable to a fine of (₦10, 000.00) or three (3) months imprisonment or both.

**64. ABANDONED STRUCTURE**

- (1) The Owner/Developer of any structure under construction which has been abandoned shall have the property maintained in the proper environmental and sanitary condition.
- (2) The Owner/Developer of any existing building which has been abandoned shall have the property maintained in proper environmental and sanitary condition.
- (3) Any Owner/Developer who fails to comply with the provisions of sub-regulation (1) and (2) of this regulation shall have the property sealed up and or demolished and government may acquire and use such property after due process.

**65. COMPENSATION PAYABLE**

- (1) The Ministry or AURPO may withdraw the development permit granted any building or development for overriding public interest on behalf of the State Government.
- (2) The State Government shall pay compensation to the Developer or Owner of such affected by sub regulation (1) of this regulation after the service of necessary notices and

provided that such building or development is in compliance with the development permit originally granted before withdrawal.

- (3) The compensation payable in sub regulation (2) of this regulation shall be on stage basis or on the basis of quantum of development at the time of demolition and shall be at the prevailing market value to be determined by an Estate Surveyor/Valuer registered to practice in Nigeria.

#### **66. METHODS OF DESIGN, CONSTRUCTION AND DEVELOPMENT**

- (1) All structural designs, construction and building services shall be carried out according to accepted professional codes of practice.
- (2) Every construction above the ground floor level shall be supervised by the appropriate qualified professionals.
- (3) All constructions shall conform with the National Building Code.
- (4) Any new technique or method of construction not covered by the accepted codes of practice shall be allowed only with the specific approval of the Ministry.

#### **67. RESPONSIBILITY OF DEVELOPER/OWNER DURING CONSTRUCTION**

It shall be the responsibility of the developer/owner to ensure that the building is certified by the appropriate registered professional or as specified in the schedule 3 to these Regulations at every stage of construction. This is without prejudice to the inspection of the project at any stage of construction by the Ministry / AURPO.

#### **68. PENAL FEE FOR CONTRAVENTION**

- (1) Any person who carries out any development specified in regulation 6(1) and regulation 36 (1) of these Regulations and under the Ekiti State Urban Regional Planning and Development Law, No 16 of 2011 prior to the procurement of Land Use Clearance and the presentation of the requisite Architect and Engineering Drawing; production document prepared, signed and sealed by the respective and appropriate professional registered to practice in Nigeria, shall pay a penal fee stipulated in the fee order to the Ministry if and when the development considered approvable.
- (2) Where the development commences after obtaining Land Use Clearance, the penal fee shall be paid to the Ministry or appropriate Authority if and when such development is in line with the Building Standards/Regulations.
- (3) Any person who carries out any development within Ekiti State without first obtaining Development Permit as provided for under these Regulations shall be liable to pay a penal fee as approves in the fee order.
- (4) Any person who having obtained a Development Permit, over develops such building beyond the level contained in the development permit but within the approvable limit for the Zone as prescribed under these Regulations shall be liable to payment of a penal fee.
- (5) Such developer shall submit a fresh application for the grant of Development Permit reflecting the new structure within 21 days of being served the relevant enforcement notice and all further construction works on site must stop pending the final determination of the application.

- (6) Any person who has obtained the Development Permit and over develops such building beyond the level contained in the development permit and above the approvable limit for the Zone as prescribed under these Regulations shall:
  - (a) Within a specific period take necessary action to remove the over-development under the supervision of a Civil/Structural Engineer registered to practice in Nigeria.
  - (b) Take out a contractor's All Risk Insurance Policy to cover damages that may occur to adjacent buildings in the process of giving effect to sub regulation (6a) of this and regulation 36 (1).
- (7) Any person who having been served notice to effect any of the provision of sub regulations of this regulation and fails to comply within the specified time limit shall have the building demolished by the Ministry or AURPO after the service of Demolition Notice while the cost of demolition and other expenses shall be recovered from the owner or developer.

**69. OFFENCES AND PENALTY**

- (1) Any person with or without Development Plan who after being served with Stop Work Order Notice still carries on further development shall be guilty of an offence and liable on conviction to:
  - (a) a fine of ten thousand naira (₦10, 000) or three months (3 months) imprisonment or both in case of an individual.
  - (b) If a corporate body, a fine of two hundred and fifty thousand naira (₦250, 000.00) or one year imprisonment or both fine and imprisonment for the Managing Director and a fine of one million naira (₦1, 000, 000.00) for the company.
- (2) Any occupier who ignores a Quit Order Notice issued and duly served by the Ministry or AURPO shall be guilty of an offence and shall be liable on conviction to a fine of ten thousand naira (₦ 10, 000.00) or three (3) months imprisonment or both.
- (3) Any Developer/Contractor/Consultant who connives with anyone to contravene the provisions of these Regulations shall be guilty of an offence and shall be liable on conviction to a fine of ten thousand naira (₦ 10, 000.00) or three (3) months imprisonment or both.
- (4) Any official of the Ministry or AURPO or any State Government official who connives with anyone to contravene the provisions of these Regulations shall be dealt with in accordance with the provisions of the Civil Service Rules of the State.
- (5) Any person who carries out any alteration, addition, repairs or renovation, or causes a change of an existing approved structure/building without obtaining a permit, contravenes the provisions of regulation 9 of these Regulations and shall be served enforcement notice.
- (6) The contravenor under sub regulation (5) above shall within specified period of being served the penal fee demand notice pay a penal fee as stipulated in the fee order for such development. He shall in addition comply with the provisions of regulation 8 of these Regulations. Such building if not approvable shall be demolished by the Ministry or AURPO after the service of enforcement notice. No compensation shall be payable for such demolition, and the cost of such demolition shall be recovered from such person.
- (7) Any Contractor/Consultant who handles the construction and deliberately connives with the owner to contravene these regulations shall be guilty of an offence and liable on conviction to a fine of fifty thousand naira (₦ 50, 000.00) or to six (6) months imprisonment or both.

- (8) Any developer or agent or petitioner who gives false information to the Ministry / AURPO shall be guilty of an offence and liable on conviction to a fine of ten thousand naira (₦ 10,000.00) or three (3) months imprisonment or both.
- (9) Any person who aids anyone to obtain a fake Developer Permit is guilty of an offence and is liable on conviction to a fine of ten thousand naira (₦ 10,000.00) or three (3) months imprisonment or both.
- (10) Any structure erected in any area earmarked or proposed for road, drainage channel, swamp or in any area liable to flooding shall be demolished without compensation and the person (s) responsible for erecting such structure(s) shall be guilty of an offence and liable on conviction to a fine of ten thousand naira (₦10,000.00) or imprisonment for three months (3 months) or both.
- (11) Any person who causes any building in the state to be occupied without a certificate of completion and fitness for habitation issued by the Ministry / AURPO is guilty of an offence and liable on conviction to a fine of fifty thousand naira (₦50,000.00).
- (12) Any developer /owner of a structure suspected to be defective who fails to produce on the site upon demand by the ministry or AURPO a certificate of structural stability issued by a Registered engineer shall be guilty of an offence and such structure shall be demolished.
  - b. No compensation shall be payable for the demolition and cost of such demolition shall be recovered from such person.
- (13) Any person who carries out any approvable fencing work without the prior written approval of the Ministry or AURPO shall be guilty of an offence and liable to pay penal fees as stipulated in the fees order and obtain development permit.
- (14) (a) Any person who carries out construction to a particular stage without obtaining a construction certificate or written clearance for the preceding stage contravenes the provision of regulation 47 of these Regulations.
  - (b) the contravenor under sub- regulation 14(a) above, shall pay penal fee as stipulated in the fees order within specified period of being served with the contravention notice
- (15) Any development within the road's right of way, public utilities, pipelines, setbacks to dams and large water bodies, rivers, gorges, canal etc shall be demolished without compensation.

## **70. OBSTRUCTION OF OFFICERS FROM CARRYING OUT LAWFUL DUTIES**

Any person or corporate body who obstruct any official of the ministry or AURPO in the course of performing his lawful duty shall be guilty of an offence and liable upon conviction to a fine of ten thousand naira (₦10,000.00) in the case of an individual and two hundred and fifty thousand naira (₦250,000.00) in the case of a corporate body or one year imprisonment or both the fine and imprisonment for the Managing Director and a fine of one million naira (₦1,000,000.00) for the company.

## **71. CHANGE OF USE**

- (1) Without prejudice to the provisions of regulation 28 of these Regulations, any person who changes the use of any land or any structure, without obtaining a permit as prescribed by these Regulations shall be served an enforcement notice and shall be liable to pay penal fee as may be prescribed in the fees order by the Ministry within a specified period of being served with the penal fee demand notice.
- (2) Any change of use shall be considered within the context of the Use Classes Order contained in Schedule 5b of these Regulations.
- (3) Any owner, occupier or developer who defaults in payment of penal fee charges within specified period of the receipt of the Demand Notice for illegal conversion shall have his premises sealed.

- (4) An application for a change of use must be accompanied with a Technical Report written by a Registered Town Planner or Consortium of appropriate professional headed by a Town Planner registered to practice in Nigeria.

**72. PROTECTION OF OFFICIALS ON LAWFUL DUTIES FROM PROSECUTION**

No action shall lie against any duly authorized officers of the Ministry/ AURPO in respect of carrying out his or her lawful duty or duties.

**73. IMPERSONATION OF OFFICIAL OF THE MINISTRY/ AURPO**

Any person who impersonates or presents himself as an official of the Ministry/ AURPO shall be guilty of an offence and liable upon conviction to a fine or imprisonment or both in accordance with the law of the land.

**74. SPECIAL COURT ON URBAN AND REGIONAL PLANNING MATTERS/ OFFENCES**

There shall be established in the State, an Urban and Regional Planning Tribunal or a Special Mobile Court to deal with Urban and Regional Planning Offences in the State.

**75. APPEAL AGAINST DISAPPROVAL OF APPLICATIONS**

- (1) An intending developer who is dissatisfied with the decision taken on his application for development permit by the Ministry/ AURPO may petition the Commissioner of ministry in the first instance.
- (2) The petitioner if unsatisfied with the decision reached in Sub- regulation (1) of this regulation may appeal to the State Urban and Regional Planning Tribunal/Special Mobile Court
- (3) The representation shall be by the relevant professional registered to practice in Nigeria and/or by a legal Professional.

**76. REPRESENTATION**

- (1) A dissatisfied Developer or owner may withdraw his application for development permit to effect amendments(s) on the original drawings
- (2) The Ministry or AURPO shall mark such original drawing "SUPERSEDED"
- (3) The Ministry or AURPO shall reserve the right to re-assess a revised drawing submitted and no refund of any excess money paid shall be entertained.

**77. TRANSFER OF DEVELOPMENT PERMIT**

- (1) Where a holder of a Development Permit transfer or assign his/her interest, the Ministry or AURPO shall enforce all the rights and duties attached to a development permit against the assignee
- (2) The assignee shall apply for a change of title for the Development Permit.

**78. SCHEDULES**

- (1) The schedule to these regulations shall form part of the regulations and shall be complementary to any matter contained therein.
- (2) The ministry may; from time to time prescribe, amend, add to, alter, review or modify by an order published in the State Gazette, Town Planning and Building Regulations for approval of Development Permits.
- (3) The ministry may by order published in the State Gazette amend, add to, alter, review, and modify the contents of the schedules to these regulations.

**79. VALIDITY PERIOD OF A DEVELOPMENT PERMIT**

Where the holder for the time being of a development permit fails to commence development within two (2) years of such permit, the development permit shall be subject to revalidation by the Ministry or AURPO upon payment of an amount in accordance with the fees.

**80. RE-STAMPING**

A developer/owner of an existing building may apply to the Ministry for re-stamping of his or her approved building plan subject to the payment of an amount specified in the fees order.

**81. RE-SUBMISSION**

- (1) In case of missing file, the applicant shall resubmit necessary documents at no additional cost provided the submission is within six weeks after being duly informed.
- (2) The applicant shall make a re-submission with an affidavit.

**82. ADDITION TO APPROVED BUILDING PLAN**

- (1) An application for a grant of a development permit for an addition to an existing building shall be accompanied by a set of photocopies of the previously approved development permit of the building.
- (2) Any assessment whatsoever shall be on the additional space only.
- (3) Where the applicant is unable to produce the photocopies of the previously approved building plans, such application shall be treated as new.

**83. CERTIFIED TRUE COPY, REVALIDATION AND PROCUREMENT OF EXTRA COPY**

- (1) The Ministry/ AURPO may issue a Certified True Copy of the approved plan or development permit upon the receipt of an application from the owner/developer at a prescribed fee.
- (2) An owner /developer may apply to the Ministry/ AURPO for revalidation and re-stamping of a Development Permit previously granted.
- (3) Any application made in sub regulations (1) and (2) of this regulation shall be accompanied with the followings.
  - (i) Evidence of compliance with the Development Permit previously granted;
  - (ii) Payment of relevant prescribed fees
- (4) An applicant can procure an extra copy of an approved plan provided he/she can produce an evidence of ownership supported with a sworn affidavit from any High Court in Ekiti State.

**84. FINAL APPROVING AUTHORITY FOR GRANTING PERMIT FOR THE LOCATION AND OPERATION OF ANY PETROL/ GAS FILLING STATION**

The Executive Governor of the State shall be the final approving authority in respect of granting permit for the location and operation of any Petrol/ Gas Filling Station in the State

**85. INTERPRETATION**

In these Regulations:

1. “an appropriate professional, registered to practice in Nigeria” means:
  - (i) A Town Planner, being a registered member of the Town Planners Registration Council of Nigeria (TOPREC).
  - (ii) An Architect, being a registered member of Architects Registration Council of Nigeria. (ARCON)
  - (iii) An Engineer, being a registered member of the Council for the Regulation of Engineering (COREN) in Nigeria.
  - (iv) A Surveyor, being a registered member of the Surveyors registration Council of Nigeria (SURCON)
  - (v) A Builder, being a registered member of the Council of Registered Builders of Nigeria (CORBON).
  - (vi) An Estate Surveyor and Valuer being a professional qualified and registered by Estate Surveyors and Valuers Registration Board of Nigeria (ESVRBON) to practice in Nigeria.
2. **“Air space”** means the distance from the building to the boundary of the plot, particularly on the sides of the building and rear and space between buildings.
3. **“Building line”** means an imaginary line to which a building abuts on a street or an extension to which a street or a proposed street may lawfully extent in accordance with the provisions of these regulations;
4. **“C.B.D”**- Central Business District means Major Commercial Activity Center
5. **“Commercial building”** includes any building used as an office, store, hotel, shops or combination of these;
6. **“Contravention”** means any structure or act of construction put up in violation of any of these Regulations without approved building plan/Development Permit.
7. **“Commissioner”** means the Hon. Commissioner charged for the time being with responsibility for Physical Planning and Urban Development.
8. **“Core Area”** means the centre of spontaneous emergent developed traditional settlement, which is characterized by poor housing and lacking basic community facilities.
9. **“Development”** as defined under section 89 of the Ekiti State Urban and Regional Planning and Development Law. No 16 of 2011.
10. **“Development Permit”** as defined under section 89 of the Ekiti State Urban and Regional Planning and Development Law. No 16 of 2011.
11. **“Developer or “owner”** as defined under section 89 of the Ekiti State Urban and Regional Planning and Development Law. No 16 of 2011.
12. **“Flat”** means a self-contained dwelling unit.
13. **“floor area ratio”** means the relationship between the amount of gross floor area permitted in a building and the area of the floor on which the building stands;
14. **“Front setbacks”** means the distance from the property beacons in front of a plot to the permissible building line which shall either be landscaped or remain undeveloped.
15. **“Government acquisition”** means all land acquired by the State Government or any statutory corporations or bodies established by law;
16. **“G.R.A”** Means Government Residential Areas.
17. **“LUD”** means all Government schemes based on Land Use Decree.
18. **“High-rise building”** means any building of more than four (4) floors including the ground floor whose height from above the ground level exceeds 12 metres.
19. **“Industrial building** includes factories, workshops and warehouse, or any building used for production, manufacturing, or repairs of equipments and machineries.
20. **“Land use Plan”** means a plan adopted or approved by the Ministry/ AURPO for the whole or any part of Ekiti State;
21. **“Mixed Use”** means a mix or combination of uses within the same structure/building or area.

22. **“Petitioner”** means any member of the public who submits a written complaint to the Ministry/AURPO referring to a contravention, a development which be a public or private nuisance; etc.
23. **“Plot or site”** in relations means the whole of any land which has been demarcated by a survey plan, with identified boundary, and/or enclosed within boundary walls or fences where such belongs to a single person, government or group of persons;
24. **“Public building”** means a building used either regularly or occasionally as a public hall, public clinic, cinema, post office, theatre, stadium, exhibition hall or for similar purpose and it includes any building used as a place of worship, assembly, auditorium for instruction, recreation, meetings, government administration, health institution, and to which any member of the public has access;
25. **“Renovation work”** means any act done to cause an improvement to a building’s beauty, and shall including painting, changing of windows and doors, re-plastering, re-roofing. etc.
26. **“Repair”** may include the act of renovation and/ or including improvement to a building;
27. **“Residential unit”** means a building or part of a building consisting of a room (rooming houses, a flat forming a habitable unit for one family with independent utilities);
28. **“Special Application”** shall include applications for developments such as educational institutions, research institutions, multi-floors/high rise building fuel pipelines and depots, airports, and seaports, petrol/gas filling and service stations, large scale residential, commercial or recreational developments and other developments in these categories.
29. **“State”** mean the Ekiti State Government;
30. **“Zoning”** refers to either the Land use provisions in the State Regional Land Use Plan, Operative Master Plans, District Plan, Urban Renewal Plan of any area or any of the Plans defined as such which specified the appropriate use for which a development could be put.
31. **“Ministry”** means the Ekiti State Ministry of Lands, Housing and Urban Development.
32. **“AURPO”** means Area Urban and Regional Planning Office
33. **“SEMA”** means Ekiti State Emergency Management Agency

## **86. SAVINGS**

- (1) Any approval granted prior to the commencement of these Regulations in respect of any development in the State and which has since been developed shall be valid in as much as it complies with the approved plans.
- (2) Any approval granted prior to the commencement of these Regulations in respect of any development in the State and which has since not been developed shall be subject to revalidation.

## **87. SUPERCESSION**

These Regulations Supersede all existing circulars, memoranda or Building Plan Regulations in Ekiti State.

## **88. BUILDING BYE-LAWS**

The Western State Building Bye-laws of 1960,1975 and Ondo State Building and Subdivision Regulation 1984 which were adopted in Ekiti State, and Building Regulations passed to the Town Planning Offices in form of official circulars are hereby repealed.

## **89. CITATION AND COMMENCEMENT**

These Regulations may be cited as the Ekiti State Building Regulations, 2017.

Made at Ado-Ekiti this 28<sup>th</sup> day of March, 2017.





.....  
**TPL. (PRINCE) TAELOLU OTITOJU**  
**Hon. Commissioner**  
**Ekiti State Ministry of Lands, Housing and Urban Development**

### **PART THREE**

#### **SCHEDULES TO EKITI STATE BUILDING REGULATIONS**

##### **SCHEDULE 1A: LAND USE CLEARANCE**

Applications for development requiring the submission of Environmental Impact Assessment Report for the granting of Land Use Clearance after the preparation of the necessary draft Architectural and Engineering services-drawings connected thereto by appropriate professionals registered to practice in Nigeria are specified as follows:

- a. A residential land in excess of ½ hectare or development in excess of 3 floors or SIX (6) family units;
- b. Factory building or expansion of factory building;
- c. Office or other Commercial building such as Shopping Complex, Hall etc.
- d. Place of Worship with user capacity exceeding 50 persons;
- e. Major recreational development covering more than 2,000 square metres;
- f. Institutional building and public buildings such as schools etc;
- g. Petrol/ Gas Filling and Service Stations
- h. Telecommunication towers and Station.
- i. Advertisement billboards and urban furniture;
- j. Change of use of an existing development;
- k. Tank farms and refinery;
- l. Any other physical development g as may be specified in the regulations made pursuant to this Law.

##### **SCHEDULE 1B: PETROL/GAS FILLING STATION**

1. Below shall be the minimum requirements on distance, design of access roadways and siting of PFS in Ekiti State.
  - (a) Distance from an intersection -----500metres
  - (b) Driveway width, entry and exit-----9metres
  - (c) Radius of KERB Line-----12metres
  - (d) Distance between two (2) pump Islands-----6metres
  - (e) Distance between last pump Island and station house-----6metres

- (f) Setback of network of pumps from pavement edge-----15metres
- (g) Setback of 1<sup>st</sup> pump Island from the frontage property boundary-----9metres
- (h) Angle of driveway-----75, 105 degrees

- 2. (a) Existing PFS will only be allowed renovation and not redevelopment or expansion unless they can satisfy requirements on area and distance as stated in these regulations.
- (b) Distance between two (2) PFS on the same side of the road shall be 400metres.
- (c) Two (2) PFS on opposite sides of a road should have an adjacent distance of 250metres unless on an express way or state highway with a median, where they may be allowed to be directly opposite each other.
- (d) Minimum size of a Petrol Filling and Service Station in new/developing areas shall be 1200m<sup>2</sup>, while the minimum size of Petrol Filling and Service Station in the built up areas shall be 1000m<sup>2</sup>.
- (e) An officer of the Ministry or AURPO may inspect the site before, during and / or after construction.

### **3. REQUIRED DOCUMENTS**

- (a) License as an oil marketing company.
- (b) Clearance letter from NNPC in case of close proximity to an oil pipeline. This is in view of the fact that oil pipelines are multi-product pipelines and requires a good and sensitive detector for fire protector.
- (c) Letter of Clearance from the State Fire Service.
- (d) Letter of Clearance from the Nigerian Police Service.
- (e) Evidence of Insurance Policy with a duly registered Insurance Company in Nigeria. Such policy shall cover all risk to workers, passers-by and surrounding buildings and property that may be affected in case of any fire or other hazards that may result as at the commencement of the construction works or during the duration of the construction works and commercial operation of the Petrol/Gas Filling Station.

### **4. OTHER CONDITIONS FOR SITING PETROL/GAS FILLING SERVICES STATIONS.**

- (1) The walls, doors and windows of every Petrol/Gas Filling Station in Ekiti State shall be made with materials having at least thirty (30) minutes fire resistance quality.
- (2) Every door shall be self-closing from both sides and shall be kept free of all obstructions at all times.
- (3) The base concrete of any tank dedicated to the storage of petroleum products shall not be less than 225mm in thickness and shall be of appropriate quality.
- (4) The minimum distance between a petrol pump island and the main petrol filling station building shall not be less than six (6) meters.
- (5) The access road to a filling station shall be in good condition and kept free of all obstruction at all times.
- (6) There shall be erected conspicuously in at least two (2) location signboards on undeveloped site of a petrol filling station on which a Building Development Permit has been granted within one (1) week of such grant. Such signboards shall indicate in every legible and bold letter fonts the number and date of such permit.
- (7) Every Petrol Gas Filling Station shall have instant functional fire hydrants located at easily accessible positions on the premises.

- (8) The premises of every petrol Gas Filling and service station shall be properly fenced round (except at the front or sides abutting a road) with either a 225mm or 150mm thick hollow cement blocks at last 2.4 metres high to separate it from other building
- (9) The front shall be opened but provided with low steel gates and shall open inward only.
- (10) Both the entry and exit gates of a petrol gas filling and service station shall be a minimum of twelve (12) metres wide and properly beveled to the access road.
- (11) Every petrol gas filling and service station on high speed traffic way shall be provided with acceleration and deceleration lanes of at least 30 metres respectively at the approach and exit points.
- (12) Other requirements shall be as may be specified in any other part of these regulations and as may be prescribed by the Ministry and the Ekiti State Fire Service from time to time.

5. All the required documents listed in Schedule 1B paragraph 3 and evidence of fulfilment of other conditions in Schedule 1B paragraph 4 or other requirement that may be specified in any other part of this Regulations or that may be prescribed by the Executive Governor of the State from time to time shall be submitted to the Office of the Governor for consideration and approval.

6. The Executive Governor of the State shall be the final approving authority in respect of granting permit for the location and operation of any Petrol/ Gas Filling Station in the State

**7. PERMISSIBLE USES IN PETROL/GAS FILLING AND SERVICE STATIONS**

- 1) Restaurants
- 2) Supermarket/Mini Mart
- 3) Car wash & Accessories
- 4) Vehicle Service Workshop
- 5) Office.
- 6) Eateries

**SCHEDULE 2: APPLICATION FOR REGISTRATION AND PROCESSING OF BUILDING DEVELOPMENT PERMITS  
AREA URBAN AND REGIONAL PLANNING OFFICE (DEVELOPMENT CONTROL DEPARTEMNT)**

**1. PART 1: FEE ASSESSMENT OF THE APPLICATION**

- a. Location of Development .....
- b. Name of Applicant .....
- c. Address of Agent:.....
- d. Telephone No./E-Mail:.....
- e. Name of Agent:.....
- f. Address of Agent:.....
- g. Telephone No E-mail:.....
- h. Type of Development:.....

- 2. **CALCULATION OF FEES**  
**RESIDENTIAL**  
Volume of Building (m3)x R1\*\*
- 3. **COMMERCIAL/IND/INST.**  
Volume of Building (m3) x R2\*\*

**FOR ACCOUNTS USE ONLY**  
Bank Draft No. & Date:.....  
Miscellaneous Receipt No. & Date:....  
Treasury Receipt No. & Date:.....  
Name of officer:.....  
Signature:.....

Date:.....

4. AGRICULTURAL  
Volume of Building (m3)R3\*\*

Office Stamp

5. LAYOUT FEES  
Area of plot (m2) x R4\*\*

\* Such as Residential, Commercial, Industrial, Recreational, Institutional,  
\*\* Where R1, R2, R3 and R4 are rate in ₦ which are determined from time to time.

**PART II: VITAL INFORMATION**  
(To be complied by Applicant for a development permit)

- (1) a. Name of Applicant:.....
- b. Residential Address of Applicant:.....
- c. P.O. Box No.....(d) Phone No./E-mail:.....
- (2) a. Name of consultant Architect:.....
- b. Office Address of Consultant Architect:.....
- c. P.O. Box No:.....(d) Phone No./E-Mail:.....
- e. Practice/Business Name of Consultant Architect:.....
- f. professional registration No:.....
- (3) a. Location of Land:.....
- b. Width (m):.....
- c. Length (m):.....
- d. Area (m):.....
- e. All pillar numbers on survey plan correspond with numbers on block plan and on site  
      Yes/No:.....
- f. if plot is a corner-piece is defined with 2 pillars  
      Yes/No.....
- g. Name on Survey Plan and title documents correspond with that on building plans.  
      Yes/No:.....
- h. Date on Survey Plan.....(i) Ref No of Survey Plan:.....
- i. Origin of Survey Plan.....
- j. Access to land is defined on Survey Plan. Yes/No.....
- k. Street Name:.....
- l. Survey in singular Plan/beacon sheet of block in layout.....
- (4) a. No. of structures existing on land.....
- b. Number of floors (if more than one structure, state per structure).....
- .....
- (5) a. No. of structures proposed on land.....
- b. Number of floors (if more than one structure, state per structure).....
- .....
- a. Height of proposal in metre (if more than one structure, state per  
      structure).....
- (6) If proposal is residential, state type and No. Units.....
- (7) If proposal is commercial. Etc. state (i) Gross floor area (m).....
- (ii) Lettable floor area (m).....

**\* Block of flats, duplexes, fully detached, rooming.**

- (8) Type of interest (tick)
  - a. Freehold      b. Leasehold      c. Power of Attorney      d. Assignment
- (9) Evidence of Ownership:
  - a. Certification of Occupancy
  - b. Conveyance, Number and Date:.....
  - c. Stamp duties purchase Receipts: Date.....
  - d. Assignment Number and date:.....
- (10)
  - a. Availability of public Utilities
    - (i) drainage: Yes/No      (ii) Piped Water: Yes/No
    - (iii) Electricity: Yes/No      (iv) Telephone: Yes/No
  - b. If proposal is public and of high-rise building, provision is made for water sprinkler, underground water tank/overhead water tank (state capacity):.....
  - c. The respective locations of the equipment in (b) above are clearly indicated on drawings with notations, Yes/No.

**PART III: ATTESTATION**

I .....(the intending developer) certify that the information given in paragraph i.....above are true to the best of my knowledge and belief, and I am aware that any false claim by me either to the Urban and Regional Planning Office or any branch of the Government, shall lead to the withdrawal of any approval granted in addition to the penalty that may be imposed under the Urban and Regional planning Legislation and any other relevant law: In addition, I shall engage the services of qualified professionals to supervise the construction job in line with the Urban and Regional Planning (Physical Development) Regulations and Standards.

.....  
Signature of the intending developer or Agent

SWORN TO at.....this .....day of.....20.....

BEFORE ME,

.....  
COMMISSIONER FOR OATHS  
EKITI STATE

In case the intending developer is an illiterate:

SWORN TO at.....this .....day of.....20.....

Before me, I having first truly; distinctly and audibly read over the contents of the application from to the intending developer, being an illiterate and explained the nature and contents of the exhibits there in the ..... Language when he or she appeared perfectly to understand the same, and made his/her marks thereto in my presence.

.....  
COMMISSIONER FOR OATHS  
EKITI STATE

**PART IV: DOCUMENTATION**

Checklist of documents that should accompany each duly completed application form before registration.

- (1) Architectural drawings - 4 sets
- (2) Structural Engineering Drawings - 4 sets
- (3) Sanitary and Plumbing drawings - 4sets
- (4) Electrical Engineering Drawings - 4 sets
- (5) Mechanical Engineering Drawings - 4 sets
- (6) One sun print plan and photocopies to be pasted at the back of the block plans
- (7) Photocopy of payment of assessment fee
- (8) Environmental Impact Analysis Report/Land use Clearance etc.(where applicable)

Received by me.....

(Official of the Ministry/ AURPO)

- (9) Signature.....
- (10) Date.....
- (11) Designation.....
- (12) Office of submission .....

Office Stamp or Seal

**PART V. DESIGN STANDARDS**

(To be complied in the office of submission)

- (1) Type of proposal .....
- (2) Number of floors proposed.....
- (3) Number of floors permissible ..... proposed is .....
- (4) If residential cross ventilation is provided for every habitable room. Yes/No
- (5) If Commercial (etc) adequate natural lighting and ventilation are provided. Yes/No
- (6) If Residential, at least one (1) separate bathroom and 1 separate toilet are provided in every family unit Yes/No
- (7) If Commercial, etc. adequate and separate toilets are provided for male and female. Yes/No
- (8) If Residential and more than one (1) family unit on the top floor, escape staircase is provided Yes/No.....
- (9) If commercial or high-rise, external staircase is provided. Yes/No.....
- (10) Minimum airspace required at rear is.....and provision is .....
- (11) Minimum airspace required is .....and provision on design is .....
- (12) Minimum airspaces required at rear is ..... and provision is .....
- (13) Minimum space required in between buildings in ..... And provision is .....
- (14) Maximum vertical height permissible is..... and provision.....
- (15) A site location plan showing existing and proposed adjacent developments and existing roads, sufficient to locate the building/land is submitted Yes/No.....
- (16) Cantilever provided does not encroach on adjoining properties. Yes/No.....
- (17) If Residential, total No. of family unit proposed is ..... Permissible is .....
- (18) If Commercial, etc. gross floor area is.....m
- (19) Parking layout is indicated on bock plan. Yes/No.....
- (20) a. Parking requirement is ..... b. Parking provision is.....
- (21) Drin is provided at property side abutting access road. Yes/No.....
- (22) Landscaping is provided on design. Yes./No.....
- (23) A detail of Land Use is provided on the Block Plan. Yes/No.....
- (24) Adequate information is provided on the side panel of each drawing. Yes/No.....
- (25) If the proposal is high rise and/ or public building adequate water provision is made in
- (26) (a.) Underground water reservoir. Yes/No..... b. Width.....
- (27) Water hydrant is provided and accessible Yes/No.....

- (28) a. Escape door is provided. Yes/No..... b. Width.....
- (29) a. Escape staircase is provided (a) Yes/No b. Location c. With.....
- (30) I certify that the applicant has satisfied the Building Regulation and other conditions for its acceptance for resignation.
- (31) Name:.....
- (32) Designation:.....
- (33) Signature:.....
- (34) Office:.....
- (35) Date:.....

Stamp of Office

- |   |  |
|---|--|
| (36) Name/Address of Registered Consultants<br>.....<br>.....<br>.....<br>..... | (37) Name/Address of Applicant<br>.....<br>.....<br>.....<br>..... |
|---|--|

**PART VI (A): SITE SKETCH**

**PART VI (B): SITE INSPECTION REPORT**

- (1) Site Report of Plan No.....
- (2) Location of proposal .....
- (3) Type of Proposal .....
- (4) Subject site firm land/Swamp/Slopy/Sandy
- (5) Site is vacant/not not vacant
- (6) a. If proposal is existing, give the following details:
  - (i) Front setback.....m; and is/is not adequate
  - (ii) Rear airspace .....m; and is/is not adequate
  - (iii) Right airspace .....m; and is/is not adequate
  - (iv) Left airspace .....m; and is/is not adequate
- b. Does the building on site conform with the submitted drawing?  
Yes/No.....If not, specify the variance.....
- c. What are the dimensions of all the buildings if there are two or more on the site.....
- d. Do the beacons and their orientation on site conform with those on the drawing and on the survey plan? Yes/No.....
- e. Drin is provided Yes/No ad is in earth/concrete (tick)
- (7) a. Access to the site is a proposed/existing motor able road.
- b. If existing, give name of access.....
- (8) What is the existing use of the following?
  - a. All the buildings on the adjacent plot?.....
  - b. All the buildings (If any) on the site under consideration.....
- (9) The erection of this building and subsequent fencing of the site will obstruct/will not obstruct the natural flow of surface water of the surrounding area.(tick)
- (10) The erection of this building will/will not obstruct an existing/proceed access.
- (11) i. The site fall/does not fall within Government acquisition. It Yes, state the acquisition  
.....
- (12) i. The proposed Land use conforms/ does not conform with the existing general Land Use Regional Plan Zoning of the area.
- (13) Distance to public Utilities

- a. Drainage: Natural/ Artificial .....m
- b. Electricity Transmission Lines (11KV, 33KV, 132KVA, 330KVA).....m
- c. Public water mains .....m
- d. Others (Specify).....m
- e. N.N.P.C.....m
- (14) Proximity to Community Facilities
  - a. Schools. ....m
  - b. P.O.S. ....m
  - c. Hospital .....m
  - d. Others (Specify) .....m
- (15) Name of Inspector .....
- (16) Designation .....
- (17) Signature .....
- (18) Date of Inspection .....

**PART VI: CHARTING REPORT**

- (1) File Reference .....
- (2) Name of Applicant .....
- (3) Name of Survey Plan .....
- (4) Survey Plan No .....
- (5) Date of Survey Plan .....
- (6) Description of site .....
- (as shown on survey Plan)
- (7) Site charted on:
  - a. (i) Regional Map. ....
  - (ii) Zoning for subject site .....
  - b. (i) Name/No. of Layout for the Area..... Date.....
  - (ii) Designated Land Use of subject site..... Date.....
  - (c) (i) Name/No. of Layout for the Area..... Date.....
  - (ii) Designated Land Use of subject site..... Date.....
  - (d) (i) Drainage Map (Specify Drainage).....
  - (ii) Subject site falls/does not fall within drainage alignment.....
  - (e) (i) Cut sheet (Specify sheet)..... Date.....
  - (ii) Subject site falls/does not fall within the cut sheet.....
  - (f) (i) Others (Specify).....
  - (ii) Subject site falls/does not fall within.....
- (8) a. Survey Plan has been charted on all relevant Maps. Yes/No.....
- b. If not, give reasons: .....
- .....
- .....
- .....
- .....
- .....
- .....
- .....
- (9) Charting Officer's Remarks:
  - a. I, .....hereby confirm that the information given in Part VII (1-8) above are to the best of my knowledge the correct charting information.
  - b. Name .....



- c. Signature: .....
  - d. Designation: .....
  - e. Date: .....
  - f. Supervisory Officer's Confirmation.
  - g. I, ..... have cross-checked the relevant maps and schemes were used for the information given in PART VII (1-8) above.
  - h. Name:.....
  - i. Signature: .....
  - j. Designation: .....
  - k. Date: .....
- (10) Supervisory Officer's Confirmation.
- a. I, ..... have cross-checked the above charting done by .....and hereby confirm that all relevant maps and schemes were used for the information given in PART VII (1-8) above.
  - b. Name .....
  - c. Signature: .....
  - d. Designation: .....
  - e. Date: .....

**PART VII: VETTING OFFICER'S REPORT**

- 1. ASSESSMENT OF ARCHITECTURAL PLANS OK/Not ok
  - a. Name .....
  - b. Signature.....
  - c. Designation:.....
  - d. Date: .....
- 2. ASSESSMENT OF STRUCTURAL DRAWINGS/PLANS/CALCULATIONS: Ok/Not/Ok
  - a. Name .....
  - b. Signature.....
  - c. Designation:.....
  - d. Date: .....
- 3. ASSESSMENT OF ANY OTHER DRAWINGS SUBMITTED Ok/Not Ok.
  - a. Name .....
  - b. Signature.....
  - c. Designation:.....
  - d. Date: .....
- 4. VETTING & RECOMMENDATION:

**(1) PART IX: ACKNOWLEDGEMENT**

Ekiti State Ministry of Lands, Housing and Urban  
Development.  
(Development Control Department)  
.....Office,  
Date.....

To:  
.....  
.....  
.....  
.....

**Re: Building Development Permit Application No:.....**

In respect of ..... I hereby acknowledge the receipt of Building Development Permit Application of the above-named and the following enclosures:

- (i) (a) .....
- (b) .....

- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (ii) Other documents yet to be submitted are:
- (a) .....
- (b) .....
- (c) .....
- (d) .....
- (e) .....
- (f) .....
- (2) Applicant is advised to check up on the approval of this application after 6 weeks of submission, subject to item (ii) above.
- (3) Approved plans will not be released without complete documents.

.....  
For: Hon. Commissioner

**SCHEDULE 3: PROFESSIONAL SKILLS REQUIRED FOR PREPARATION OF BUILDING DEVELOPMENT PLAN**

CATEGORIES OF PROFESSIONAL REQUIRED TO PREPARE AND SUBMIT DRAWINGS												REQUIRED DRAWINGS			Remarks
S/N	Type of Building Plan	Regd Urban	Regd Arc Eng	Regd S/C Eng	Regd E/Eng	Regd M/Eng	D/m	Others	Location Site Plan	Arch Dwg	Stur Drwg	Sanitary/Plumb Drwg	Ele c Drwg	Me c Drwg	
(1)	Category A Bungalow	X	x	X	-	-	x	-	x	x	-	x	-	-	Structural Drawing Required for Complicated structure proposed on weak sub-soil
(2)	Category B Structure bungalow and Up to 4 floors but not more than 8 family unit	-	X	X	X	-	-	-	x	x	X	x	x	x	electrical/plumbing and mechanic drawing obligatory except for structures in category C
(3)	Category	-	X	X	X	X	-	x	x	x	X	x	x	x	(ix)

y C All other Structur es above 4 floors and or all Commer cial, Industri al, Recreati onal and Agricult ural uses, public building and multiple units residenti al complex es													Environm ental Imapct Analysis (E.I.A) report prepared by a Regd Town Planner ii) Sub-soil Investigati on Report prepared by Registered Engineer.
--	--	--	--	--	--	--	--	--	--	--	--	--	---

NOTE: Submission of Maintainability Analysis Report by a Registered Builder may be required in certain circumstances.

**SCHEDULE 4: LETTER TO EFFECT AMENDMENT ON BUILDING PLAN**

Office of Issue.....  
.....  
.....

The Applicant  
.....  
.....  
.....

**LETTER TO EFFECT AMENDMENT ON BUILDING PLAN**

- (1) In the course of processing your application number .....for building Development permit submitted to this office on ..... Day of 20..... it was discovered there is a need to effect the following amendments(s).
- (a) .....
  - (b) .....
  - (c) .....
  - (d) .....

- (e) .....
- (f) .....
- (2) You are requested to submit the amendment(s) to this office with 21 days receipt of this letter, failure to which your application will be disapproved.
- (3) Thank you for your cooperation.

.....  
For: Hon. Commissioner

**SCHEDULE 5: (SECTION 13)**  
**ZONING CLASSIFICATION AND PLOT SIZES**

<b>Use Zone</b>	<b>Plot Size (min)</b>	<b>Maximum Coverage Per plot</b>	<b>parking Requirements</b>	<b>Recommended Complimentary Users</b>
Low Residential Density	1000m <sup>2</sup>	50%	2 per family Unit	Boy's quarters Bungalow of 2 rooms per unit or Guest chalet (Bungalow) Pent Floor where specified in the approval order
Medium	864m <sup>2</sup>	50%	2 per family Unit	Boy's quarters of 1 room per unit.
Density/residential/High Density residential Others shall be as specified in the relevant schemes plans operated for an area	648m <sup>2</sup>	50%	6 per family unit	
Commercial: Office blocks, restaurants etc)	1000m <sup>2</sup>	60%	1 per every 90m <sup>2</sup> of Office area; 1 per 75m <sup>2</sup> for restaurant	In some Residential zone services flat on top offer only to cover 30% of the total area.
Industrial (light)	1500m <sup>2</sup>	60%	1per every 90m <sup>2</sup> . of usable floor area 21 per 60m <sup>2</sup> lettable area for restaurant	Commercial Offices of not more than 4 floors. Restaurant 10% of total Land area for residential Staff quarter.
Heavy Industrial	5000m <sup>2</sup>	60%		

Place of Worship	1300m <sup>2</sup>	50%	1 per 10 members of congregations or 1 parking Space per 60m <sup>2</sup> in built-up area.	Vicarage, Toilet other residential quarters of not more than 2 floors or 2 units.
Educational Institutions				
Creche	648m <sup>2</sup>		1 per 65m <sup>2</sup> of school space; 1 per 90m <sup>2</sup> in built up area	Dormitory, Hostels, Administrative Block, Gate or Security Post, Play areas, Assembly Halls, Overhead water tanks etc.
Creche/Nursery School	1200m <sup>2</sup>			
Nursery/Primary School	2000m <sup>2</sup>	50%		
Secondary School	2500m <sup>2</sup>			
Event Centre	5,000m <sup>2</sup>			
Big Hall( more than 200 seats)	2500m <sup>2</sup>	50%		Must not be on high street or highway.
Small Hall(less than 200 seats)	1500m <sup>2</sup>			
Clinic	648m <sup>2</sup>	50%	1 per 65m <sup>2</sup> of clinic space or 1 per 3 hospital bed or 1 per 100 sq.m. of usable area or facility	Doctor's Quarters, Mortuaries Maintenance Yard, Personnel quarters, large parking area, over head or underground water reservoir etc.
Hospital	10,000m <sup>2</sup>			
Petrol/Gas Filling Station	New 1200m <sup>2</sup> /built up 1000m <sup>2</sup> with minimum front width of 30m & where the site is at the junction of 2 primary roads, with a min. frontage of 45m	50%	Large area for car parking	Restaurant Supermarket, Car Care Centre, Mechanic repairs shops, air Gauge pump, car wash, public toilets.

**SCHEDULE 5B: USE CLASSES ORDER- As may be specified by the Ministry or AURPO**

**SCHEDULE 6: LETTER OF CONDONATION**

Office:.....

.....  
S/N:.....

Owner/Occupier  
.....  
.....

**LETTER OF CONDONATION**

- (1) Further to the inspection of the above building carried out at No..... the building is hereby granted condonation status.
- (2) You are however, to note that the structure shall continue to be condoned so long as it does not constitute any future and environmental nuisance including but not limited to obstruction of future access road, drainage channel, public utility lines and other infrastructural facilities and shall be summarily removed when the need arises,
- (3) Pursuant to the above you are hereby requested to pay to Ekiti State Government a condonation levy of ..... Within two (2) weeks of this letter, failure which the grant will be deemed rejected and will lapse.
- (4) You are to note that this amount is payable as renewal fee and becomes due on the first day of every year and subject to review without notice.

.....  
For: Hon. Commissioner

**SCHEDULE 7: VOIDING OF APPROVED DEVELOPMENT PERMIT**

Office:.....  
.....  
S/N:.....

Owner/Occupier  
.....

**VOIDING OF APPROVED DEVELOPMENT PERMIT**

Upon inspection of your development at No.....It was observed that:

- (1) The building development permit granted in respect thereof:
  - (a) Was obtain by fraud or misrepresentation; (specify the fraud or misrepresentation)
  - (b) was overtaken by a later public purpose (state the public purpose)
  - (c) the building is being built contrary to the building development permit granted.
  - (b) any other (specify).....
- (2) Take Notice that the said Development Permit granted therefore is no longer valid and is hereby withdrawn accordingly:
- (3) In effect the said development is no longer covered by any Building Development Permit and may be demolished after the service of all necessary notices.

.....  
For: Hon. Commissioner

**SCHEDULE 8: BUILDING DEVELOPMENT PERMIT**

Office of Issue:.....  
.....  
S/N:.....

The Applicant

.....  
.....

Take notice that a Building Development Permit is hereby granted under the provisions of the Ekiti State Building Regulations 2017 to erect a building with the following particulars.

- 2(a) Application Registration No.....
- (b) Building Development Permit No.....
- (c) Location of Development Permit No.....
- (d) Type/Use..... (e) No. of Building.....
- (f) No. of Floors.....(g) No. of units.....
- (h) Total Floor Area (if others).....

- 3. The grant of the Development Permit is however subject to the following conditions;
  - (a) Every Developer shall give formal notice of his or her intention to commence development not less than 7 days before the actual date of commencement.
  - (b) The site must be clearly demarcated in accordance with the site plan and be made ready for development.
  - (c) The building shall be developed in accordance with the details of the approved development permit (Building Plans).
  - (d) The development must comply with conditions stated in schedule 10.
  - (e) The owner or developer of the building shall not occupy or permit it to be occupied before obtaining a certificate of fitness of Habitation duly issued by the Board.
- 4. Failure to comply with any of the above conditions may render the permit granted null and void and the building liable to demolition at cost to the owner or developer.

Dated this.....day of .....

-----  
Hon. Commissioner

**SCHEDULE 9: LETTER OF WITHDRAWAL/REVOCATION OF DEVELOPMENT PERMIT**

Office of Issue:.....  
.....  
.....  
S/N:.....

The Owner

.....  
.....  
.....

**WITHDRAWAL/REVOCATION OF DEVELOPMENT PERMIT**

Upon inspection of your development No:.....

It is observed that the development on the site:

(a) Contravenes the stipulated conditions for which the permit was granted (specify the contravention). Specifically you have contravened regulations ----- of the Ekiti State Building Regulations 2017.....

(b) Has been overtaken by a development, which is targeted at the larger public (state the public development).....

(c) Was gutted by fire, collapsed or damaged by other disasters.

(d) Was obtained by fraud/misrepresentation (specify).....

2. TAKE NOTICE that the Development permit given to you in respect of the development of the said land is no longer valid and is hereby withdrawn in accordance with section 34 of the Urban and Regional Planning and Development Law No. 16 of 2011 under reference. The effect of the withdrawal of the permit is that your development is no longer covered by any development permit and should be removed by you within seven (7 days from the service of this notice.)

3. TAKE FURTHER NOTICE that should the State Government effect the removal regulation 51 shall be invoked on you as the owner/developer.

#### **SCHEDULE 10: FIRE SERVICE REQUIREMENTS FOR DEVELOPMENT PERMIT IN EKITI STATE FOR RESIDENTIAL USE: DWELLING HOUSES OF THREE OR MORE FLOORS IN HEIGHTS ABOVE GROUND LEVEL**

##### **1. STAIRCASE.**

- a. A protected staircase delivering to a final exist on the ground floor shall connect with the floors.
- b. Any cupboard within a protected staircase shall be enclosed with fire resisting construction and the door shall not be self-closing or be permanently marked 'KEEP SHUT'.
- c. Any garage shall be separated from the dwelling house by fire resisting construction and the floor shall not be less than 1m BELOW THE LEVEL OF THE STAIR OF ANY DOORWAY CONNECTED WITH THE DWELLING HOUSE.
- d. An alternative means of escape shall be provided in all buildings above the second floor (i.e first slab after ground level) which may be by way of:-
  - (i) An additional protect staircase, independent of the main protected staircase or an external staircase delivering to a final existing at ground level.
  - (ii) A linking balcony connecting with adjoining building with ingress thereto;
  - (iii) Access to the roof whether direct or by way of flight of stairs and a dormer window, and hence to the roof of an adjoining building with ingress thereto by a safe and easy route.
  - (iv) In case of a dwelling house not exceeding four floors (three suspended slabs) in height but which as a building on two floors (i.e one suspended slab) is at a height greater than 6 metres above ground level the principles of items above shall be complied with.
    - (i) Such open plan floor is separated completely from the floors above vy fire resisting construction and a fire-resisting door at the head of the staircase in the open planned building, self-closing door shall be provided at the head of the staircase;
    - (ii) The staircase shall be protected by fire resisting construction throughout its remaining height; and
    - (iii) An alternative means of escape is provided from the floor above the
    - (iv) Open plan building.

##### **2. DEAD END CORRIDORS**



a. Dead end corridors shall be avoided wherever possible. Where the provision of a dead-end corridor is unavoidable, it shall not exceed 7.5m in length measured from the door of the furthest room in the dead end to either.

(a) The building exit; to

(b) a point from which escape is available in opposite directions.

b. Where a dead end corridor (or entrance hall of a suite of rooms) joins a main corridor from which escape is possible in two opposite directions, it shall be separated from both sections of the main corridor by self closing smoke stop and no door other than doors to bedrooms; bathroom and toilet open off the dead end corridor.

c. The overall distance from the furthest door in the dead end corridor to a floor exit shall not exceed 30m. Except as permitted by (Special provisions for small premises) no dead end corridor shall connect directly with a protected staircase unless provisions is made to by-pass such staircase so as to provide a route of escape to an alternative floor exit without having to pass through the protected staircase.

In this case, the dead end shall be separated from the protected staircase and the alternative means of escape by fire resisting construction.

**3. GENERAL FOR ALL BUILDINGS**

a. Artificial lighting and safety by lighting shall be provided

b. Fire fighting equipment, fire alarms and automatic detection systems (e.g smoke detection) together with fire instructions to staff and guest shall be provided.

c. Adequate provision shall be made for the storage of unused furniture, mattresses, linings, refuse awaiting disposal, etc. Storerooms and cupboards utilized for this purpose and other rooms containing fire risk items shall be totally enclosed by fire resisting construction. Fire resisting self-closing door 25mm thick to such room shall be kept and locked when not in immediate use and be permanently marked “KEEP SHUT” written in bold letters.

d. (i) Lift shall comply with the constructional equipments;

(ii) Where lifts deliver directly into corridors serving bedroom floors and such lifts also communicate with buildings over one floor containing fire risk areas below, e.g kitchens, lounges storage etc., the lift s shall be separated from the fire risk areas by protected lobbies.

(iii) Any lift connecting with a basement or sub-basement of a building shall be separated from such a building by a protected lobby having an area of not less 4 sqm.

**e. WIDTH OF ESCAPE ROUTES AND EXIT FORM A BUILDING ABOVE ONE FLOOR**

(1) The minimum width of any escape route within a building above one floor and any exit leading there from shall not be less than the width indicated in the table below.

Maximum no of persons per floor	50	220	240	260	280	300	320	340	480
Width (Meters)	0.760	1.000	1.200	1.300	1.400	1.500	1.600	1.700	1.800

(2) Hotels come within the other residential use group of buildings for the purpose of the Regulations and it is these regulations which limit the floor area and cubic volume of each storey building (of compartment).

In general, the design of hotel is such that the bathrooms, conference rooms, bars, restaurants and kitchens are on the lower floors whilst the upper floors, are given over to the bedrooms and suites. Sometimes however the pattern is changed and a topmost floor contains a dance floor and restaurant.

The floors containing the rooms and suites are compartments with corridors of up to 36 metres long, the bedroom doors opening on to those corridors. Every hotel shall ensure that alternative means of escape, fire hydrants, directional signs, emergency lighting, alarm system and fire extinguishing equipment are provided.

**4. INSTITUTIONAL BUILDINGS/ (I.E SCHOOLS, HOSPITALS ETC.)**

(1) The above designation includes building that are used as hospital, homes, schools and similar establishments where persons in need of treatment or care can sleep on the premises.

No single specific form of construction is used for building in this group, preferable; they shall be single storey unit-type building and modern steel framed multi-storey building. The building regulations recognized the life risk in premises in the use category and require new and converted buildings to have substantial stability, resisting compartmentalization and also limit the floor area of each floor. Safety requirement needed for these purpose are; installation of fire hydrants, heat detector, flame detectors, automatic sprinkle system, manual and electrically-operated fire alarms and fire Extinguishers.

**(2) FIRE RESISTING DOORS AND SHUTTERS**

Building regulations require certain openings in compartment walls to be protected by fire resisting doors. A fire resisting door when exposed to test by fire shall retain its.

- (a) Stability for 30 minutes; and
- (b) Integrity for 30 minutes.
- (c) .....
- (d) .....
- (e) Other documents to be submitted are:
  - (i) .....
  - (ii) .....
  - (iii) .....
  - (iv) .....
  - (v) .....

- (3) You are hereby advised to check up on the removal of this application within 6 weeks of submission, subject to items (ii) above
- (4) Please take note that no Development Permit will be issued without complete documents.
- (5) Any application not granted Building Development Permit within three (3) months of submission should be deemed disapproved.

**5. COMMERCIAL BUILDING  
SHOPPING PLAZAS, OFFICES, FACTORIES, WAREHOUSES, SHOPS AND  
DEPARTMENTAL STORES, MARKETS, STADIA AND PUBLIC BUILDINGS, ETC.**

Means of escape in case of fire from building in which people work that is, buildings used for offices, factory and warehousing purposes.

- (1) The owner of such building shall be advised to comply with the Ekiti State Fire Service Requirements before the building is occupied, and provided that the said requirements are complied with, by installing to the satisfaction of the Ekiti State Fire Service, the required fire fighting equipment. No additional requirement shall be made prior to the issue of a certificate and the Ekiti State Fire Service Clearance shall be required before any intending alteration, or renovation of any existing building is granted approval under these regulations.

- (2) All commercial or public building in the State shall have at every floor, in-built fire protection equipment approved by the Ekiti State Fire Service.
- (3) Design guideline in respect of precautions against fire in commercial and public buildings in Ekiti State shall be directed towards the safety of lives by:-
  - (a) Planning escape routes;
  - (b) Construction and finishing with non-hazardous materials and embodying adequate fire resistance in the structure;
  - (c) Planning to prevent spread of fire;
  - (d) Segregating the high risk area (e.g the selling areas)
  - (e) Provision and installation of fire protection equipment such as heat detectors, smoke detectors, flame detectors, automatic sprinkler systems, manual and electricity operated fire alarm.

**6. PUBLIC BUILDING**

All Institutions, commercial, recreational, offices, factories, Departmental stores, etc. must have provision for easy ingress and egress of disable persons. Special provisions must be provided to allow their movement and enjoyment of these Land use activities easy and safe for the disable.

**SCHEDULE 11: APPLICATION FORM FOR CERTIFICATE OF COMPLETION AND FITNESS FOR HABITATION**

**FORM C**

- (i) Owner .....
- (ii) Address of Owner.....
- (iii) Name of Developer .....
- (iv) Address of Developer .....
- (v) Name of registered Builder .....
- (vi) Address of Builder.....
- (2) Approved Building Plan Number.....
- (3) Site/Location of Development .....
- (4) Dimensions and Size of plot.....
- (5) Predominant Land Use in the Area.....
- (6)
  - a. No of structures under construction on site.....
  - b. No of Floors (if more than one structure, state per each).....
  - c. Height of structure(s) in meters (if more than one, site for each).....
- (7) Gross Floor Area.....
- (8) If residential, Block of Flats, State No of Flats.....
- (9) If residential Rooming House, State No of Rooms.....
- (10) Name/Type of Access.....
  - a. Vehicular.....
  - b. Pedestrian.....
  - c. Other.....
- (11) Actual Setback from..... Metres
  - a. Actual road..... Metres
  - b. Canal/Drains..... Metres
  - c. WATER Body..... Metres
  - d. NEPA High Tension Cable..... Metres
  - e. NNPC Installations..... Metres

- f. (i) Others (Specify).....Metres  
 g. (ii) ..... Metres
- (12) Actual Airspace on:  
 (i) Front..... Metre  
 (ii) Rear..... Metres  
 (iii) Right Side..... Metres  
 (iv) Left Side..... Metres

(13) Availability of public utilities in the area

	Yes	No
(i) Drainage Network	_____	_____
(ii) Pipe-borne Water Supply/Borehole	_____	_____
(iii) Electricity	_____	_____
(iv) Telephone	_____	_____

(14) Inspection of stages of completion to be supervised and certified by appropriate Engineer, Builder, and Architect registered to practice in Nigeria.

i.Re-examine and confirm: Foundation Dug, and Concrete about to be poured

Date	Name/Signature of Supervising Engineer/ Builder	Comments. Satisfactory-Not Satisfactory
		ii. Decking: Pouring of concrete on every floor
	Name/Signature of Supervising Engineer/ Builder	Comments. Satisfactory-Not Satisfactory
1 <sup>st</sup> Floor		
2 <sup>nd</sup> Floor		
3 <sup>rd</sup> Floor		
4 <sup>th</sup> Floor		
5 <sup>th</sup> Floor		
6 <sup>th</sup> Floor		

(If above 6 floors separate sheet must be attached).

- (i) Name and Signature/ Stamp of Supervising Engineer/Builder.....  
 .....
- (ii) Trade Name and Address:.....

(15) Assessment of works: Construction made by qualified Builder registered with CORBORN and by qualified Architect (Registered by ARCON) appointed by the owner/Developer

**MATERIAL USED**

- |            |                |                  |              |
|------------|----------------|------------------|--------------|
| Acceptable | Not Acceptable | Not Satisfactory | satisfactory |
|------------|----------------|------------------|--------------|
- a. Flooring .....
  - b. Walling .....
  - c. Ceiling .....
  - d. Roofing.....
  - e. Flooring .....
  - f. Joinery .....
  - g. Ironmongery.....
  - h. Glazing .....
  - i. Signature and stamp of the Builder.....  
Practice/Business Name Address.....
  - j. Signature and Stamp of the Arch:  
Practice/Business Name Address.....

(16) Assessment of infrastructure/ utility services (To be completed by registered service Engineer appointed by the Developer/Owner).

**MATERIAL USED**

**WORKMANSHIP**

- |            |                |              |                  |
|------------|----------------|--------------|------------------|
| Acceptable | Not Acceptable | Satisfactory | Not satisfactory |
|------------|----------------|--------------|------------------|
- a. Electrical Installation .....
  - b. Plumbing Works.....
  - c. ....
  - d. ....
  - e. Safety Precautions.....
  - f. Name, Signature/ Stamp of the Supervising Engineer/Builder.....  
.....
  - g. Name, signature/ Stamp of the Supervising Mechanical Engineer .....
  - Trade Name and Address:.....
  - h. Name, signature/ Stamp of the Supervising Mechanical Engineer .....
  - Trade Name and Address:.....

(17) Source(s) of Finance, if more than one, indicate properly .....

(18) Date of Completion.....  
.....  
(i) Engineer.....  
(ii) Builder.....

(19) I .....the Applicants supervising Engineer/Builder/Architect certify that the information given by me this form are to the best of my knowledge true and that I am aware that any false claim by me either to the Town Planning Officer or any branch of Government shall render the certificate issued there from null and void in addition to the penalty that may be imposed under the relevant Urban and Regional Planning Law.

- |  |                              |
|--|------------------------------|
| i. Name.....                           | ii. Name.....                |
| Address.....                           | Address.....                 |
| Signature of the Supervising Architect | Signature of the Supervising |
| .....                                  | .....                        |
| iii. Name.....                         |                              |
| Address .....                          |                              |

Signature of the Supervising Builder

Sworn to at the ..... this .....  
Day of ..... to .....

.....  
*Commissioner for Oaths*

**FOR USE OFFICIAL ONLY**

- (20) Building completed and ready for habitation Yes/No.....
- (21) Environmental Assessment.....
  - (i) Drain Works: Satisfactory/Not Satisfactory, Expatriate.....
  - (ii) Landscaping: Satisfactory/Not Satisfactory, Expatriate.....
- (22) Any structure alteration/change/deviation from the approved Building plans.  
.....  
If yes, request for type of alteration/ change and deviation with reason and impact/effect on the building.....
- (23) General Comments by the Inspecting Officer

**DATE                      NAME/SIGNATURE OF INSPECTING OFFICER    COMMENTS**

**Name of supervising/Officers**

- (1) Architect.....
- (2) Engineer .....
- (3) Builder .....

**Registration Particular**

- (1) Architect.....
- (2) Engineer .....
- (3) Builder .....
- (24) Inspecting Officer .....based on the above information hereby recommend this application for the issuance of eth Certificate of Completion and fitness for habitation.  
Signature ..... Date .....  
Rank/Post.....  
(Must be an Engineer/Builder/Architect of the Town Planning Office).

**SCHEDULE 12: CERTIFICATE OF COMPLETION AND FITNESS FOR HABITATION**

Certificate Number.....

The Owner/Occupier  
.....  
.....  
.....

**CERTIFICATION OF COMPLETION AND FITNESS FOR HABITATION**

This certified of completion and Fitness for Habitation is issued to .....  
..... In respect of property at no. ....

- (2) Details of approved development permit
  - a. Permit Number/Date.....
  - b. Approved Use .....
  - c. Number of Floors/Height .....
  - d. Number of Units (if residential).....
  - e. Total Floor area (Commercial/Institution only) .....
  - f. Date of Completion .....
- (3) Any alternation on the structures after the issuance of this certificate renders this certificate null and void.

Dated this ..... Day of ..... 20.....

Officer of issue .....

.....  
For. Hon. Commissioner

**SCHEDULE 13: STOP WORK ORDER NOTICE**

Office of Issue .....  
S/N .....

The Owner  
.....  
.....  
.....

Upon inspection of the building under construction at No.....

It is observed that:

- a. It has no Building Development Permit
- b. It does not comply with the development permit granted by this office
- (2) Stage of work .....
- (3) TAKE NOTICE that all further developments on the said Land should stop from the service of this NOTICE on you.  
Date this .....day of ..... 20.....

.....  
For: Hon. Commissioner

**SCHEDULE 14: STOP WORK ORDER NOTICE**

Office of Issue .....  
S/N .....

The Owner  
.....  
.....  
.....

**CONTRAVENTION NOTICE**

Upon inspection of the property at .....

It appears that the provisions of the Ekiti State Physical Development Regulations have been contravened.

- (2) Your contravention consists of the following:
  - a.....
  - b.....
  - c. ....
  - d. ....
  - e. It does not comply with development permit granted by this office.
- (3) Stage of work.....
- (4) If you dispute the above contravention, you are requested to bring all documents in support of your case including your Building Development Permit to the undersigned within 24hours of the services of this notice on you.
- (5) If you do not dispute the contravention, you are hereby ordered to remove the said contravention.
- (6) If you fail to remove the said contravention within .....days from the date of service of this notice, the said contravention shall be demolished after service of demolition notice on you while appropriate statutory sanction would be employed subsequently on you.

Dated this ..... Day of .....20.....

.....  
For: Hon. Commissioner

**SCHEDULE 15: QUIT NOTICE**

Office of Issue .....  
S/N .....

The Owner  
.....  
.....  
.....

**QUIT NOTICE**

Sequel to the following:

- (a) Inspection of the property .....
  - (b) Contravention Notice No.....
  - (c) Stop Work Order No .....
  - (d) Demolition Notice No.....
2. This Office has observed that:
- (a) .....
  - (b) .....
  - (c) .....
  - (d) .....



3. In view of the above, you are hereby advised to remove all valuables and vacate the property within .....days from the date of the service of this notice.
4. Take note that the Board/LPO will not be liable for any loss or damages whatsoever arising from your failure to comply with the advice given above  
Date this .....Day of .....20.....

.....  
For: Hon. Commissioner

**SCHEDULE 16: SEAL UP NOTICE**

Office of Issue .....  
S/N .....

The Owner  
.....  
.....  
.....

**SEAL UP NOTICE**

1. Sequel to the following:
  - i. Inspection of the property .....
  - ii. Contravention Notice No.....
  - iii. Stop Work Order No .....
  - iv. Quit Notice No .....
  - v. Demolition Notice No.....
  - vi. Withdrawal/ revocation of former approval .....
2. Take notice that the building/s is hereby sealed pursuant to the provisions of Ekiti State Building Bye Laws and Subdivision Regulations 2017 from the date of service of this notice.
3. TAKE NOTICE that any forceful entry shall attract the relevant penalty as prescribed under the regulation.

Dated this .....day of .....20.....

.....  
For: Hon. Commissioner

**SCHEDULE 17: DEMOLITION NOTICE**

Office of Issue .....  
S/N .....

The Owner  
.....  
.....  
.....

**DEMOLITION NOTICE**

I refer to the contravention Notice No.....dated

.....  
This Office has observed that you have not complied with the instruction contained in the said notice.

3. Notice is hereby given that if the said contravention is not removed within .....days from the date of this notice, the said contravention shall be demolished and the cost of such demolition recovered from you.

Dated this .....day of .....20.....

.....  
For: Hon. Commissioner

**SCHEDULE 18: DEMOLITION PERMIT**

Office of Issue .....  
S/N .....

The Owner

.....  
.....  
.....

**DEMOLITION PERMIT**

1. Sequel to your application to demolish an existing building situation at .....
2. This Ministry/AURPO hereby grants your application subject to the following conditions.
  - i. Submission of the evidence of ownership of the demolished
  - ii. Submission of land title document
  - iii. Submission of the building approval of the structure to be demolished
  - iv. Submission of letter or undertaking to supervise the demolition by a Civil/ Structural Engineer registered to practice in Nigeria.
3. Please note that this permit is not an approval to commence reconstruction on the site.

.....  
For: Hon. Commissioner

**SCHEDULE 19: PHYSICAL PLANNING GUIDELINES  
GUIDELINES FOR PREPARATION OF RESIDENTIAL LAYOUT IN EKITI STATE**

- (1) Land Use Analysis

- a. Less than One hectare  
Road only is mandatory

	<u>Land Area/Land Use</u>	Proportion of Land Use
b.	1-2 hectares	
	- Residential	65% -70%
	- Open Space	3%
	- Public Use	3%
	- Commercial	3%
	- Road	12% -22%
c.	More than 2 hectares but less than 10 hectares	
	- Residential	65% -70%
	- Open Space	3%
	- Public Use	3%
	- Commercial	3%
	- Road	12% -22%
d.	More than 10 hectares but less than 25 hectares	
	- Residential	65% -70%
	- Open Space	4%
	- Public Use	4%
	- Commercial	3%
	- Road	12% -24%
e.	Above 25 hectares	
	- Residential	60% -65%
	- Open Space	5%
	- Public Use	5%
	- Commercial	3%
	- Road	12% -24%

**(2) Plot sizes and Density:**

- (i) The plot size for low; medium and high densities is 30mx60m, 24mx 36m and 18m x 36m respectively: The density proportions can be to clients dictate.
- (ii) Lot design in respect of lower standards may be considered on its own merit.
- (iii) Special standards can be allowed in estate development project based on its own merit

**(3) Roads**

Minimum size of road is 12m. However, in special cases referred to in ii and iii above, other sizes may be considered. Similarly, higher hierarchies of roads are expected in schemes having more than one neighborhood.

**(4) Scale of Drawing:**

The scale of drawing should either be 1:1000 or 1:2500 or any convenient scale.

**(5) Submission**

- i. One set of draft report and design to be submitted to Town Planning Department for vetting before final production.
- ii. Final submission will be 5 copies of report and six (6) copies of drawings.

iii. Soft copy of submission should be supplied too.

**(6) Presentation**

Final drawings and reports should be stamped, sealed and signed by a TOPREC registered Town Planner.

**SCHEDULE 20:  
APPLICATION FOR CLEARANCE TO PREPARE A PRIVATE SCHEME ON  
UNDEVELOPED/ DEVELOPED LAND IN .....  
(Name of Town or Village)**

FORM PSC NO \_\_\_\_\_

- (1) Applicants' Full Names/Family Names: Mr/Mrs/Dr/Chief \_\_\_\_\_
- (2) Present Contact Address in Nigeria \_\_\_\_\_
- (3) Permanent Contact Address in Nigeria if different from 2 above \_\_\_\_\_
- (4) Corporate name registered under the Companies and Allied Matter Act or Co-operative Names if registered under the Co-operative Law \_\_\_\_\_
- 
- (5) (a) Registration details of paragraph 4 e.g photocopy of Registration Certificate  
(b) State Capacity in which the property is owned e.g by inheritance, lease etc. \_\_\_\_\_
- (6) State whether the property is to be used for Residential, Commercial, Industrial or Residential cum Commercial, Residential cum Industrial, Commercial Cum Industrial, any other (Specify) \_\_\_\_\_
- (7) Describe approximate location of property \_\_\_\_\_
- (8) Approximate size of property \_\_\_\_\_
- (9) Evidence of title e.g Certificates of occupancy, Agreement, Receipts, Letter etc. with stamp duty in Ekiti State. \_\_\_\_\_
- (10) How much are you prepared to invest on developing the scheme or to complete it \_\_\_\_\_
- (11) How soon are you prepared to make the investment \_\_\_\_\_
- (12) Occupation of Applicant \_\_\_\_\_
- (13) Name and address of current employer (If any) \_\_\_\_\_
- (14) Any relevant information \_\_\_\_\_
- (15) Receipt for a sum of N \_\_\_\_\_ being the application fee must accompany each Completed application form \_\_\_\_\_
- (16) I/we realize that it is an offence to make a false claim /statement on this form and if approved, shall/ may be revoked.  
(a) I/we undertake to pay all necessary fess due in respect of this application.

\_\_\_\_\_  
Usual Signature or Thumb Print  
Of Application or his/her Representative/TOPREC Registered Town Planner(s)

\_\_\_\_\_  
Date

(If on behalf of a corporate body, state position held)

I make this solemn declaration contentiously. Believing same to be true by virtue of the provision of the Statutory Declaration law:

Declared at \_\_\_\_\_ this \_\_\_ day of \_\_\_\_\_

Commissioner for Oath

**FOR OFFICIAL USE ONLY**

- i. File No \_\_\_\_\_
- ii. Application fee of \_\_\_\_\_ paid on R.V. No \_\_\_\_\_
- iii. date received \_\_\_\_\_ (iv) Date Permit is granted \_\_\_\_\_
- iv. Action/Schedule Officer's Name and Signature \_\_\_\_\_
- v. Other payment with detailed guide-line collected by me \_\_\_\_\_
- vi. Letter of Permit with detailed guide-lines collected by me \_\_\_\_\_  
Signature & Date
- vii. Name in dull \_\_\_\_\_
- viii. Address \_\_\_\_\_

**SCHEDULE 21 STANDARD FOR SITING TELECOMMUNICATIONS MASTS AND TOWERS IN EKITI STATE, NIGERIA**

- (1) Telecommunications Towers are of various types and range in height from 30 meters to 300 meters.  
There are 3 general forms of telecommunication Towers. These are:
  - (a) Monopolies that consist of tapered steel tubes that fit each other to form a stable pole.
  - (b) Guyed Towers that are stabilized by tethered wires
  - (c) Self-supporting Towers that are free standing lattice structures.
- (2) Free standing masts should not exceed 150 metres in height wires
- (3) No mast or Tower (irrespective of the height) shall be allowed close to any airport or helicopter pads and their approaches except it has obtained a prior approval and permit from Nigeria Airspace Management Authority (NAMA).
- (4) One parking/ loading space is required to serve each telecommunication towers site.
- (5) Any tower site lying 50 metres or less from a paved road shall be paved.\
- (6) an opaque screen at least 2.5 metres in height must surround the base of a telecommunication tower.  
The screening shall include landscaping provisions of any portions of the development visible from adjacent residential or used property or right –of –way. The use of barbed wire or other security fencing materials shall be allowed. Screening requirements may be waived if the design of the tower if the tower is found to be computable with the adjacent land-uses.
- (7) A tower that has not been maintained for a continuous period of 3 years shall be considered abandoned. The owner within the stipulated period of 90 days, the Tower shall be remove the abandoned tower within the stipulated period of 90 days, the tower shall be removed by the NCC or the appropriate State Planning Agency: The removal costs plus a penal fee shall be paid by the owner.

- (8) Every Mast or Tower owner is expected to ensure that each site inspected by a qualified tower inspector appointed by the NCC and the State Planning Agency every 6 months to assess the structural condition of the tower and support equipment. Owners of Towers who fail to meet the required standards shall be notified to remedy the situation within 30 days. Failure to remedy notified lapses shall attract stiff penalties.
- (9) Security Fencing: if constructed, shall be by a wrought iron; barbed wire, steel chain link fence with evergreen hedge or a masonry wall not less than 1.8 metres in height. The exterior of equipment buildings and/or metal equipment cabinet visible from residential areas or public right-of-way shall, be painted to reflect the colour and character of adjoining structures or blends with adjacent landscaping and other surroundings.
- (10) All telecommunication towers as well as guy anchors shall be located within the build able area of the landed property not within the front setback rear and side airspaces. The required setbacks shall be in line with the operative state building regulations. Telecommunication towers in excess of 150 metres in height shall have a minimum setback of metres from the right-of-way of all controlled access, Federal and State road ways designated as freeways, to provide unobstructed flight paths for helicopters.
- (11) Tower shall setback the greater distance of
  - (i) 10 meters from any adjoining residential building or other land use property.
  - (ii) 25% of the height of the tower
  - (iii) The distance specified as a potential hazard area by the designer of the structure.
- (12) No signage, lettering, symbols, images or trademarks in excess of 1200 square centimeters shall be placed on or affixed to any part of a telecommunication tower, mast, antenna or antenna array fencing other than as required by NCC/State Planning Agency for the purposes of Telco identification. No adverts shall be allowed on these structures.
- (13) Telecommunication Towers shall only be illuminated as required by NAMA and/ or / ICAO. No signals lights or illumination of any kind shall be permitted on or directed towards any tower unless as required by the NAMA or any other appropriate public authority. Security light around the base of a tower must be shielded so that no light is directed towards adjacent prosperities or right-of-way.
- (14) Telecommunications towers above 25 metres in height and withn residential neighborhood must be placed a minimum ratio of 3 to 1 distance to height to the nearest residential property. Towers or Masts or Monopoles in excess of 25 meters in height are permitted in non-residential neighborhood or districts.
- (15) The minimum distance of any tower/mast from each other must not be less than the height of the tower/ mast itself
- (16) No tower or mast shall be installed in close proximity to High Voltage electrical power transmission lines. The closest distance shall be that equivalent to 120% of the height of the mast. That is, the minimum separation or distance apart shall be the height of the mast plus 20% of the same height as a safe margin.
- (17) Alternative Mounting Structures in excess of 30 metre in the height are permitted in the non-residential areas.
- (18) Alternative Mounting Structure must be similar in colour, clue and character to adjoining buildings or structures or blend with the landscaping and other surrounding immediately adjacent to them so as to generally avoid the creation of unique visual objects that stand out in the environment.
- (19) Antenna Mounts” Antenna Mounts must have structural integrity so as to guarantee public safety.
  - (a) Whip and panel antenna Mounts.
    - i. Individual Telecommunications antennas are allowed on existing low tension electric utility poles, light standards and telecommunication towers in excess of 12 meters in height provided that the total length of any antenna does not exceed 15% of the height of the existing structures.

- ii. Telecommunications antennas and arrays are not allowed on existing high-tension electric transmission towers.
  - iii. Panel and whip antennas are permitted on billboard structures.
- (b) Dish Antenna mounting standards
- i. Ground Mounted dish antenna in excess of 1.5 meters height shall be screening from roadways and adjacent property by a minimum of 1.8 meters high screening fence.
  - ii. Building and roof mounted dish antennas of one meters or less in diameter are permitted in all areas. No permits are required for this category.
  - iii. Building/Roofing mounted dish antennas in excess of 1 meter in diameter may be permitted on buildings on the condition that a structural engineer's certification that the building will withstand the additional load is provided to the NCC and the state planning agency in control of the area.
- (20) Earthing and lightning protection shall be provided in all completed towers sites to protect equipment from damage and personnel from harm may result from excessive voltages during a lightning strike.
- (21) The expected service life of a tower shall be 25 years. The design, choice of fabrication, materials, fabrication methods, installation accessories, all safety factors and tower loadings shall all be made to conform to standards for this to be achieved.
- (22) Structural Certification  
Prior to the installation of a telecommunications tower, mast and antenna support structure on any building or roof, the NCC and the state physical planning agency shall be provided with a structural engineer's certification that the structure will support and not be adversely affected by the proposed mast, tower, antenna and associated equipment.
- (23) General Requirements**  
A developer of telecommunication mast tower shall submit the following to the Bureau of Urban and Physical Planning.
- (i) A copy of the premier survey plan/geographical coordinates of the site
  - (ii) A land agreement or purchase receipt stamp duties in Ekiti State or a certificate of Occupancy or Deed of Assignment/ Consent or written consent of the landlord.
  - (iii) Two copies of the Environmental Impact Analysis Report prepared and signed by an appropriate professional. This report inter-alia must contain the geographical coordinates of the proposed location, the topography, site block layout and site analysis of the proposal within the context of the state regional, sub regional, master plan and any other physical development plans in the affected area. In addition the report has to include the appraisal of the effects of the proposal on the environment.
  - (iv) Permit to operate the structure on the relevant site from the NCC and NAMA.
  - (v) A composite site plan and site analysis report are required when the location are many.
  - (vi) Five sets of structural Engineering drawing duly stamped and sealed by a COREN registered structural Engineer.
  - (vii) Letter of supervision of construction by the structural engineer.
  - (viii) Five sets of Architectural drawing duly signed by a registered Architect.
  - (ix) Site analysis report and block plan signed by a registered town planner.
  - (x) Soil test report.

**SCHEDULE 22 GUIDELINES FOR SITING OF LIQUIDIFIED PETROLEUM GAS (LPG) FILLING PLANT IN EKITI STATE**

<b>DESCRIPTION</b>	<b>STANDARD</b>	<b>REMARKS</b>
1. Plot sizes 1200 sq.m (minimum)	Any LPG filling plan site must not be less than 30.0m frontage and 40.m deep	It allows for adequate location of machinery and equipment within the LPG filling plant site.
2. Distance apart from the site of petrol filling station to a gas station	500 meters	Distance issued by the department of fire services after considering the safety aspect.
3. Distance apart from a gas filling station to another	500 meters	-do-
4. storage tank design	Specifications and fittings should be in accordance with the regulations and conditions governing construction of liquefied petroleum gas filling plants issued by petroleum inspectorate of NNPC	NNPC
5. Tank location and safety distances	Location and spacing for high and low pressure storage should be in accordance with regulations issued by the petroleum inspectorate of NNPC	-do-
6. Container Filling Shed	The specifications on filling location, filling system and storage of LPG containers issued by the Inspectorate section of NNPC should be strictly adhered to.	-do-
7. Storage Tank	All storage tank must be on the surface	