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**THE DEVELOPMENT AND PLANNING LAW**

**(1998 Revision)**

**THE BUILDING CODE REGULATIONS**

**(1998 Revision)**

Revised under the authority of the Law Revision Law (19 of 1975).

The Building Code Regulations, 1995 made the 11th August, 1995.

Consolidated with the Building Code (Amendment) Regulations, 1996 made the 13th August, 1996.

Consolidated and revised this 7th day of July, 1998.



**BUILDING CODE REGULATIONS**

**(1998 Revision)**

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## **BUILDING CODE REGULATIONS**

### **(1998 Revision)**

1. These regulations may be cited as the Building Code Regulations (1998 Revision). Citation

2. In these regulations-

Definitions

“Authority” means the Central Planning Authority; and

“Director” means the Director of Planning and anyone to whom he has delegated all or any part of his authority, either conditionally or absolutely, under these regulations;

3. To the extent that they are consistent with the Law and with the other laws of the Islands and subject to the exceptions, adaptation and modifications set out in the Schedule, the provisions of the following Codes, as adopted and revised by the Southern Building Code Congress International Inc. of Birmingham in the State of Alabama in the United States of America, shall apply as part of the law of the Islands in relation to the matters and things specified in the case of each -

Application of Standard  
Building Code and other  
related Codes

- (a) the 1994 Edition of the Standard Building Code, as adopted by the Southern Building Code Congress International of Birmingham in the State of Alabama in the United States of America (hereinafter called the Standard Building Code), in relation to the use, occupancy, design and construction of buildings and the provision of plant, machinery, apparatus and other fittings in or in connection with buildings;
- (b) the 1994 Edition of the Standard Plumbing Code, as adopted by the Southern Building Code Congress International of Birmingham in the State of Alabama in the United States of America (hereinafter in this Code referred to as the Standard Plumbing Code), in relation to every plumbing installation, including the alteration, repairing or replacement thereof, and to plumbing equipment, appliances, fixtures, fittings and appurtenances;
- (c) the 1994 Edition of the Standard Mechanical Code, as adopted by the Southern Building Code Congress International of Birmingham in the State of Alabama in the United States of America (hereinafter in this Code referred to as the Standard Mechanical Code), in relation to the installation of mechanical systems including the alteration, repair and replacement thereof

and to appliances, fixtures, fittings and appurtenances, including ventilation, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy related systems; and

- (d) the 1994 Edition of the Standard Gas Code, as adopted by the Southern Building Code Congress International of Birmingham in the State of Alabama in the United States of America (hereinafter in this Code referred to as the Standard Gas Code), in relation to the installation, operation, alteration, repairing and replacement of gas piping, gas appliances and related accessories.

Electrical  
1997 Revision

4. The Electricity Law (1997 Revision) and, to the extent that it is consistent with such law, this Code shall apply to the installation of electrical systems, and to the alteration, and replacement thereof, and to electrical fixtures, fittings and appurtenances thereto.

Regulations not to apply  
to certain buildings

5. These regulations do not apply to any single family detached house having a gross floor area less than two thousand five hundred square feet. These will continue to be dealt with in accordance with the current practice of the Central Planning Authority.

The Register

6. (1) The Director of Planning shall keep a Register (hereinafter in this Code referred to as the Register) in the principal office of the Planning Department.

(2) The Register shall be open to public inspection during regular office hours on any normal business day.

(3) The Register shall be divided into three Parts-

Part I - Applicable Code Provisions;  
Part II - Applicable Standards; and  
Part III - Fire Prevention Code.

(4) The Director shall enter in the Register-

(a) in Part I, a copy, authenticated by the signature of the Governor, of-

(i) the Standard Building Code;  
(ii) the Standard Gas Code;  
(iii) the Standard Mechanical Code; and  
(iv) the Standard Plumbing Code;

(b) in Part II, a copy of each of the several documents (in this Code called "the referenced standards") referred to in Chapter 35 of the Standard Building Code; and

(c) in Part III, a copy, authenticated by the signature of the Governor, of the Eighth (1994) Edition of the Standard Fire Prevention Code

based on the former American Insurance Association National Fire Prevention Code first adopted in 1974 by the Board of Trustees of the Southern Building Code Congress International in Birmingham in the State of Alabama in the United States of America.

7. When the Southern Building Code Congress International Inc. amends any of the referenced standards entered in Part III of the Register the Governor may, by Order, make a like amendment (with or without any other amendments specified in the Order) in the relevant Code in such Register, and the Director of Planning shall amend the Register accordingly. Any such amendment, unless the Governor otherwise directs in the relevant Order, shall take effect from the time of its being entered in the Register. Amendment, etc. of standards
8. (1) The Director of Planning shall identify each of the documents in Part II of the Second Schedule by marking on it the letters and numbers set out in the first column of that Schedule. Identification of standards and references thereto in Code
- (2) Whenever a reference is made in this Code to a group of letters and numbers identifying a document in Part II of the Second Schedule, such reference shall be deemed a reference to the respective document, as recorded in the Register at the relevant time and a reference in this Code to a Part, paragraph, section or other division of that document shall be construed accordingly.
9. The Codes and every document entered in the Register under this Code and every duplicate thereof, or extract therefrom certified under the hand of the Director of Planning shall respectively, be good evidence of contents of such Code document or extract, as the case may be. Evidence of Register
10. Whoever contravenes these regulations is guilty of an offence and liable on summary conviction to a fine of five thousand dollars. General penalty
11. Any person who wilfully obstructs a person acting in the execution of these regulations or of an order made or issued under these regulations is guilty of an offence and liable on summary conviction to a fine of five thousand dollars. Penalty for wilful obstruction
12. (1) Upon notice from the Authority, any work on a building to which these regulations apply that is being done contrary to these regulations or in a dangerous or unsafe manner shall immediately cease. Stop notices
- (2) Any notice given under subregulation (1) or regulation 13 shall be in writing and shall be given to the owner of the property, to his agent or to the person doing the work and shall state the conditions under which work may be resumed:

Provided that, where an emergency exists, the Authority shall not be required to give written notice prior to stopping the work.

Offending works

13. (1) If any work to which these regulations are applicable contravenes any of these regulations, the Authority, without prejudice to its right to take proceedings under any other regulation in respect of the contravention, may, by notice, require the owner -

- (a) to pull down or remove the work; or
- (b) if he so elects, to effect such alterations in it as may be necessary to make it comply with these regulations.

(2) If a person to whom a notice has been given under subregulation (1) fails to comply with the notice before the expiration of twenty-eight days or such longer period as the Summary Court may, on his application, allow, the Authority may -

- (a) pull down or remove the work in question; or
- (b) effect such attention in it as they deem necessary, and may recover from him the expenses reasonably incurred by them in doing so.

Right of entry

14. (1) Any person duly authorised by the Authority may, at any reasonable time, after having given reasonable notice to the owner of his intention so to do, enter any land or building for the purposes of-

- (a) making any inspection in accordance with these regulations;
- (b) ascertaining whether or not there has been a breach of these regulations;
- (c) preventing any infringement of these regulations; or
- (d) carrying out any other powers or duties vested in him under these regulations requiring such entry.

(2) Any such entry may be made at any time if the Authority has reasonable cause to believe that an immediate danger exists.

Immunity

15. Neither the Governor, any Member of Executive Council, the Authority nor the Director shall be liable in damages for anything done or omitted in the discharge or purported discharge of their respective functions and these regulations, unless it is shown that the act or omission was in bad faith.

**FIRST SCHEDULE**

**(Regulation 3)**



(Division 1)

Provision of the Southern Building Code affected	Exceptions, adaptations and modifications
<b>CHAPTER 1</b>	
Section 101.2	Delete
Sections 101.4.2 to 101.4.8	Delete
Section 102	Delete
Sections 103.1 to 103.5	Delete
Section 104.1	Delete
Sections 104.4.1 and 104.4.2	Delete
104.5	Delete and substitute the following new section therefor -
“104.5	<b>Contractor’s responsibilities</b> - It shall be the duty of every contractor and person who makes a contract for the installation of, or repairs to, a building, electrical, gas, mechanical or plumbing system for which a permit is required to conform to the provisions of the law and Code relating to licensing.”.
Sections 104.7.1 to 104.7.4	Delete
Sections 106.1.1	Delete
Section 110	Delete

## **CHAPTER 2**

### **Definitions**

#### **2. (1) In this Code -**

“apartment” bears the meaning ascribed to that term in regulation 2 of the of the Development and Planning Regulations (1998 Revision), and “apartment house” has a similar meaning;

“approved” means approved by the Director of Planning;

“architect” bears the meaning ascribed to that term in regulation 2 of the Development and Planning Regulations (1998 Revision);

“Building Official” means the officer authorised by the Director of Planning as such for the purpose of these regulations;

“duplex” bears the meaning ascribed to that term in section 2 of the Development and Planning Law (1998 Revision);

“dwelling” means a building occupied exclusively for residential purposes by not more than one family;

“dwelling unit” bears the meaning ascribed to that term in regulation 2 of the Development and Planning Regulations (1998 Revision);

“Electrical Inspectorate” means the Electrical Inspectorate established under section 5 of the Electricity Law (1997 Revision);

“engineer” means a person technically qualified to design structures, electrical, mechanical and sanitation installations and systems;

“fire department” means the Fire Brigade established under the Fire Brigade Law (1995 Revision);

“fire brigade connection” means a hose connection at grade or street level for use by the Fire Brigade only for the purposes of supplying water to standpipes or sprinkler systems;

“Fire Official” means the person appointed under the Fire Brigade Law (1995 Revision);

“Fire prevention department” means the Fire Brigade established under the Fire Brigade Law (1995 Revision);

“height”, in relation to a building, means height of a building as that term is defined in regulation 2 of the Development and Planning Regulations (1998 Revision);

“hotel” bears the meaning ascribed to that term in the Hotels Aid Law (1995 Revision);

“labelled”, in relation to devices, equipment or materials, means having affixed thereto a law, seal, symbol or other identifying mark of a testing laboratory, inspection agency or other organisation recognised by the Building Official and which is concerned with product evaluation, maintains periodic inspection of production of the thing concerned and by label of which the manufacturer attests to compliance with the applicable generally recognised standards;

“listed”, in relation to equipment or materials, means included in a list published by a tested laboratory, inspection agency or other organisation recognised by the Building Official to be of a standard satisfactory to him which is concerned with product evaluation and which maintains periodic inspection of production of equipment or materials if it is stated in such list either that the equipment or material meets recognised standards or has been tested and found suitable for use in a specified manner. (The means for identifying listed equipment may vary for each testing laboratory, inspection agency, or other organisation concerned with product evaluation, some of which do not recognise equipment as listed unless it is also labelled. The Building Official should utilise the system employed by the listing organisation to identify a listed product);

“lot” has the meaning ascribed to that term in the Registered Land Law (1995 Revision);

“officer” means any person appointed as such by the Director of Planning; and

“road” means a road as defined, from time to time, in the Roads Law (1998 Revision).

**CHAPTER 3**

- 302 Amend "Rooming House" to "Guest House"  
Replace the word "five" with the word "six"
- 305.1.2 Amend "Educational Occupancies 12th grade" to "High School"
- 311.2 Add new section 311.3 to read "311.3 Fire Department Vehicle Access. All R1 and R2 occupancies three (3) or more stories in height shall provide open space at least twenty (20) feet wide along three (3) sides of the Building"
- 311.2 R1: Amend "Boarding House" to "Guest House"  
R2: Amend "Rooming House" to "Guest House"

**CHAPTER 4**

- 404 Delete 404.1 High Rise
- 410 Delete 410.1.2
- 412 Delete 412

**CHAPTER 5**

- 503.2 Delete 503.2.6 in its entirety without substitution.
- Table 500 Amend Table 500 as shown in Exhibit A

**CHAPTER 8**

- Table 803.3 Amend Table as shown in Exhibit B.

**CHAPTER 9**

- 903.6 Amend 903.6 as shown in Exhibit C.
- 903.7.1 Amend last line- "15,000 sq. ft (1395 m sq.)" to "12,000 sq. ft (1,116 m sq.)"
- 903.7.5 Amend 903.7.5 to read- "An approved automatic sprinkler system shall be provided throughout Group R1 occupancies three or more storeys in height or containing sixteen (16) or more Guest Rooms"
- 903.7.5 Delete the exception
- 905.1.1 Amend section 905.1.1 Group R to read-"R1 occupancies having accommodations for more than eight (8) Guests. R2 - Apartment houses more than eight (8) units and dormitories; Guest houses having more than eight (8) sleeping accommodations"
- 905.1.1 Amend the exception to read- "Where each Guest Room has a direct exit to the outside of the Building and the Building is one (1) storey"

**CHAPTER 10**

- 1004.1.5. Add section 1004.1.5.-"Roof Vents & Curtain Boards. Storage occupancies exceeding 5000 sq. ft. in area shall be provided

	with smoke and heat venting system complying with Table 1004 or NFIPA 204m.”
1005.5	Delete section 1005.5 without substitution. Buildings are not allowed to be high enough to require smoke-proof enclosures
Table 1016	Amend Table 1016 as shown on Exhibit C
1011.2.3	Delete the exception to 1011.2.3 without substitution
1011.3	Delete section 1011.3 without substitution

#### **CHAPTER 14**

1403.9	Amend section 1403.9.1 by replacing “type six (6) construction” with “Single Family Residence”
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#### **CHAPTER 15**

1509.8	Amend 1509.8.1 by deleting restrictions one (1), two (2) and three (3). Add new restriction-5. single family residence
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#### **CHAPTER 16**

1604.6.4	Delete section 1604.6.4
1605.	Delete section 1605
1606.	Delete Figure 1606
1606.1.1	Amend 1606.1.1 by adding, “using a fastest mile wind velocity of 110 m.p.h. and exposure D Category. Delete exception 2
Table 1606.2A	Delete Table 1606.2A and substitute Table as shown in Exhibit F
Table 1607.1.5A, and B	Delete Table 1607.1A and Table 1607.1 B
1609.1.1	Delete “snow” from all load combinations in section 1609.1
1609.1	Delete note two (2) and three (3)
1609.2	Delete “snow” from load combinations in one (1) and four (4)
1609.2	Delete note one (1)

#### **CHAPTER 18**

1804	Amend section 1804.1.3 by removing the words “Extend below the frost penetration shown in Figure 1804.1, but” Remove Figure 1804.1 Add new section- “1804.6.2.6. Foundation walls or stem walls less than three (3) ft in height, with or without unbalanced fill and supporting one (1) storey buildings may be six (6) inches in thickness” Delete section 1804.7
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#### **CHAPTER 19**

1904.2	Delete section 1904.2
Table 1904A	Delete Table 1904A
Table 1904B	Delete exposure condition referring to concrete exposed to freezing
Table 1904C	Amend title by removing the words “and/or de-icer chemicals”
1904.	Delete Figure 1904
1905.6	Amend 1905.6.1.1 by replacing the number “150 cu yd (115 m3)” with “50 cu yd (38 m3)”. Delete the remainder of the sentence and replace with “Concrete test reports used to establish strength requirements shall be submitted to the Director of Planning”

## **CHAPTER 31**

3107 Delete section 3107

### **(Division 2)**

(2) Any reference in this Code to the Standard Fire Prevention Code shall be construed as a reference to the Eighth (1994) Edition of the Standard Fire Prevention Code based on the former American Insurance Association National Fire Prevention Code, first adopted in 1974 by the Board of Trustees of the Southern Building Code Congress International in Birmingham in the State of Alabama in the United States of America, and any reference to a Class of hazardous substance, material or device shall be construed as a reference to a Class of any such thing as defined in that Code.

(3) Any reference in this Code to a type of construction being of I, II, III, IV, V or VI shall be construed as a reference to the type of construction respectively described as being of that type in sections 603 to 608 of Chapter 6 of this Code.

Any reference in this Code to the use or occupancy of any building or structure being of Group A, B, E, F, H, I, M, R or S, or any sub-classification of any such Group, shall be construed as a reference to such Group or sub-classification as defined in Chapter 3.

(5) Any reference in this Code to a dry cleaning system being of Type I, II, III, IV or V shall be construed as a reference to a system of the type respectively described as being of that type in section 402.

(6) Any reference in this Code to a standpipe as being in Class I, II, III or Combined System shall be construed to be a reference to a standpipe falling within the respective Class as defined in section 902.





















Publication in consolidated and revised form authorised by the Governor in Council this 7th day of July, 1998.

Carmena H. Parsons  
Clerk of Executive Council