SECTION 1
ADMINISTRATION OF THE CODE

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SECTION 1
ADMINISTRATION OF THE CODE

101 TITLE

This compilation of rules shall be known as "The Commonwealth of Dominica Building Code", and may be cited as such, or as the "Building Code," and will be referred to hereinafter as "this Code."

102 SCOPE

102.1 General

(a) The provisions of this Code shall apply to the design and construction of new buildings, and the alteration, reconstruction, demolition, removal, relocation, maintenance and occupancy of existing buildings or any appurtenances connected or attached to such buildings or structures.

(b) The appendices included in this Code are not intended for enforcement unless specifically referenced in this Code text. The latest edition of referenced Standards and Codes shall be used where appropriate. The principal reference Code is the Caribbean Uniform Building Code (CUBiC) published by the Caricom Secretariat, Georgetown, Guyana.

(c) Unless otherwise authorized by the Authority, the Commonwealth of Dominica Building Code takes precedence over any other Code or Standard.

102.2 Applicable Legislation

a) The provisions of this Code are nor intended to supersede or amend any legislation in force in Dominica which affects the design and construction of developments or the responsibilities or authority of the Planning Authority.

b) Owners and developers should be aware of and consult the following legislation in force unless amended or appeared by subsequent legislation:

○ Development and planning Corporation Act, 1972
○ Town and Country Planning Act, 1972

(1-3)
 Developers/owners should also consult the Planning and Infrastructure Standards Manual prepared by UNCHS and the Planning Applications Guide prepared by the Physical Planning Division of the Economic Development Unit of the Government of the Commonwealth of Dominica for guidance with respect to the layout and infrastructure requirements of a development, and other legislation affecting the safety and health of workers and occupants of a building or development.

PERMITS AND FEES

a) A permit is required whenever work regulated by this Code is to be undertaken. To obtain a permit the owner shall file an application with the Authority as described in 109 "APPLICATION TO BUILD".

b) After issuance of a permit an application may be made by the owner for a revision of the permit and such application shall be made in the same manner as for the original permit.

c) The approval of the Authority of proposed work shall be deemed to have lapsed and the right of the owner under the permit terminate if:

   i) the work authorized by the permit is not commenced within 12 months from the date of issuance of the permit, or

   ii) work is suspended for a period of 24 months or more, or

   iii) the applicant does not comply with all the conditions regarding payment of fees as required by the applicable legislation in force.

d) Permit fees payable and all procedures and conditions applicable thereto shall be established by the Authority in accordance with the applicable Regulations.
EXISTING BUILDINGS

(a) Alterations, repair or rehabilitation work may be made to any existing building without requiring the building to comply with all of the requirements of this Code provided that the alteration, repair or rehabilitation work conforms to the requirements of this Code for new construction. The Authority shall determine the extent, if any, to which the existing building shall be made to conform to the requirements of this Code for new construction.

(b) Alterations, repairs or rehabilitation work shall not cause an existing building to become unsafe.

(c) If the occupancy classification of an existing building is changed, the building shall be made to conform to the intent of this Code for the new occupancy classification as established by the Authority.

(d) Repairs and alterations, not covered by the preceding paragraphs of this Section, restoring a building to its condition previous to damage or deterioration, or altering it in conformity with the provisions of this Code or in such manner as will not extend or increase an existing non-conformity or hazard, may be made with the same kind of materials as those of which the building is constructed; but not more than twenty-five percent of the roof covering of a building shall be replaced in any period of twelve (12) months unless the entire roof covering is made to conform with the requirements of this Code for new buildings.

(e) No building shall be removed or demolished without the approval of the Authority.

HISTORIC BUILDINGS

Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building or structure may be made without conformance to all the requirements of this Code when authorized by the Director and approved by the Authority, provided:

(a) The building or structure has been designated by official action of the legally constituted authority as having special historical or architectural significance.
(b) The restored building or structure will be no more hazardous based on consideration of life, fire, sanitation and safety, than the original building.

(c) The owner has submitted for the approval of the Authority plans and specifications for the work to be carried out. These plans and specifications must provided by an engineer or architect engaged by the owner and approved by the Authority.

(d) The Authority in the public interest of health, safety and welfare has required all necessary corrections to be made before use and occupancy.

(e) The decision of the Director is transmitted in writing to the Authority within thirty days, where the Authority at its next regularly scheduled meeting may on its own initiative review the decision of the Director to ensure that adequate criteria have been utilized. The Authority may modify, rescind or confirm the decision of the Director.

106 HURRICANE PRECAUTIONS

During such periods of time as are designated by the Government as being a hurricane watch, the owner, occupant or user of a property shall take precautions for the securing of buildings and equipment. Fabric awnings and swing signs shall be lashed to the ground, and such other precautions shall be taken for the securing of buildings or structures or material or equipment as may be reasonably required.

107 ALTERNATE MATERIALS AND TYPES OF CONSTRUCTION

107.1 General

The provisions of this Code are not intended to prevent the use of types of construction or materials or methods of designs as alternates to the standards herein set forth. Such alternates may be offered for approval and their consideration shall be as specified in this Section.

107.2 Standards

The types of construction or materials or methods of design referred to in this Code shall be considered as standards of quality and strength. New types of construction or materials or methods of design shall be at least equal to these standards for the corresponding use intended.
107.3 Application

a) Any person desiring to use types of construction or materials or methods of design not specifically mentioned in this Code shall file with the Authority proof in support of claims that may be made regarding the safety and sufficiency of such types of construction or materials or methods of design, and request approval and permission for their use.

b) The Board-Authority shall approve such alternate types of construction or materials or methods of design if it is clear that the standards of this Code are at least equaled. If, in the opinion of the Authority, the standards of this Code will not be satisfied by the requested alternate, it shall refuse approval.

108 UNSAFE BUILDINGS

When any building, construction or excavation or part thereof is in an unsafe condition as a result of being open or unguarded, or because of danger from fire or risk of accident because of its ruinous or dilapidated state, faulty construction or otherwise, due notice to correct such condition shall be given by the Director. When such notice has not been complied with the Authority may:

a) demolish, remove or make safe such building, construction, excavation or part thereof at the expense of the owner.

b) take such other measures as it may consider necessary to protect the public.

109 APPLICATION TO BUILD

109.1 General

A person wishing to erect a building or structure, or to carry out a development as defined in the applicable legislation in force, shall comply with the requirements of the said legislation and also with the requirements of this Code.

109.2 Form of Application to Build

a) A person wishing to build shall apply in the manner prescribed in the legislation and the established procedures of the Authority and as herein set forth.

b) Each application shall be accompanied by the required number and type of plans appropriate to the particular type of development project for which planning permission is sought.
c) Three copies of the relevant plans shall be submitted with each application. These plans include the location plan, the site plan, the subdivision plan and the building detail plan; but the plans for a particular type of development shall be those specified in the Planning Applications Guide.

d) The information to be contained in a location plan, a site plan, a subdivision plan, a building detail plan and the scales to which these plans are to be drawn shall be as set out in Subsection 110 of this Code.

e) Every drawing, specifications and accompanying data which accompanies an application for planning permission shall be legibly signed by the maker thereof and shall bear his full address.

f) All drawings shall be individually numbered for ease of reference. Revisions shall carry revision numbers.

g) The Authority may require structural and other details, computations, stress diagrams, the basis of the calculations and other data necessary to describe the construction and they shall bear the signature of the person responsible for the design. The qualifications of the person or persons responsible for these details shall be stated.

h) Where an alteration or extension to an existing building is applied for, any part of the existing building to be demolished must be clearly indicated and distinguishable from the new construction.

110 PLANS

110.1 Location Plan

a) Where it is available, a copy of the Director of Overseas Surveys Plan must be used the basis for the location plan. These plans are available for most areas of the island and are obtainable at the Land Registry office or at the office of the Authority.

b) The location plan must be drawn to a scale of:

- For towns at 1:25000
- For villages and rural areas at 1:500

c) The location plan must show the name and locations of exciting roads and fixed and easily identifiable points such as streams, road junctions, bridges, and nearby houses.
110.2 Site Plan

a) At the option of the applicant, site plans may be drawn to a scale of 1:200 (1” to 20’) or 1:500 (1” to 40’) or 1:100 (1” = 100’) as may be appropriate.

b) The Site Plan must show:

i) The area, boundaries and principal dimensions of the land.

ii) The location of existing buildings on the land and on the lands immediately adjacent.

iii) The location and spread of any existing mature trees on the land.

iv) The location of any new proposed building and the relevant dimensions of appropriate setbacks.

v) Such contours or spot levels as are necessary for determining the grade of any proposed road and for the proposed drainage.

vi) Location and width of existing and proposed means of access including roads adjacent to the property.

vii) Water and sanitary drainage systems.

viii) The proposed landscaping plan.

ix) Any land reserved for public access or for public use.

Subdivision Plan

a) The scale of subdivision plans shall be at least:

- For subdivided areas of 1/2 acre or more, 1:1250
- For subdivided areas of less than 1/2 acre, 1:200

b) The subdivision plan must show:

i) All relevant physical features related to the proposed development such as water courses, rock outcrops, trees, swamps, and existing buildings, roads and walks.

ii) Such contours or spot elevations as are necessary for determining the grade of any proposed road and for proposed drainage.

iii) The boundaries, area, and principal dimensions of the land.
iv) At least one boundary must be connected to the trigonometrical control station or alternatively, to identifiable points of detail on the national map sheets (scale 1:5000) available at the Survey Department.

v) The dimensions and area of each proposed subdivided lot.

vi) The location of proposed building, if any.

vii) The roads, walks, and utility services proposed to be made available to each lot.

viii) The use to which each lot is proposed lo be put, e.g. residential, commercial or industrial purposes, or for churches, schools or parks. Residential lots shall be designated as high, medium, or low density. (See Planning and Infrastructure Standards Manual)

ix) Any land reserved for public access or other public use.

x) The proposed location of fire hydrants.

110.4 Building Plans

a) Building plans at customary scales to include:

i) Floor Plan generally to Scale 1/8" or 1/4” to 1’ 0” or metric equivalent

To show:

- room sizes
- positioning of doors and windows
- materials used in construction
- thickness and structure of each wall
- size of closets

ii) Elevations and Sections generally to Scale 1/4” to 1’ 0” or metric equivalent. For details scales should be 1/2” to 1’ (1:20).

To show:

- roof heights (floor to ceiling) and pitch
- height of floor above ground
- positioning of doors and windows

iii) Foundation Plan

To show:

- foundation layout and sizes of members
- type of soil on which the foundation will rest

(1-10)
iv) Structural Plan

To show:
- details of beams
- details of columns
- details of slabs
- details of all walls
- details of cisterns
- all reinforcement details
- roof design and construction details
- foundation details, piling etc

v) Plumbing

To show:
- location of inspection boxes
- location and details of grease traps
- sizes and slopes of the pipes used in the sewer lines
- details of septic tanks and soakaways
- water storage and catchment details
- sizes of water lines
- location of shut-off valves
- size and location of pumps

vi) Electricity

To show:
- electrical layout in floor plan
- amount of wires in conduit and wire gauges
- circuit numbers
- panel sizes and locations

111 APPROVAL IN PART

a) Where approval of a portion of a building or development is desired prior to the issuance of a permit for the whole project, application shall be made for the complete development, and detailed plans for which immediate approval is desired shall be filed with the Authority.

b) Should a permit be issued for a part of a building or development the holder of such permit may proceed with construction without the assurance that the permit for the entire building or development will be granted. The granting of such permit will depend on the approval of the Authority of the application including all requirements as set out in Sub-section 109.
USE OF OTHER CODES AND STANDARDS

a) The Authority shall require that the laws, rules and regulations of any other regulatory body or authority having jurisdiction, where such laws, rules and regulations are applicable and are known to the Authority, shall be satisfied before a permit shall be issued.

b) The Authority shall require such evidence, as in its opinion is reasonable, to show such other approvals. The Authority shall not thereby be held responsible for enforcement of such regulations that it is not specifically authorized to enforce.

c) All tests required by the Authority to show that materials and methods of construction proposed by the applicant meet the requirements of this Code shall be carried out by the applicant at his expense. The testing agency to be used by the applicant must be approved by the Authority.

d) The Authority shall publish in the Official Gazette a list of the Codes and Standards approved for use in this Code, and the Director shall make such lists available to the applicant.

INSPECTIONS

113.1 Procedure

a) The Director, upon receipt of 48 hours notice from the builder, exclusive of Saturdays, Sundays and declared Public Holidays, is authorized to make the following inspections and either approve the portion of the works completed or shall notify the builder in writing where such work does not meet with his approval:

(i) SETTING OUT

(ii) FOUNDATIONS BEFORE CONCRETING

(iii) STRUCTURAL FRAME AND ROOF

(iv) RING BEAMS CASING AND REINFORCEMENT

(v) PLUMBING AND PLAINS

(vi) ELECTRICAL WORK – IN ASSOCIATION WITH THE ELECTRICAL INSPECTOR
(vii) OTHER INSPECTIONS TO BE MADE AS THE OWNER, BUILDER OR DIRECTOR MAY REASONABLY REQUIRE

(viii) SPECIAL INSPECTIONS OF ALL MECHANICAL INSTALLATIONS

(ix) FINAL INSPECTION (OCCUPANCY CERTIFICATE)

b) All inspections shall be carried out by persons employed by the Authority as Building Inspectors or by suitably qualified persons approved by the Authority and appointed to carry out such inspection.

c) Work shall not be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the Director. Such written approval shall normally be given only after an inspection shall have been made of each successive step in the construction as indicated by each of the foregoing nine inspections where appropriate.

d) Reinforcing steel or structural frame work of any part of any building shall not be covered or concealed in any manner whatsoever without first obtaining the approval of the Building Inspector or the Special Inspector.

e) If circumstances warrant, the Authority in its discretion may waive such inspection in writing to the owner and builder, but this does not absolve the owner and builder from the responsibility of any construction in contravention of the Building Regulations and this Code.

113.2 Special Inspector

a) The Director shall impose a condition on the permit requiring the owner to employ a Special Inspector for the inspection of the structural framework or any part thereof, for the installation of equipment and for the review of all plans relating to such work, The Special Inspector shall be employed for the following projects:

(i) Buildings or structures (or part thereof) of unusual design or method of construction.

(ii) Marine construction.

(iii) Installation of equipment such as elevators, power plants and water and sewage treatment plants.
(iii) Public buildings in Groups A, B, C and F (Section 3 of this Code) and other buildings so designated by the Authority.

b) For certain other projects such as those listed under the Director may impose the condition requiring the use of a Special Inspector as follows:

(i) Major foundations and/or pile driving.

(ii) Major site works.

(iii) Drainage and waste disposal.

c) The Special Inspector shall be an experienced and professionally qualified structural engineer for the inspection of projects listed in 113.2 (a) (i), and (iii) and a professionally qualified and experienced engineer of the relevant discipline for projects listed at 113.2 (a) (ii) and 113.2 b).

d) The Special Inspector shall ensure compliance with this Code and shall submit regular progress reports and inspection reports to the Director with recommendations for any remedial or enforcement action required.

e) The Special Inspector shall be employed at the expense of the Developer and engaged on the basis of a recommendation from the professional institution or the Secretary General of the Council of Caribbean Engineering Organizations or similar bodies in the USA, Canada or the UK.

f) At the completion of the construction work, the Special Inspector shall submit a Certificate of Compliance to the Director if he considers that the work was done in compliance with this Code and in accordance with the approved plan or plans, His duties shall end with the submission of such certificate.

g) Final Inspection shall be made by the Director before a Certificate of Occupancy is issued.

113.3 Procedure for Appointment of Special Inspector

The procedure to be followed by applicants for a Building Permit for the construction of buildings which would require the services of a Special Inspector is as follows:

The developer should first apply to the Authority for outline permission with conceptual drawings and information on the proposed development. The information to be supplied include; basic information 110.1, 110.2 and 110.3, in addition to the following:

i) Preliminary drawings at 1/8th scale showing the details as required by 110.4.(i) and(ii)

ii) The name and qualifications of the engineer who will be employed as a Special Inspector for the review of the structural plans and for the inspection of construction.

iii) The terms of reference for the employment of the Special inspector
a) The Authority may in approving the outline permission place conditions on the approval requiring, as may be appropriate, the carrying out of an environmental impact assessment.

b) On grant of the outline permission, the developer should then proceed to develop the information required for a building permit. The information to be supplied will include:

i) all architectural drawings to scales of at least 1/4 in to 1 fool or similar,

ii) all structural and civil engineering details and computations,

iii) all mechanical and electrical details, and

iv) sewage treatment and disposal details.

(c) The architectural, structural and civil engineering details required must be accompanied by a certificate of compliance from the Special Inspector where this is required under the conditions of grant of the development permission and before a building permit can be granted.

114 CERTIFICATE OF OCCUPANCY

a) A new building shall not be occupied or a change made in occupancy or the nature of the use of a building or part of a building until after the Director shall have issued a Certificate of Occupancy.

b) Upon completion of a building erected in accordance with approved plans and after final inspection herein referred to, and upon application therefore, the Director shall issue a Certificate of Occupancy stating the nature of the occupancy permitted.

c) A temporary certificate of occupancy may be issued for a portion or portions of a building which may safely be occupied prior to final completion of the building.

Note: A Certificate of Occupancy will not be issued until necessary Certificates of Completion have been issued by the Electrical Inspector in accordance with electricity regulations in force.
a) The issuance and granting of a permit shall not be deemed or construed to be a permit for, or an approval of, any violation of this Code.

b) The issuance of a permit upon plans and specifications, shall not prevent the Authority from thereafter requiring the correction of errors on such plans and specifications, or from preventing building operations being carried on thereunder when in violation of this Code or any Regulations applicable thereto.

c) When during the construction of the work carried out under the permit, from issuance of permit to issuance of Certificate of Occupancy, the Director reasonably believes that approved plans are in violation of this Code, he shall notify the permit holder and the permit holder shall correct the drawings or otherwise satisfy the Director that the design and/or working drawings are in compliance with this Code.

d) Compliance with this Code is the responsibility of the permit holder until the issuance of a Certificate of Occupancy; at which time it shall become the responsibility of the owner.

e) The permit granted for the construction of the work shall be available at the construction site during normal working hours for inspection by the Director.