

BUILDING BY-LAWS

27/152/1960
LN 59/1962
LN 90/1966
LN 32/1980
LN 41/1984
LN 42/1984
LN 48/1994
LN 130/1995

[1st February 1960]

Title

1. These By-laws may be cited as the Honiara Town Council Building By-laws.

Definitions

LN 41/1984

2. In these By-laws, unless the context otherwise requires—

"building" includes any structure of whatsoever material constructed and without prejudice to the generality of the foregoing includes swimming pools of a permanent nature and water storage tanks;

"building line" means a line drawn across a plot beyond which no building or permanent structure, except a boundary wall of approved design, or a fence or the like enclosing the plot, may be erected or set up within the area contained between such line and the regular line of the street on which the plot has frontage;

"building of the warehouse class" includes a warehouse, store, shop, factory, manufactory, and brewery or distillery;

"cement" means Portland cement complying in all respects with the British standard specification from time to time in operation;

"cement concrete" means concrete composed of cement incorporated with clean gravel and suitable stone or other clean and suitable material, mixed with a sufficient quantity of sharp sand or grit in the proportion by measure of at least one part of cement to eight parts of such other material;

"cement mortar" means mortar composed of cement and clean sharp sand or grit or other clean and suitable material, mixed in the proportion by measure of not less than one part of cement to five parts of sand, grit or other suitable material;

"concrete" means—

(1) cement concrete; or

(2) concrete composed of good hydraulic lime thoroughly incorporated with clean gravel and suitable stone or other clean and suitable material, mixed with a sufficient quantity of sharp sand or grit in the proportion by measure of at least one part of lime to five parts of such other material;

"Council" means the Honiara Town Council;

"cross wall" means a wall used or constructed to be used in part of its height as an inner wall of a building for separation of one part from another part of the building, that building being wholly in, or being constructed or adapted to be wholly in, one occupation;

"design certificate" means a certificate by a Chartered Engineer that the design of a particular building complies with one or more of the building codes of practice which have been approved by the Permanent Secretary of the Government Ministry responsible for Works;

"domestic building" means a building used or constructed or adapted to be used in whole or in part for human habitation or a shop or office or any combination thereof, or any other building not being a public building or a building of the warehouse class;

"dwelling-house" means a building or any part or portion of a building, used or constructed or adapted or designed to be used for human habitation as a separate tenancy or by one family only, whether detached, semi-detached or built continuously in groups or terraces, or a tenancy or flat or a building separated by party walls or by floors from adjoining buildings, together with such outbuildings as are reasonably required to be used or enjoyed therewith;

"Executive Officer" means the Executive Officer of the Council;

"external wall" means an outer wall or vertical enclosure of a building, not being a party wall, even though adjoining a wall of another building;

"foundation", applied to a wall having footings, means the solid ground or artificially formed supports on which the footing of a wall rests;

"lime mortar" means mortar composed of good lime of suitable quality and clean sharp sand or grit or other clean and suitable material, mixed in the proportion by measure of not less than one part of lime to three parts of grit or other suitable material;

"new" in relation to any structure means erected after these By-laws come into operation;

"official" means an official of the Council;

"party wall" means—

(a) a wall forming part of a building, and used or constructed to be used in any part of its length or height for the separation of adjoining buildings; or

(b) a wall forming part of a building and standing in any part of its length, to a greater extent than the projection of the footings on one side, on ground of different owners;

"plot" means a piece of land shown as a plot on the general plan of the Town area filed in the office of the Commissioner of Lands;

"premises" means a plot and any buildings thereon;

"public building" means any building used, or constructed, or adapted to be used as a church, hospital, place of entertainment, library, lecture room, hotel, lodging-house, institute, public place of assembly or any building to which the public have access either without any condition or upon condition of making any payment;

"public place" includes any public way or building, and any place or conveyance to which for the time being the public are entitled or permitted to have access, either without any condition or upon condition of making any payment;

"store" means a building which, according to the original application and plans therefor, is designed for the storage of foodstuffs or any other material;

"street" includes any bridge, road, avenue, lane, sanitary lane, footway, causeway and pavement;

"structural certificate" means a certificate by a Chartered Engineer that a particular building is structurally adequate and in compliance with these By-laws;

"to erect a building" means—

(a) to erect a new building;

(b) to erect, re-erect, add to, alter or convert a building, or to cover an open space between walls and buildings;

"Town area" means the area of authority of the Honiara Town Council;

"width", applied to a street, means the whole extent of space reserved to be used or laid out so as to admit of being used as a public way;

"workmanlike", "substantial", and "making good" mean fulfilling, in the opinion of the Council, the purpose intended.

Adjoining buildings – entry – underpinning and shoring

3.—(1) For the purpose of this by-law, the expression "building owner" means an owner who proposes to erect or is erecting a building, the plans and specifications of which have been approved by the Council.

(2) Where a building owner proposes to erect a building in close proximity to any other building (such other building being the property of another owner) and it is necessary for him to excavate or dig out the ground against the wall of such other building, the building owner shall at his own cost shore up and underpin such wall to its full thickness and to the full depth of such excavation with proper and sufficient material in a workmanlike substantial manner. For the purpose of this sub-by-law, a building owner, his servants, agents or workmen may, at reasonable hours, enter on the premises of the owner of such other building. In any such case, the building owner shall pay compensation for any disturbance of business or for any damage or injury caused by such entry.

(3) If, for the purpose of erecting a wall in close proximity to the existing wall of any other

building as aforesaid, it be necessary to cut away any projection or part of such existing wall (such as footings, chimney breasts, chimney shafts or other projections beyond the vertical face of such existing wall), such projection or part being, in fact, an encroachment on the land of the building owner, the building owner may so cut away at the expiration of at least one week's written notice, which he shall give to the owner of such other building.

The parts from which any such brick, stone or concrete work is so cut away shall be again made good in a workmanlike substantial manner; and the building owner shall use reasonable care in such cutting away and making good; but all such work shall be done at the cost of the owner of such other building:

Provided that, if the owner of such other building shall before the expiration of such notice, give to the building owner notice in writing that he desires to carry out such work or cutting away and making good, he shall be entitled to do so at his own cost, and may enter on the land of the building owner for that purpose; but, if such work be not completed by him within one month after such expiration, the building owner may proceed to do or complete the same as hereinbefore provided.

(4) Where, under this by-law, one person claims to recover the cost of work or to recover compensation from another person, the claimant shall, within fourteen days after completion of the work, serve upon such other person a written account of the cost (including the cost of all preliminary and incidental operations). Such account shall give detailed particulars of the class of work done, quantities and cost at current rates, and shall allow reductions for the value at current prices of such materials, the property of such other person, as have been won by excavation or by pulling down or cutting into any wall or projection.

Application prior to erection of building

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4.—(1) No person shall erect or commence any earthworks or other works to prepare the site for any building until—

(a) application has been made to the Council on Form 1 in the First Schedule hereto, to be obtained from the Council;

First Schedule

(b) the drawings and other documents specified in the following by-laws have been submitted to the Council;

(c) a written permit, to be called a "building permit", has been obtained from the Council to erect the building, together with a signed copy of the plan approved by the Council, as hereinafter provided. Such permit shall be on Form 2 in the First Schedule hereto and shall be signed by the Council or its authorised agent and shall entitle the holder to erect the building in accordance with such approved plan and subject to all conditions imposed by these By-

laws. Any subsequent modification or alteration that it is proposed or necessary to make in such approved plan shall be submitted to the Council for approval in the same manner as the original plan, and no such modification or alteration shall be made in the construction of the building until it has been approved by the Council and the particulars thereof endorsed on the original building permit and signed plan.

Fees

LN 90/1966

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(2) For and with every plan deposited at the office of the Executive Officer in accordance with the provisions of this Part there shall be paid a fee as prescribed from time to time by the Council by resolution:

Provided always that the Council may, in its discretion, waive any fees payable under this paragraph.

Plans and what they should show

5.—(1) Every person who intends to erect a building shall, except where otherwise provided, send or deliver to the Council two copies of a plan of each floor and sections of each storey, floor and roof of the building and elevations drawn in a clear and intelligible manner, to a scale of not less than one inch to every eight feet. He shall show upon the plans, sections and elevations the following particulars—

(a) the position, form and dimensions of the foundations, walls, floors, roofs, rooms, chimneys, and the several parts of the building including outside kitchen, servants' quarters, stables, garages, or other outbuildings of a similar type, in such detail and to such an extent as may be necessary to show that the buildings comply with any of the by-laws which apply to them;

(b) the form and dimensions of any water closet, earth closet, privy or cesspool to be constructed in connection with the building;

(c) the level of the site of the building and the level of the lowest floor of the building and the level of any street adjoining the curtilage of the building in relation to one another and above some known datum;

(d) any plans, drawings, documents or information that the Council may require;

(e) the truncation of any corner formed by the intersection of any street and the setting back or adaptation of the proposed building to conform with the requirements of these By-laws.

(2) A person sending or delivering plans to the Council under the provisions of paragraph (1) of this by-law shall also send or deliver to the Council copies of a block plan of the building

drawn in a clear and intelligible manner to a scale not less than one inch to every fifty feet and showing—

- (a) the size and position of the building in its relation to the boundaries of the plot to be built upon and, so far as may be necessary to show compliance with any of the by-laws which apply to the building, of the appurtenances of the properties immediately adjoining the building;
- (b) the position and width of any street, adjoining the curtilage of the building, so far as may be necessary to show compliance with any of the by-laws which apply to the building;
- (c) the size and position of any yard or open space belonging to the building;
- (d) the position of any water closet, earth closet or privy, and of any cesspool and well in connection with the building;
- (e) the lines of drainage of the building and the size, depth and inclination of each drain and the means to be provided for the ventilation, inspection and cleansing of the drain;
- (f) the position and level of the outfall of the drains and the position of any sewer with which the drainage is intended to be connected or, where no sewer is provided, the means to be adopted for the disposal of all liquid waste in the building.

(3) The Council may in its discretion in any particular case—

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- (a) require a structural or design certificate to be submitted;
- (b) require a certificate from the Fire Officer that the building has adequate means of escape and fire-fighting equipment;
- (c) dispense with the need to submit plans; or
- (d) vary or alter the conditions under which plans may be acceptable.

Plans, etc., for erection of machinery

6. Every person who intends to erect any machinery shall satisfy the Council that the foundations, supports, shafting and brackets are of sufficient strength to ensure the safety of the building in which such machinery is to be erected, and that proper guards are provided for the protection of employees and shall submit plans and a description thereof to the satisfaction of the Council.

Grounds on which plans may be disapproved

7.—(1) The Council may disapprove of plans or applications to erect a building or machinery on any of the following grounds—

- (a) that they show a contravention of these by-laws or of any regulations for the time being in force in the Town area;
- (b) that the system of drainage of the proposed building or of the plot or sub-plot upon which the building is to stand is not, in the opinion of the Council, satisfactory;
- (c) that latrine accommodation and, where considered necessary by the Council, servants' accommodation are not adequately provided for;
- (d) that the site upon which it is proposed to build is, in the opinion of the Council, unfit for human habitation;
- (e) that they do not adequately provide for the strength and stability of the building, nor for the sanitary requirements thereof;
- (f) that the site or plan of any of the proposed buildings, outbuildings or rooms is not suitable having regard to any living room or lavatory on any adjacent plot;
- (g) that the site of any of the proposed buildings on the plans is such that the erection of such buildings would contravene any town planning scheme for the Town area;
- (h) that the plan is not accompanied by an undertaking in writing by the person submitting such plan that the building operations will be supervised by a qualified architect or other competent person so as to ensure that the building complies with the plan.

Special circumstances in which Council may withhold approval of plans

(2) In any case where the Council is of the opinion that any building, though the plan thereof is not open to disapproval on any of the grounds specified in this by-law, is nevertheless unsuitable or undesirable aesthetically or is to be put to an undesirable use, the Council may withhold approval of such plan subject always to an appeal to the Minister, whose decision shall be final.

Quality and signature of plans

(3) All plans and drawings shall be furnished in duplicate and shall be of a quality approved by the Council. Both sets shall be signed on every sheet by the person intending to erect the building, or his agents, and the architect or draughtsman. On the plans being approved, one set shall be returned to the applicant and the other retained by the Council and becomes its property.

Minor alterations

8.—(1) Notwithstanding any other provisions in these By-laws contained, a person may effect minor alterations to a building provided the cost of the minor alteration does not exceed one hundred dollars, and he obtains a permit in writing, hereinafter called a minor building permit, to do so from the Executive Officer.

(2) Any application for a minor building permit shall be accompanied by a sketch plan showing the alteration proposed.

(3) The person to whom the Executive Officer has granted a minor building permit shall commence the alterations in respect of which such was granted within six calendar months of the date of such minor building permit. Should he fail to do so, the said minor building permit shall be deemed to have lapsed as if the same had not been given.

Building line

9.—(1) The building line, when fixed by the Council, in relation to any street or part thereof, shall be marked on a plan, or clearly described in a resolution of the Council; and such plan or resolution shall be open for inspection by the public free of charge during the office hours of the Council.

(2) Alteration may be made by the Council where the levels or depth of the allotment or other exceptional conditions of a site or the nature of a building make it necessary or expedient to alter the building line in respect of any part of the building or buildings.

Area to be covered by buildings

10.—(1) Public buildings, buildings of the warehouse class and domestic buildings not used, adapted or designed as dwelling-houses, shall not be so erected that more than eighty per centum of such plot on which each building stands or is to stand shall be built over.

(2) Buildings used or adapted or designed to be used as dwelling-houses shall not be so erected that more than one-half of the plot on which such buildings stand or are to stand shall be built over. In the case of dwelling-houses appearing, in the opinion of the Council, to be erected, adapted or designed to be used entirely as hotels, lodging-houses or clubs, paragraph (1) only of this by-law shall apply.

(3) Not more than two employees shall be provided with quarters on any business plot, and not more than three servants shall be so provided with quarters on any residential plot, except with the written consent of the Council.

(4) Provided that the limits set out in paragraph (1) and paragraph (2) of this by-law may be varied in any particular instance where the Council is satisfied that an area larger than that set out in this by-law may be built over without prejudice to the public health.

Period for commencement of erection

11. The person to whom the Council has granted a permit to erect any building shall commence the same within six calendar months of the date of such permit; should he fail to do so, the said permit shall be deemed to have lapsed as if the same had not been given.

Period for completion of erection

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12. If the work for which a permit has been granted has not been completed within twelve months of the granting of such permit, the Council may at any time after the expiry of the said period of twelve months give notice in writing to the person concerned therein that, unless the building is completed by a date to be specified in such notice, the permit given shall be deemed to have lapsed:

Provided that nothing in this by-law shall prevent any person affected thereunder from making a fresh application for a permit as prescribed by these By-laws.

Inspection of buildings

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13.—(1) The Council or its authorised officials shall have power to inspect any building in course of erection or completion and, if any portion or detail thereof shall be found not to comply with any of these By-laws, by written notice, require the person erecting the building to make, within a time to be specified in such notice, such alteration as may be necessary to comply with these By-laws, and any failure to comply with such notice shall be deemed a breach of this by-law.

(2) Any person erecting a building shall give notice to the Council, on the Forms in the Second Schedule hereto on completion of each of the following stages of construction—

- (i) footings, foundations or column bases as appropriate,
- (ii) floor slab or bearers and floor joists,
- (iii) ring beams or plate height including all diagonal wall bracing,
- (iv) roof trusses prior to any internal cladding,
- (v) drain runs, septic tank, soakage pits and where appropriate, mains sewerage connections prior to covering,
- (vi) full completion.

In each case the application shall allow a period of two full working days from receipt by the Council of such notice to allow an inspection to be carried out before work continues.

(3) If any person erects or begins to erect any building or commences any earth works or other works to prepare the site for any building without having obtained the permit required by these By-laws or, in the erection of any building, contravenes any of the provisions of these By-laws, or, having obtained such permit, constructs the building in part or in whole

according to a plan which has not been approved by the Council, or fails to comply with any notice served upon him in pursuance of paragraph hereof, the Council may, in addition to any other proceedings that may be taken for a breach of these By-laws, require, by written notice, such person to demolish and remove such building or any part thereof or to make such alteration in such building as it may prescribe within a time to be specified in the said notice. Further, in the same or another notice, the Council may notify such person that, if such requirement is not complied with the Council may act in accordance with the terms of such notice any may recover all costs and expenses incurred by it in that behalf from the person who has failed to comply with such requirement.

Permit required before occupation of new buildings

14.—(1) The applicant or his authorised agent shall give notice in writing to the Council when the building is completed, and no person shall occupy or suffer to be occupied any new building until such building has been certified by the Council or its authorised agent to be, in its opinion, in every respect fit for occupation, or, in the case of a domestic building or dwelling-house, fit for human habitation.

(2) The Council shall cause an inspection of the building to be made within two full working days from the date of receipt of notice of completion.

Stores and shops to be rendered rat-proof

15. Every person who erects a new building which includes a shop or store used or intended to be used for business purposes and for containing or storing grain, forage or other foodstuffs, hides, material or articles likely to attract or harbour rats or mice shall erect such shop or store so as to be as rat-proof as possible and to the satisfaction of the Council.

Dwelling-houses to be provided with ceilings

16. Every person who shall erect a new dwelling-house shall cause all rooms, verandahs, balconies, or any other part of such building as the Council may direct, to be provided with a proper ceiling with an adequate air space between it and the roof to the satisfaction of the Council:

Provided that in the case of verandahs roofed with asbestos or other insulating material approved by the Council, the ceiling may be dispensed with at the discretion of the Council.

Ruinous building; alteration or demolition

17. When any building or part thereof has, in the opinion of the Council, become ruinous or dilapidated, or unfit for use or occupation, or is, from neglect or otherwise, in a condition prejudicial to the public health or safety, the Council may, by notice to be served upon the owner, or, if the owner cannot be found or is not in Solomon Islands, upon the occupier (if

any) or, if there is no occupier and the owner cannot be found or is not in Solomon Islands, by affixing such notice upon the premises, require such owner or occupier to make, within a reasonable time to be specified in the notice, such alterations or repairs as the Council may consider necessary, and, until such alterations or repairs are carried out, may prohibit the use of such building or part thereof for any specified purpose, and, if in the opinion of the Council, such building or part thereof ought to be demolished or removed, the Council may give notice accordingly in the manner aforesaid. The failure of the owner or occupier to carry out any such order shall be deemed a breach of this by-law, and, in addition to any other proceedings that may be taken, the Council or its authorised agent may enter upon the premises and make such alterations or repairs or demolish or remove the building or any part thereof, as the case may be, and may recover the cost thereof from the owner or occupier:

Provided that any person upon whom such notice requiring demolition, removal, repairs or alterations is served may, prior to the expiration of the time specified, apply to the High Court for a summons calling upon the Council to show cause why the said notice should not be rescinded or varied, and, upon the hearing of the said summons, the High Court may confirm, rescind or vary the said notice.

Hoardings, fences and projecting structures

18.—(1) No hoarding or fences shall be erected in any street or on any land except with the written permission of the Council, and then only under such conditions as to erection or removal thereof as it shall allow.

(2) No part of, or fixture attached to, any building abutting on a street shall overhang or project into such street:

Provided that the Council may permit, on such terms as in each case it may think fit, the owner or occupier of any building abutting on a street to erect or put up a hanging sign, balcony, verandah, sunshade or other structure projecting from any upper storey over any street or portion thereof.

(3) No boundary wall or fence higher than six feet above ground shall be erected so that it blocks off any means of ventilation or fresh air to an adjoining building or plot.

Doors and windows opening outwards

19. The Council may at any time, by written notice, require the owner of any premises on the ground floor of which any door, gate, bar, window or other structure opens towards or upon a street or upon any land required for the improvement of a street, in such manner as, in the opinion of the Council, to obstruct the safe or convenient passage of the public along such street, to have the said door, gate, bar, window or other structure altered so as not to open outwards.

Building on offensive site

20. No new building shall be erected on any site which has been filled up by or has been used as a place for the deposit of excremental matter or the carcasses of dead animals or other filthy or offensive matter, until such matter shall have been properly removed or otherwise dealt with to the satisfaction of the Council who may require the whole of any site to be covered with a layer of concrete or other impermeable material. Where, on the site of a building, there is any made-up ground or other unsuitable soil, the walls of such building shall rest upon a layer of concrete of sufficient dimensions to support it, and, when considered necessary by the Council, the whole site of the building shall be covered with concrete.

Height of building

21. No building which abuts on a street shall be built so that any portion of it projects above an imaginary line drawn towards it at a vertical angle of 45 degrees from the opposite side of such street.

Conformity with adjacent buildings and with building line

22.—(1) Every person who erects a new building shall erect the same only in such position on the site of the plot as to be in general conformity with such adjacent or contiguous buildings as the Council may direct and any street or building line laid down or to be laid down by the Government or the Council. He shall also erect such new building to a design or plan not inferior to the general class and character of such buildings as the Council may direct in the same neighbourhood within which such new building is proposed to be erected; and, further, he shall erect such new building to a level suitable to the land upon which such new building is proposed to be erected, having regard to the levels of any existing or proposed street or road and the levels of existing buildings.

Design and decoration to conform

(2) If the facing material or decoration shown on the drawings or used in any building in course of erection is, in the opinion of the Council, of such quality or design as to appear aesthetically unsuitable, the Council shall have power, subject to an appeal to the Minister, to require the owner to amend, alter or substitute such facing material or decoration in such manner as will be compatible with other facing material or decoration in general use in the Town area.

Dwellings to have separate and unimpeded access to street

23. No person shall erect a building intended, adapted or designed to be used wholly or partially for human habitation so that any portion thereof which constitutes a dwelling-house shall be without unimpeded access to the street.

Basements and cellars

24.—(1) No new dwelling-house shall contain any basement or cellar or any room or part of a room below ground floor without the sanction of the Council, which may be granted subject to such conditions as the Council may think fit.

(2) For the purpose of this by-law, basement means a storey or portion of a storey, partly below ground level, the ceiling of which is not less than five feet above the adjoining ground (irrespective of any excavation made to comply with these By-laws), and "cellar" means a storey or portion of a storey, below ground level, the ceiling of which is less than five feet above the adjoining ground.

Foundations

25. Every person who erects a new building shall construct every wall or pier of the building so as to rest upon solid undisturbed rock or upon proper footings or, if the thickness of the wall does not exceed nine inches (exclusive of any cavity in a wall constructed as a hollow wall), upon a layer of good cement concrete of sufficient width and thickness laid on the ground or upon a sufficient bressummer, or upon some other solid and sufficient substructure as a foundation.

Construction of footings to walls

26. Every person who erects a new building and so constructs any wall or pier as to rest upon footings shall—

- (a) cause such footings to rest upon solid undisturbed rock or upon good concrete of sufficient width and thickness, or upon some other solid and sufficient substructure, as a foundation;
- (b) cause the projection at the widest part of the footings of a wall, on each side thereof, to be at least equal to one-half of the thickness of the wall at its base, unless an adjoining wall or pier interferes, in which case the projection may be omitted;
- (c) cause the diminution of the footings to be in regular offsets, or in one offset at the top of the footings, and the height from the bottom of the footings to the base of the wall to be least equal to two-thirds of the thickness of the wall at its base;
- (d) cause the footings of a pier on every side thereof to be constructed in accordance with the by-laws application to the footings of the wall comprising the pier.

Damp-proof course in walls

27. Every person who erects a new public building or a new domestic building, or a new building of the warehouse class in which it is intended to employ any persons in any

manufacture, trade or business, shall cause every wall (including any pier forming part of a wall) of the building to have an effective damp-proof course of sheet lead, asphalt or vitrified stoneware, or a double course of impervious slats or blue bricks laid to break joint and bedded in cement mortar, or of other not less durable material impervious to moisture, beneath the level of the lowest timbers, and, where there is a solid floor, not higher than the upper surface of the concrete or other similar solid material forming the structure of the floor, and, in any case, at a height of not less than six inches above the surface of the ground adjoining the wall or pier.

Floors

28. Floors may be made of concrete, stone, good sound burnt brick, wood or other material approved by the Council:

Provided that, in the case of wooden floors on the ground floor of a building, the Council may require the concreting of the ground underneath and the rat-proofing or mosquito-proofing underneath and the rat-proofing or mosquito-proofing of any space between the floors and the ground.

Party walls not to have any openings therein

29.—(1) A party wall shall not have any openings in such part thereof as shall be within the roof nor, except with the written consent of the Council, in any other part.

Inflammable materials

(2) A person who erects a new building shall not place in any party wall of the building any wooden bressummer, beam, joist, purlin or plate or any bond timber, and shall not construct the roof of the building so that any timber or woodwork extends upon or across any party wall thereof:

Provided always—

(a) that laths and tile or slate battens properly embedded in good cement, in good cement mortar or in good lime mortar, or in other equally incombustible material, may extend upon or across a party wall;

(b) that the end of any wooden bressummer, beam, joist, purlin or plate or any bond timber may be placed in a party wall, if it does not extend beyond the central line of the party wall and is either encased in brickwork or other solid and incombustible material not less than four inches in thickness, or has every part which is placed in the party wall properly encased in an iron beam box with a solid back.

Strength and materials of walls

30. Every wall shall be of sufficient strength and shall be constructed in such a manner and of such materials as the Council may approve.

Protection of walls from weather

31. Every wall built of concrete, concrete block, stone, good sound burnt bricks or other similar material shall be properly bonded and solidly put together with mortar, and all return walls and partition walls shall be properly bonded to the walls adjoining them. Where the top of the wall is exposed to weather, it shall be properly protected so as to prevent the access of damp or water to the wall.

Thickness of walls

32.—(1) All external and party walls which are built of good sound hard bricks, or of blocks of hard incombustible material, laid in cement or lime mortar, shall generally be of not less than the following thicknesses—

Exceeds Does not Exceeds Does not Thickness
in height exceed in in length exceed in at base

height length

(Feet) (Feet) (Feet) (Feet) (Inches)

...9..... 6

920..... 9

.....(60131/2)

2030(60...18)

.....(6018)

3040(60...221/2)

Cross walls

(2) The thickness of a cross wall shall be not less than two-thirds of that required for an external or party wall.

Partition walls

(3) An internal partition wall built in brick which extends through one storey only, if it carries no load, may be built not less than four-and-a-half inches in thickness in brick or dressed stone. Such a wall shall not be deemed to be a cross wall. This paragraph does not apply to recesses in walls.

Definition of cross walls

(4) The length of a wall shall be deemed to be its length between cross walls or buttresses. For the purpose of this by-law, a wall shall not be deemed a cross wall unless it be carried up to the top of the topmost storey, and unless in each storey the aggregate extent of the vertical faces or elevation of all openings therein taken together shall not exceed one-half of the whole extent of the vertical face of the wall in such storey, except such wall be sufficiently strengthened as provided in paragraph (5) of this by-law.

Openings in cross walls

(5) If any openings or recesses are left or made in a wall to an extent greater than one-half of the superficial area of the wall of any storey, or if any openings or recesses are left or made which extend into two or more storeys, the wall shall be strengthened to the satisfaction of the Council by sufficient pilasters, buttresses or counterfronts or otherwise. For the purpose of this paragraph, a recess includes any part of a wall which is of less than the thickness prescribed for a wall of that description.

Concrete blocks

(6) Where concrete blocks are used in the construction of the walls of a building, they shall conform with the following standards—

(a) the minimum allowable mix by volume of concrete used for their manufacture shall be: cement one part; sand four parts; stone eight parts;

(b) hollow blocks shall not be used under a concentrated load, but solid blocks or a solid pier be substituted.

Stone walls

(7) The thickness of walls of masonry other than ashlar shall be one-third greater than the dimensions given above for brick walls, but in no case shall be less than nine inches thick.

Height of walls

(8) The height of a storey other than a top storey shall be measured from the level of the upper surface of the floor to the level of the upper surface of the floor next above it, or, in the case of one-storeyed buildings or of the top storey of a building, to the underside of the tie of

the roof or other covering, or, storey of a building, to the underside of the tie of the roof or other covering, or, if there be no tie, then up to the level of half the vertical height of the rafters or other support of the roof.

Steel frame and reinforced concrete buildings

(9) In the case of the erection of buildings of steel framework or reinforced concrete or the making of any addition or alteration to such buildings, and where the dead loads and superimposed loads of, in or upon a building are transmitted to the foundations by a series of steel stanchions or reinforced concrete pillars, beams, arches or other suitable construction, details of type, sizes and specifications of structural steelwork, including size and disposition of reinforcing steelwork, walls of concrete or other suitable material between such pillars may be of any thickness not less than four inches:

Provided that such enclosing walls are designed and constructed, to the satisfaction of the Council, to resist any loads and pressures they may have to carry.

(10) The Council may, with the approval of the Minister, accept thicknesses of walls other than those stated in paragraph (1), if in its opinion such other thicknesses will provide reasonable stability.

Metal work to be approved and protected if required

33. All steel, iron or other metal work used in the construction of a building shall, in respect of strength and other qualities, be approved by the Council. Where required by the Council, all such metals shall be surrounded and suitably protected against fire by cement or other fire-proofing material at least one inch thick.

Preserving of woodwork

34. All timber and woodwork shall be properly protected from the attack of white ants and when necessary ant traps shall be used, if required by the Council.

Strength of beams

35.—(1) Every beam shall be of sufficient strength and shall have a sufficient bearing at each end arranged so that the load is properly transmitted to the supports.

(2) Wooden lintels shall have a depth of at least three-quarters of an inch for every foot of span of opening with a minimum of three inches. In all spans of four feet or over, relieving arches or concrete lintels shall be inserted:

Provided that this paragraph shall not apply in the case of a wooden-framed building.

Bressummers

36.—(1) Every person who erects a new building shall cause every bressummer to be borne by a sufficient template of stone, iron, concrete, terracotta or vitrified stoneware of the full breadth of the bressummer, and to have a bearing in the direction of its length of four inches at least at each end.

(2) He shall also, if necessary, cause the bressummers to have such storey posts, iron columns, stanchions, or pins of brick, stone, or other equally suitable material on a solid foundation under the same, as may be sufficient to carry the superstructure.

Loads on floors

37. Every person who erects a new building for any of the purposes enumerated in the first columns of the table appended to this by-law shall make the structure of every floor of such building of sufficient strength and stability to carry safely, in addition to the dead load of the floor itself and any other part of the structure of such building supported by such floor, the corresponding superimposed load in the second column of the said table:

Provided that a deduction up to 20 per centum of the specified loads may be sanctioned if the Council is satisfied as to the excellence of the design and of the material and workmanship to be employed in construction. This proviso does not apply to floors subject to rhythmic vibration.

COLUMN 1 COLUMN 2

For floors intended to be used wholly or partially for the purpose of—Superimposed
Load
pounds per
square foot

Domestic purpose

Human habitation30

Private dwelling-house

Common lodging-house bedrooms

Hotel bedrooms40

Hospital and other wards

Offices50

Other similar purposes

Workshops (light loads)60

Classrooms

Places of public worship
Lecture rooms
Meeting halls80
Public assembly (fixed seats)
Retail shops

Theatres
Garages100
Dance-halls

Factories (medium loads)150

Warehouses200

Every other floor shall be constructed of sufficient strength and stability to the satisfaction of the Council.

Chimneys

38.—(1) In all cases where smoke or hot air is generated, adequate provisions shall be made for conveying such to one foot above the ridge of the building in which the smoke or hot air is generated, except in the case of the proposed chimney or shaft being less than twenty feet away from an existing building of a greater height. In such case, the chimney must be carried up to one foot above the level of the ridge of such existing building.

(2) In the event of the owner of an existing building, referred to in paragraph (1) proposing to increase the height of such building, the onus of the said paragraph will fall on such owner.

Chimney shafts

39. No chimney shaft, boiler, hot water or steam installation shall be erected without the written consent of the Council and such details shall be supplied as the Council may require.

Frontage on sanitary lane or passage

40. No new building shall, without the written permission of the Council, be erected so as to have a frontage upon any place which in the opinion of the Council is a sanitary lane or open drain.

Size of rooms

41.—(1) Every room designed for human habitation shall, taken over its entire area, be of a mean average height of at least seven feet six inches from floor to ceiling or underside of roof and no part thereof (other than a part not exceeding in all 15 per centum of the whole in

extent) shall be less than seven feet six inches in height from floor to ceiling or underside of roof.

(2) The wall of any living or sleeping room shall not be less than seven feet six inches in height from floor to top of wall plate.

(3) Every room designed for human habitation shall have a clear superficial floor area of not less than one hundred square feet, save that the third and other additional bedrooms in each dwelling-house may be not less than ninety square feet.

LN 41/1984

Area and situation of windows in domestic buildings and dwellings

42.—(1) Every person who erects a domestic building shall construct in every habitable room, hall or enclosed area of such building one window, at the least, opening directly into the open air. Such person shall cause the total area of such window or, if there be more than one, of the several windows, clear of the frames, to have an area equal to at least one-twelfth of the superficial floor area of such room, hall or other enclosed area, with an increase in such window area, if any window be placed under a verandah, of 1 1/2 per centum of floor area for each foot of width of verandah over five feet. Such person shall construct every such window so that one-half, at the least, may be opened, and so that the opening may extend in every case to the top of the window.

Ventilation openings

(2) Every person who erects a domestic building shall cause every habitable room and every passage of such building to be properly and efficiently crossventilated.

Ventilation of public buildings

43.—(1) Every person who erects a new public building shall cause such building, to the satisfaction of the Council, to be efficiently cross-ventilated by means of windows or fan-lights or air bricks or tubes distributed around the buildings in such positions and in such manner as to secure effective changes of air, and arranged so as to communicate directly with the external air:

Provided that where air conditioning has been installed the space or spaces thus air conditioned shall be exempt from this by-law.

Ventilation and lighting of buildings of the warehouse class

(2) Every person who erects a new building of the warehouse class shall cause such building

to be provided with proper and efficient lighting by means of glazed windows, and with proper, adequate and efficient means of cross-ventilation, to the satisfaction of the Council.

Gutters

44. The construction or fixing of roof gutters to any new building erected after the coming into force of these By-laws shall be permitted:

Provided that the Council may impose such conditions upon such construction or fixing as it may deem desirable to prevent mosquito breeding.

Drainage of plot and buildings

45. The owner of any plot shall make adequate provision, to the satisfaction of the Council, for the satisfactory carriage and disposal of all rain-water surface water, waste water or sewage from the plot or from any building thereon, and for this purpose the Council may require such owner to make such connection with the main drainage system of the Town area as it may think fit, or may itself make such connection and recover the cost thereof from such owner.

Provisions of water closets or latrines

46.—(1) Every new building shall be provided with sufficient closets or latrines in accordance with the requirements of the Council, so situated as to be conveniently accessible to all persons employed or accommodated therein. Every closet or latrine erected shall be of the type and materials approved by the Council.

(2) Every water closet or latrine provided for a building shall be so placed as to permit of its thorough ventilation and lighting and shall be separated by a well-lighted and ventilated passage from any kitchen, living-room or workroom.

Storage of refuse

LN 42/1984

47. The owner of any plot shall make adequate provision, to the satisfaction of the Council, for on-site storage of refuse.

Exemptions

48. The following buildings shall be exempt from the operation of by-laws 25 to 28, 29 (2) to 32 and 41 to 43 inclusive—

(a) any building erected and used or designed according to the original application and plans therefor to be used exclusively as a conservatory or plant house;

(b) any building, being a detached building, erected and used or constructed or designed according to the original application and plans therefore to be used exclusively for a poultry house, garden tool house, cycle shed, motor garage, summer house or aviary.

Special provisions and exemptions for timber frame structures

49.—(1) Any building hereinafter described shall be exempt from the operation of by-laws 31 and 32, that is to say: any building of one storey, the walls of which are constructed of properly framed timber framing and covered externally with some impervious fire-proof material, and, to a height of not less than twelve inches above the surface of the ground adjoining such wall, are—

(a) constructed of—

(i) good cement concrete at least six inches wide; or

(ii) good stone, bricks or other hard and suitable material at least six inches wide and properly bonded and solidly put together; or

(b) carried upon—

(i) sufficient piers constructed of good cement concrete nine inches wide or of good stone, bricks or other hard and suitable material at least nine inches wide, properly bonded and solidly put together; or

(ii) metal or timber standards of sufficient strength.

Every such pier, standard, or wall shall be covered with a sheet metal cap projecting three inches at least beyond the face of such pier, standard, or wall on every side.

(2) The distance of any part of such building from the boundary of any adjoining plot or sub-plot shall not be less than five feet.

(3) Any such building at and over a height of twelve inches from the surface of the ground may have all or any of its external walls covered on the outside partly or wholly with combustible material, if such building is at least twelve feet from any other building and from the boundary of any adjoining plot or sub-plot.

(4) All corrugated iron and wood used in the construction of walls, roofs, or fences in connection with any building to which this by-law applies which have been previously used for the structure of other works shall be in good, proper and sightly condition.

Special provisions and exemptions for native-style buildings

50. The provisions of by-laws 16, 25 to 27, 29 (2), 31 to 33, and 36 to 37 inclusive shall not

apply to buildings constructed in native traditional style wholly of native materials or to buildings constructed in any area approved by the Council as a special housing estate to which this by-law applies:

Provided that the distance of any part of such building from the boundary of any adjoining plot or sub-plot or from any other building shall be not less than twelve feet.

LN 59/1962

Council may grant permits for temporary buildings

51. Notwithstanding anything contained in the foregoing by-laws it shall be lawful for the Council to grant permits for any specified period not exceeding twelve months for temporary buildings on such obligations both as to removal thereof and otherwise and generally upon such terms as may be prescribed, and the foregoing by-laws shall not apply to any building erected under such a permit unless by express stipulations.

Penalties

LN 32/1980

52. Any person who contravenes any provision of these By-laws shall, on conviction, be liable to a fine not exceeding one hundred dollars or imprisonment for a period not exceeding two months or both such fine and imprisonment.

FIRST SCHEDULE

FORM 1

(By-Law 4)

APPLICATION TO ERECT A BUILDING

For Office Use Only

Plan submitted

Reg. No. of Plan

Date of Registration

To the Honiara Town Council,

I beg to submit herewith plans, sections and elevations for a (state whether

new building, alteration, addition or sanitary reconstruction) to be used as
(State whether a domestic building or for what purpose the building will be used) to be
erected by me on Plot No., such plot having frontage to
.....

I also submit the following proposed means of construction and other particulars:

External Walls to be built of

Internal Walls to be built of

Mortar in Walls to be composed of

Damp Course to be of

Foundations to be of

Mortar in Foundations to be composed of

Roof to be constructed of

Water Supply from

Drainage to sewer/permeable cesspit/impermeable cesspit/septic tank (Erase words which do
not apply). In the case of septic tanks, state how effluent will be disposed of
.....

Material of Drain Pipes

Closet accommodation (State type)

Indoor

Outdoor

Estimate of Cost of Building

Name of Architect or Draughtsman

Address of above

Name of Builder (if known)

Signature of Owner or Agent

Address of Owner or Agent

Note.—Extra particulars as may be required by the Council are to be furnished in regard to public buildings, high buildings, fireproof structures and buildings in which machinery is used.

For particulars of plans and drawings required, see Honiara Town Council Building By-laws.

FORM 2

(By-law 4)

BUILDING PERMIT

THE HONIARA TOWN COUNCIL BUILDING BY-LAWS

Permission is hereby given to (1) to erect a building as a (2) on (3) in accordance with the Plans No attached hereto, and with all conditions imposed by the above By-laws.

Date.....

Executive Officer

(1) Name and description of applicant.

(2) Short description of building; e.g. dwelling-house, shop and dwelling-house, factory, etc. (Modify to suit circumstances.)

(3) Description of situation.

SECOND SCHEDULE

LN 41/1984

(By-law 13 (2))

FORM 1

Footings/Foundations/Column Bases (delete as necessary) have been completed in accordance with the Honiara Town Council Building By-laws and are now ready for inspection.

Applicant: Date:.....

H.T.C. Inspectorate: Date:.....

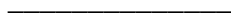


FORM 2

Footings/Foundations/Column Bases (delete as necessary) have been completed in accordance with the Honiara Town Council Building By-Laws and are now ready for inspection.

Applicant: Date:.....

H.T.C. Inspectorate: Date.....



FORM 3

Ring beam/plate height and wall bracing (delete as necessary) have been completed in accordance with the Honiara Town Council Building By-laws and are now ready for inspection.

Applicant: Date:.....

H.T.C. Inspectorate: Date:.....



FORM 4

Roof trusses prior to internal cladding have been completed in accordance with the Honiara Town Council Building By-laws and are now ready for inspection.

Applicant: Date:.....

H.T.C. Inspectorate: Date:.....

FORM 5

All drain runs, septic tank, soakaways and mains sewerage connection (delete as necessary) have been completed in accordance with the Honiara Town Council Building By-laws and are now ready for inspection.

Applicant: Date:.....

H.T.C. Inspectorate: Date:.....

FORM 6

FULL COMPLETION

Has been reached in accordance with the Honiara Town Council Building By-laws and a final inspection is now requested.

Applicant: Date:.....

H.T.C. Inspectorate: Date:.....

BUILDING PERMIT FEE

LN 131/1995

(By-law 4 (2))

The building permit fee shall be 0.3% of the estimated value of the works on completion as agreed by the Council, subject to a minimum fee of \$10.00.
