Revised Regulations of Anguilla: B65-2

BUILDING ACT (R.S.A. c. B65)

BUILDING REGULATIONS

Note: These Regulations are enabled under section 9 of the Building Act, R.S.A. c. B65.

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SCHEDULE: Form of Application to the Building Board

Interpretation

1. In these Regulations—

"Act" means the Building Act;

"building lot" means the land exclusively belonging or intending to belong to any building in respect of which application is made to the Board at any time, whether such land at the time of the application has buildings on it or not;

"dwelling house" means any building used or constructed or adapted to be used for human habitation and, in the case of a building used partly as a dwelling house and partly for other purposes, that part used as a dwelling house;

"living room" means any room which is ordinarily used for living or sleeping purposes;

"new building" means any building or part of a building or addition to a building erected or re-erected wholly or partially or converted into a dwelling house;

"public place" means any place to which the public have access;

"storey" means that portion of a building contained between any 2 floors, and if there is no upper floor, that portion of a building between the floor and the top of the wall or roof-plate, but the space between the lowest floor and the ground, if not exceeding 6 feet and 6 inches in height, or a cellar beneath a building or a garret in a building of 2 or more storeys shall not be deemed a storey within the meaning of these Regulations.

Applications to Board

2. Every person about to undertake any work in relation to the erection, re-erection, removal, or external structural alteration of a building shall, before beginning so to do, apply in writing in the Form set forth in the Schedule, to the Board for their approval of the proposed work and, if required by the Board, shall submit a plan of the site and of the proposed work and an estimate of the cost. No such work shall be undertaken without the approval of the Board.

Documents to be submitted in duplicate

3. All documents required by the Board shall be submitted in duplicate; and the Board shall retain one copy, which shall be the property of the Board, and return the other to the applicant.

Board to consider applications

4. Within 14 days after the receipt of an application, the Board shall, subject to the provisions of the Act and these Regulations, approve or disapprove the application or require any alteration to be made in the plan of any building intended to be erected, re-constructed, or altered, as to its height or size or as may be necessary for the purpose of securing uniformity in the appearance of the street on which such building is intended to be erected.

Decision to be communicated to applicant

5. The Board shall communicate to the applicant their decision by endorsing the same upon the copy of the application returned to the applicant and, in the case of disapproval, shall indicate their reasons therefor.

Approval to lapse

6. The approval by the Board of proposed work shall be deemed to have lapsed unless the work specified therein is begun within 6 months of the date of the approval.

Building lots

7. (1) No building lot shall measure less than 1,750 square feet in any prescribed urban area or less than 2,500 square feet in any prescribed rural area nor shall more than one dwelling house be erected on each lot. The street frontage of any building lot shall be at least 39 feet. No dwelling house and outhouses of whatever character on a building lot shall cover more than two-thirds of the surface of the lot.

(2) No additional building whatsoever shall be erected on any building lot which being in a prescribed urban area measures less than 1,750 square feet or being in a prescribed rural area measures less than 2,500 square feet.

(3) No building work shall be done on any building already existing on such a building lot other than such repairs as do not involve replacement of more than 25% of the structure.

Building line

8. The building line of a building abutting on a public place shall be determined by the Board, but unless the Board requires a greater distance, the building line shall be set back 16 feet from the centre of the road, street or other public place or of any projected road, street, or other public place.

Frontage

9. No building shall have a less frontage than 18 feet to any public place.

Air space in front of buildings

10. Every building shall have an open space of at least 24 feet extending throughout the whole frontage of the building and measured from the front of the building to the boundary of any land or premises immediately opposite or to the opposite side of any public place on which the building immediately abuts, but in the case of buildings containing exclusively, or on the ground floor, premises of a commercial nature, the above requirements may, in the discretion of the Board, be reduced.

Air space at back of buildings

11. Every building shall have an open space of at least 16 feet to its site boundary at the rear extending the whole width of the building and the open space at the rear of every dwelling house shall in addition be at least two-thirds the height of the building from ground to eaves, but outbuildings approved by the Board may be erected at the rear of a dwelling house.

Distance of buildings from side boundaries

12. No building shall be erected so that the eaves or any projecting part of such building or any external wall of such building shall be within a distance of 6 feet to its site boundary at either side from any building or from any wall or fence used or constructed to be used for the separation of adjoining buildings or adjoining lands, the property of different owners, and in the case of connected buildings, the group of buildings shall be regarded as one building.

Projection

13. No portion of or attachment to any building shall permanently project on or over any public place in such a manner that in the opinion of the Board it would cause an obstruction or danger to vehicles or pedestrians.

Encroachment

14. No person shall erect any new building without previously removing every step, or other encroachment which may be in or on the public place in front of the site where such building is to be erected.

Height of building

15. Every building intended for human habitation—

(a) if of one storey, shall have the storey not less than an average of 9 feet in height from floor to ceiling or underside of roof; and

(b) if of 2 storeys or more, shall have the lowest storey at least 9 feet, and the average height of each of the upper storeys at least 8 feet from floor to ceiling or underside of roof.

Height of dwelling houses above ground

16. Every new building intended for a dwelling house shall have the lowest floor raised from the ground at least 18 inches and supported on masonry with proper and sufficient ventilation beneath the floor, but if the frontage of the building abuts on any public place, the building shall be on a continuous dwarf wall or concrete pillars.

Drainage

17. The Board may require—

(a) that the site of every new building intended for a dwelling house shall have drains properly laid to a suitable outfall for the efficient drainage of any rain or surface water from the site; and

(b) that the sub-soil of the site be effectually drained whenever the possibility of dampness of the site renders such a precaution necessary.

Living rooms

18. No sleeping room in any dwelling house shall be constructed with a floor area less than 90 square feet. Windows shall open to the external air and be provided in all rooms. No room with an average height of less than 8 feet shall be used as a living room.

Kitchens and chimneys

19. (1) The floor of every kitchen or of any building in which fire is intended to be used shall be tiled, paved or concreted, or otherwise fireproofed to the satisfaction of the Board.

(2) The chimney of every such building shall be carried up to such height above continuous roofs as the Board may specify when granting the application.

Latrine accommodation

20. The Board shall require every new building intended for use as a dwelling, shop, factory or place of business to be provided with latrine accommodation of any one or more of 3 following classes as may be approved by the Board—

(a) a water-flush toilet erected on the premises which shall be connected to a septic tank or proper sewerage system and constructed in such a manner as shall be specified in the application approved by the Board;

(b) a dry earth closet of a type approved by the Board;

(c) a pit latrine of a type approved by the Board.

Garage

21. Every garage shall be made of concrete, stone, iron or some other non-inflammable material as far as practicable, and shall have at least 2 ventilation openings, each not less than 1½ square feet, placed so as to effect cross ventilation.

Water supply

22. The Board may require to be satisfied that an adequate and safe water supply is available within a reasonable distance of the building.

Removal of buildings and dwelling houses

23. No person shall remove any building or dwelling house or part thereof from any premises without the permission of the Board at least 48 hours before removal. Every application for permission shall state the present site of the building or dwelling house and the site where it is intended to be re-erected.

Dilapidated or dangerous premises

24. Where any buildings are in a dilapidated state or in such a condition, as in the opinion of the Board, to endanger life or property, the Board shall give notice in writing to the owner thereof, or in the case of vacant buildings shall affix a notice to the front door or some conspicuous part of such building to repair or demolish the same and, if after the expiry of 30 days from the date of such notice the work ordered by the Board shall not be commenced and diligently proceeded with, the Board by their servants or agents may enter upon the land and do all such matters and things for the carrying out of orders contained in the notice at the expense of the owner but, when any pulling down or repair required as aforesaid shall be omitted to be done by reason of the poverty of the owner, the Board may cause the necessary work to be performed at its own cost and expense.

Buildings unfit for human habitation

25. If, on the representation of the Director of Health Services, the Board is of the opinion that any dwelling house is in a state so dangerous or injurious to health as to be unfit for human habitation, such dwelling house shall be vacated by any person or persons inhabiting it within 28 days of the service of a notice signed by the Board and indicating the cause of unfitness to vacate that dwelling house and such buildings shall not again be used for human habitation until the Board is satisfied that they have been rendered fit therefor and issue a certificate to that effect.

Citation

26. These Regulations may be cited as the Building Regulations, Revised Regulations of Anguilla B65-2.

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SCHEDULE

(Section 2)

FORM OF APPLICATION TO THE BUILDING BOARD.

To the Building Board:

I, the undersigned, apply for permission to execute in accordance with the Building Regulations, the work herein particularised—

*1. Description.	(a)
2. Frontage.	(b)
3. Drainage.	(c)
4. Sanitation.	(d)
5. Water Supply.	(e)
6. Supply of Electricity.	(f)

Dated the ……..……. day of …….. , 20……. .

(Signed) ……..……...……

(Occupation) ……..…….….

……....

**Notes.*

(a) Give general description of proposed work, and in particular the type, the purpose for which it is to be used and the number of storeys.

(b) Give full particulars and measurement of frontage.

(c) Give full particulars of drainage.

(d) Give full particulars of sanitary arrangements.

(e) State source of and manner of conveying water supply.

(f) State source of and manner of conveying supply of electricity.

ENDORSEMENT BY BUILDING BOARD

Dated the …… day of …….., 20…….. .

(Signed)……..……..

Clerk to the Building Board.
