

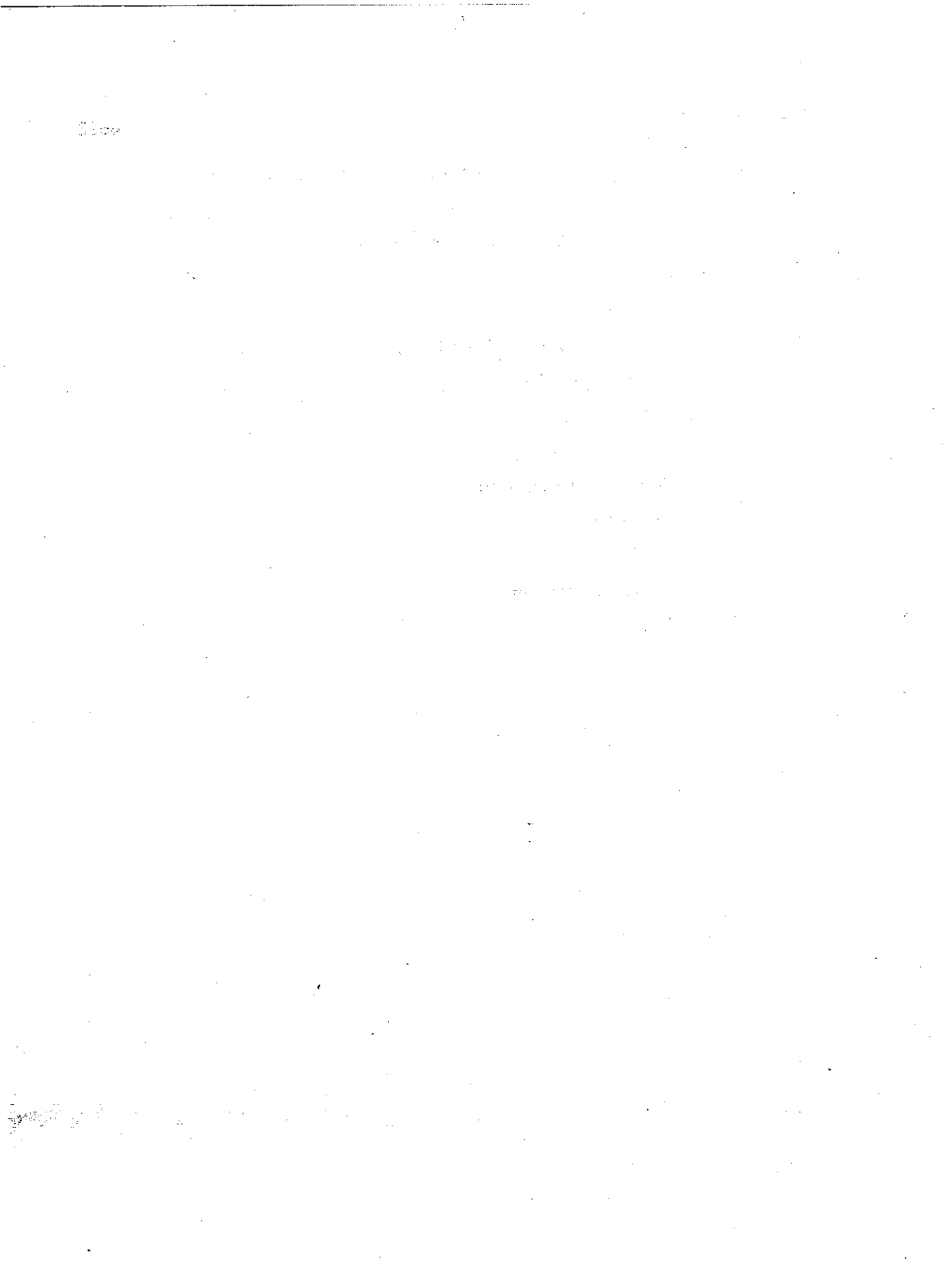
ADEQUATE PARKING SPACES FOR BUILDING MEANT FOR PUBLIC USE,

BILL, 2016

ARRANGEMENT OF CLAUSES

*Clause:*

1. Objectives
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6. Compliance and Certification
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# A BILL

## FOR

### AN ACT TO PROVIDE FOR ADEQUATE PARKING SPACES FOR BUILDING MEANT FOR PUBLIC USE AND FOR RELATED MATTERS

*Sponsored by Hon. Olufemi Fakeye*

[ ] Commencement

ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

#### PART I- OBJECTIVES

Objectives of this Act

1. The objectives of this Act are to:

(a) Prevent members of the public from suffering inconveniences

as a result of cars parked on roads and beside public buildings by users of these buildings;

(b) Ensure that adequate parking spaces are provided for buildings meant for public use;

(c) Make the provision of adequate parking spaces a condition precedent to granting of building approvals;

(d) Provide a mechanism of enforcement to the provision of this Act.

Application of the provision of this Act

2. The provision of this Act shall apply to: All public buildings and buildings meant to serve multiple users e.g. tenement houses, shopping plazas, event centres, hostels, hotels and places of worship.

#### PART II- OPERATIONAL REQUIREMENTS

Operation requirements

3. A person who seeks to build for public use, or for multiple users, shall apply to the Authority.

(a) The Authority, or any person delegated by the Authority, shall, within 14 days of receiving the application, reply in writing stating whether:

(a) The size of the land is enough for the purpose of erecting a public building with parking spaces vis-a-vis the occupancy capacity; or

1 (b) The size of the land is not enough for the purpose of erecting a  
2 public building with adequate parking spaces vis-a-vis the occupancy capacity  
3 of the proposed building.

4 (ii) A notice to inspect the land shall be given to the applicant  
5 immediately having fulfilled the provision of section 3 (ia) of this Act;

6 (iii) A notice of refusal shall be given to the applicant immediately if  
7 the size of the land is not adequate for the purpose of erecting a public building  
8 with parking spaces vis-a-vis the occupancy capacity.

Content of a  
building plan

9 4.-(i) A building plan shall include a specification of the human  
10 occupancy capacity of the public building by an Architect and a detailed  
11 information on the adequacy of parking spaces vis-a-vis the proposed  
12 occupancy capacity;

13 (ii) The Architect shall approve a public building after being satisfied  
14 that adequate parking spaces has been provided for, by a developer;

15 (iii) The information on parking spaces vis-a-vis the occupancy  
16 capacity in Section 4 (i) of this Act shall fulfil the requirement in Section 10 (ii)  
17 of this Act.

Approval of a  
building plan

18 5.-(i) An applicant shall apply for a building plan and be given an  
19 approval to erect a public building by the Authority, the Authority having  
20 inspected the land and being satisfied that the land is adequate for the purpose  
21 of erecting a public building with parking spaces vis-a-vis the occupancy  
22 capacity;

23 (ii) The approval of any building plan of more than two floors shall be  
24 subject to the provision of Section 64 (i) and (ii) 65 (i), (ii) and (iii) of the  
25 Insurance Act;

26 (iii) The issuance of a building approval by the Authority shall be a  
27 condition precedent to the construction of a building, meant for public use as  
28 enunciated in Section 2 of this Act.

Compliance and  
Certification

29 6. After the construction of the building, the owner of the building  
30 shall apply to the Authority for a "certificate of fitness for public use".

1 (i) The Authority shall within seven (7) days:

2 (a) Issue the certificate to the owner of the building following a  
3 satisfactory physical inspection of the building which includes fulfilling the  
4 requirements as provided in section 10 (i) of this Act; or

5 (b) Issue a letter of refusal stating the reason (s) why the building is  
6 not approved for public use and shall be given six (6) months to construct the  
7 building in accordance with the provision of section 10 (ii) of this Act.

8 (ii) The issuance of a "Certificate of fitness for public use" to the  
9 owner of a public building shall be a condition precedent to the official  
10 opening and use of the public building by the public.

11 PART III - ENFORCEMENT

12 7. It shall be the responsibility of the Authority i.e Federal Capital  
13 Development Authority, any other agency performing the duties of  
14 approving building plans development control and regional planning at  
15 States, Federal and Local Government levels to enforce the provision of this  
16 Act.

Enforcement

17 PART IV - PROHIBITION

18 8. The bill hereby prohibits:  
19 The practice of any Authority or agency approving building plans for public  
20 buildings or buildings meant for multiple users, without giving  
21 consideration for the need to make provision for adequate parking spaces.

Prohibition

22 PART V - OFFENCES AND PENALTIES

23 9.-(i) Any person who erects a building meant for public use,  
24 without obtaining a building approval, shall be liable to a fine of two million  
25 naira (N2,000,000), and the public building shall be sealed up until he fulfils  
26 the requirements under section (5) of this Act;

Offences and  
Penalties

27 (ii) Any person who, after erecting a building meant for public use/  
28 fails or neglects to obtain a "certificate of fitness for public use" shall be  
29 guilty of an offence and shall be liable to a fine of one million naira  
30 (N1,000,000) and the public building shall be sealed up until he fulfils the

1 requirement under Section six (6) of this Act;

2 (iii) Any person who erects a building meant for public use/ without  
3 obtaining a building approval and a certificate of fitness for public use/ shall be  
4 guilty of an offence and shall be liable to a fine of five million naira  
5 (N5,000,000) and the public building shall be closed down until he fulfils the  
6 requirements under sections five (5) and six (6) of this Act;

7 (iv) Any member of the public or any user of a public building has a  
8 right to petition the Authority on a reasonable ground that the owner of a public  
9 building has connived with any officer of the Authority to violate the provision  
10 of any of the section of this Act. The Authority after investigation and having  
11 found an officer guilty of connivance shall subject the officer to appropriate  
12 disciplinary action/ which may include prosecution;

13 (v) The owner of a building that connived with any officer of the  
14 Authority to violate any provision of this Act shall be guilty of an offence and  
15 shall be liable to a fine of four million naira (N4,000,000) or three years (3  
16 years) imprisonment and the Certificate of fitness for public use issued to him  
17 shall be revoked.

#### 18 SECTION 10

#### 19 IN THIS BILL

20 10. (b) "Adequate parking spaces" means enough parking spaces  
21 considering the number of users of the building;

22 (ii) Ratio of building occupancy to the number of parking spaces  
23 applicable.

PUBLIC BUILDING OR BUILDING MEANT FOR PUBLIC USE	RATIO
SHOPPING PLAZAS	5:1
EVENT CENTRES	4:1
HOTELS	4:1
PEACES OF WORSHIP	6:1

1 (iii) "The Authority" includes Federal Capital Development  
2 Authority, State Development Authority, Urban Development Authority  
3 and any other agency performing the duties of development control and  
4 regional planning at States, Federal and Local Government levels;

5 (iv) Parking spaces means a space not less than - width of 5 feet  
6 length of 14 feet.

7 11. This Bill may be cited as Adequate Parking Spaces for Building Citation  
8 Meant for Public Use, Bill, 2016.

#### EXPLANATORY MEMORANDUM

This Bill seeks to provide adequate parking spaces for public buildings and  
buildings meant for multiple users.

