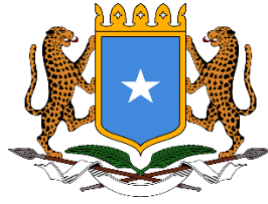


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جمهورية الصومال الفيدرالية
وزارة الأشغال العامة وإعادة الإعمار

The Federal Republic of Somali
Ministry of Public Works and
Reconstruction

BUILDING STANDARDS POLICY

DEPARTMENT OF URBAN PLANNING

H.E Abdi Adan Hoosow

Signature: _____



BUILDING STANDARDS POLICY

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1.0 Introduction

There are no specific Building Codes for Somalia since 1990, foreign codes and standards are used for the construction of buildings, roads, highways, and bridges. Without having any formal codes this has discouraged the private sector from investing in buildings in Somalia. This policy will lay the groundwork for the future development of rules, regulations and building codes for Mogadishu, City.

2.0 Purpose and Objectives

A building code, or building control, is a set of rules that specify the minimum acceptable level of safety for constructed objects such as buildings and non-building structures. The main purpose of building codes are to protect public health, safety and general welfare as they relate to the construction and occupancy of buildings and structures. The building code becomes law of a particular jurisdiction when formally enacted by the appropriate authority.

Building codes are generally intended to be applied by architects and engineers. There are often additional codes or sections of the same building code that have more specific requirements that apply to dwellings and special construction objects such as canopies, signs, pedestrian walkways, parking lots, and radio and television antennas.

The objective of this framework for building standards is to The objective of the project is to develop four below building codes which will lay the ground for a modern, safe and sustainable building design and construction practices.

- ♦ Architectural Codes (including fire safety, rain screen, space design, fire separation,)
- ♦ Structural Codes (small buildings, large buildings, foundations, concrete structures, steel, wood, fibre polymer reinforced concrete.)
- ♦ Urban Development Codes (city planning, green area design, land development, urban development design, industrial and commercial area design....)

3.0 Definitions

3.01 Allowance: A fixed sum for a specific portion of the work determined by the architect in advance of bidding to be used by all bidders in their bids. An Allowance would be used when the exact character or quality of an element of the work is not known at the time of bidding.

3.02 Alternate: An alternative to the base bid that provides for a change in the level of quality, or scope of the work specified in the base bid. This provides the owner with an option to modify the project by accepting or rejecting the alternate.

3.03 Approved Equal: Material, equipment, or method proposed by the contractor and approved by the architect for incorporation in or use in the work as equivalent in essential attributes to the material, equipment, or method specified in the contract document.



3.04 Architect: A designation reserved, usually by law, for a person or organization professionally qualified and duly licensed to perform architectural services.

3.05 Architect of Record: The architect licensed in the jurisdiction that the project is located in, who prepares, stamps and signs the construction documents, and is legally recorded as the architect for the project.

3.06 As-Built Drawings (Record Documents): Drawings prepared after construction that describe the actual construction of a project.

3.07 Bid: A written agreement prepared by the bidder to enter into a contract to provide the labor and/or materials required by the terms of the bid documents.

3.08 Bid Documents: Written and graphic documents prepared by the architect used by the bidders to prepare the bid. A typical bid document might include, construction drawings, specifications, instructions to bidders, a bid form, and other information used by the bidder in the preparation of a bid.

3.09 Bid Security: A bond, cash, cashier's check, bank draft, or money order used to warrant that the selected bidder will execute the construction contract and furnish a performance bond, if required, within a stipulated period of time.

3.10 Bond: A written obligation by which a bonding agency agrees to pay a specified amount, or complete specified work, in the event a contract is not completed.

3.11 Building Inspector: An employee or agent of a governmental authority empowered to inspect building projects and insure that they are constructed according to code.

3.12 Building Codes: Regulations, ordinances or statutory requirements of a government unit relating to building construction and occupancy, generally adopted and administered for the protection of public health, safety, and welfare.

3.13 Building Official: The municipal official responsible for enforcement and interpretation of the building code.

3.14 Building Permit: A license granted by a government agency to construct a specific project on a specific site, under the terms of the permit.

3.15 Building Plan: A view of a building floor, looking down from above, showing its horizontal elements, such as, walls, doors, windows, cabinetry, etc.

3.16 Change Order: An amendment to the construction contract signed by the owner, architect, and contractor that authorizes a change in the work or an adjustment in the contract sum, or the contract time, or both.

3.17 Civil Engineer: An engineer that deals primarily, but not exclusively, with site work, such as road design, drainage design and grading.



3.17 Construction Budget: The sum established by the owner as available for construction of the project, including contingencies for bidding to contractors and for changes during construction.

3.18 Construction Documents: Drawings and specifications created by an architect that set forth in detail requirements for the construction of the project.

3.19 Contract: An agreement between two or more parties. In the context of this glossary, a contract refers to the agreement between the contractor and owner, or between the architect and owner.

3.20 Cost Analysis: The architect calculates expected future operating, maintenance, and replacement costs of desired designs and features to assist homeowners in developing a realistic design and budget estimate.

3.21 Design-Build: A method of project delivery in which the owner contracts directly with a single entity that is responsible for both design and construction services for a construction project.

3.22 Design Development: The preparation of more detailed drawings and final design plans, showing correct sizes and shapes for rooms. Also included is an outline of the construction specifications, listing the major materials to be used.

3.23 Design Architect: A design architect would produce the schematic and/or design development documents for a project, but usually not the construction documents, and may not be the architect of record. This is usually only done on larger projects.

3.24 Design Review Committee (Architectural Review Committee): A committee, usually appointed by the city council, or other elected body, that considers the design and aesthetics of proposed development.

3.25 Detail: A drawing showing an element, or a small portion of the building.

3.26 Door Schedule: A list of the doors, and their characteristics for a project, usually shown in a tabular form.

3.27 Electrical Engineer: An engineer that designs the electrical and communications systems for a building.

3.28 Elevation: A horizontal view of a building, or object, from one side.

3.29 Energy Code: That portion of the building code that relates to energy usage conservation requirements, and standards.

3.30 Environmental Impact Report (EIR): Detailed review of a proposed project, its potential adverse environmental effects, possible changes that can be made to reduce adverse effects, and possible alternatives.



3.31 Final Completion: That point in which all work is complete, and all other contract requirements have been satisfied.

3.32 Finish Schedule: A list of the rooms, and their finishes, usually shown in a tabular form.

3.33 Fire Code: That portion of the building code that relates to fire safety requirements, and standards.

3.34 HVAC: Heating, ventilation, and cooling systems.

3.35 Interior Elevation: A horizontal view of an interior wall of a building.

3.36 Life Cycle Cost Analysis: The calculation of expected future operating, maintenance, and replacement costs of designs and features to assist owners in developing a realistic design and budget estimate.

3.37 Performance Bond: A bond that binds a surety company to complete a construction contract if the contractor defaults.

3.38 Permits: Approvals required by local building authorities, including building, land use, fire, energy code, etc.

3.39 Perspective: A 2 dimensional drawing that represents a 3 dimensional view with vanishing points.

3.40 Project Budget: The sum established by the owner as available for the entire project, including the construction budget, land costs, costs of furniture, furnishings, and equipment; financing costs; compensation for professional services; cost of owner furnished goods and services; contingency allowance; and similar established or estimated costs.

3.41 Schematic Design: The preparation of studies to ascertain the requirements of the project, consisting of drawings and other documents illustrating the scale and relationships of the project components for approval by the owner. The architect also submits to the owner a preliminary estimate of construction cost based on current area, volume, or other unit costs.

3.42 Setback: Minimum distance that zoning ordinance requires must be maintained between a structure and property lines or between two structures.

3.43 Site Plan: A view of a project site, looking down from above, showing its horizontal elements, such as, buildings, vegetation, roads, contours, etc..

3.44 Specifications: A part of the construction documents contained in the project manual consisting of written requirements for materials, equipment, construction systems, standards and workmanship, usually prepared in a standard 16 part CSI format.

3.45 Square Meters: Square meters is the building floor area, and it can be calculated as either gross or net square meters. No uniform standard for computing building area for all types of buildings yet exists, and architects, builders and realtors each measure square meters differently.



Square meters are not always an indication of the livable space available in a structure. Owners are encouraged to ask for an explanation of which spaces were included in the square meters calculation.

3.46 Zoning: Local ordinances regulating the use and development of property by dividing the jurisdiction into land use districts or zones represented on a map and specifying the uses and development standards (e.g. maximum height of structures, minimum setbacks, minimum useable open space) within each zone.

3.47 Zoning Permit (Zoning Certificate, Land Use Permit): A permit granted pursuant to the zoning ordinance to allow development or use of a specific project on a specific site under the terms of the permit.

4.0 Scope:

This policy applies to the Department of Urban Planning and all other departments involved in the city planning in Mogadishu.

5.0 Guidance

The policies listed below are generally applicable and intended for the entire Mogadishu Urban Planning existing in rights-of-way, private and public properties, streets, land use, etc.

5.01 Responsibilities:

5.01.01. The Urban Planning department shall develop a zoning plan which establishes the type of construction that can be built in specific parts of the Mogadishu.

5.01.02. Building standards should follow international codes as set by International Building Code of 2012.

5.01.03. The Building Department is responsible for maintaining and tracking permits issued for all new construction, alterations, additions, repairs, and demolitions, along with inspecting all building projects to assure compliance with the Building Code.

5.01.04. Collect related codes from different relevant agencies and sources within Somalia that will be needed and used for developing a full set of comprehensive codes.

5.01.05. Provide overall review and analysis for utilization of building codes in the implementation of the phases of projects and contractual agreements.

5.01.06. The Urban Planning department shall make recommendations and offer analysis and advice on establishing a sound framework for collecting, dissemination and use of current Building Codes.

5.01.07. The Urban Planning department shall assist in formulating the policy frameworks for sharing and enforcing the existing building codes with both the private and public sectors, and prepare terms of agreements for implementation.



5.01.08. The Building and Urban Planning department shall be able to contribute on procedures and processes regarding building permits national and international construction standards, local laws and regulations regarding disabilities guidelines for buildings and facilities.

5.01.09. It is the responsibility of the Urban Planning department to ensure that the Standard Operating Procedure for building permits is followed. See attachment A for the procedures. These procedures must be followed to ensure transparency in the construction process for both new and old buildings.

6.0 Policy Evaluation

This policy should be regularly evaluated to ensure it is enabling and effectively moving The Ministry towards its goals of being a safe and secure city that benefits all members of the community.

7.0 Policy Enforcement

The contents of this policy are enforceable after His Excellency the Mayor's approval.



Annex A.

Building Permit

Town Plans Developing and Implementing Directorate

The Ministry

Within the Building of The Ministry public work

Telephone number: XXXXXXXXXXXX

Municipality's Law and Regulations

Documentation required:

- 1) Application letter from the investor.
- 2) Land ownership deed from the Commercial Court.

A building permit is given only to those who own land in an area which is included in the government's Master Plan. Since in Somalia a foreigner cannot own a land, this permit affects only Afghan citizens. Foreign investors can use rental buildings for their business purposes. If the foreigner has leased land, the Afghan land owner must arrange for the building permits. If the foreign investor has an Afghan partner, the Afghan must obtain the building permit.

These procedures can be completed from ten days to several months. Five signatures are needed, the final one being that of the mayor of Mogadishu. Cost (Fee): Afs. 150 architectural fee. The fees for the Basement and the Blueprint tax vary depending on the extent of the area and the blueprint. List of Fees and amounts:

- ◆ Fee for the building's blueprint (varies based on the construction and extent of the area)
- ◆ Fee for the Koroki (a sketch drawn of the construction location prepared by engineers in the field). This fee also varies based on the type of sketch and koroki. (A sketch or drawing of the building or site made by a team of one or more persons picked by the Director of their organization.)

A building permit is issued once and it does not require yearly renewal. Step by step process of acquiring the permit:

- 1) The investor submits an application letter to the Mogadishu Mayor requesting a permit to build a building.
- 2) Mogadishu Mayor reviews the letter to ensure that it is within the mandate of his/her office.
- 3) Mayor signs the letter, writes an order to the Town Plans Development and Implementation Directorate (TPDI) on the letter and gives it to the investor to take to that Directorate.
- 4) The Director of this Directorate also reviews the letter and writes an
- 5) order on the letter and the investor takes it to the Survey and Master
- 6) Plan Department to review the area and provide the Koroki (a sketch drawn of the construction location prepared by engineers in the field of the planned building).



- 7) If needed, before the Directorate sends its engineers into the field and starts reviewing and drawing, the Directorate seeks information about the land from separate directorates. This is done through sending copies of a letter to the Expropriation Directorate, the Properties Directorate, and the Main Construction Directorate.

Directorate and to the Main Construction Directorate:

- ◆ Expropriation Directorate: investigates the issue from the view point of whether it is a private or a state owned land via the Technical Estimation Department against the existing “Properties’ Plan”. After this review, it informs the TPDI Directorate of its findings by sending an official letter via the investor.
- ◆ Properties Directorate: investigates the issue from the view point of distribution, non-distribution, redistribution, repetitive distribution etc.; against the existing lands’ distribution books via the “Income Collection Department” and informs the TPDI Directorate by sending an official letter via the investor informing the Directorate of its findings.
- ◆ Main Construction Directorate: this Directorate actually has no specific books or records in which to check the issue of the land ownership. A copy is sent to this directorate as a matter of routine (tradition) process. This directorate sends a letter to say that the land is not being registered in this department.
- ◆ If the information received from these three Directorates is satisfactory regarding land ownership, the TPDI Directorate sends one.
- ◆ The TPDI Directorate collects all the official information regarding the land from these three Directorates and then presents this information to the Investigation and Assessment Commission for further consideration and eventually for decision making.

The Commission consists of:

- ◆ The Minister of Public Work – FGS as the Chair
- ◆ The Mogadishu Mayor as the Co-Chair
- ◆ The Deputies of the Mayor as members
- ◆ The Director of the Properties Directorate as a member
- ◆ The Director of the Main Construction Directorate as a member
- ◆ The Head of Master Plan Department as a member

The commission reviews and discuss the issue of land distribution or building permits and makes the final decision regarding the validity of the land ownership and also the land use for the proposed building.

- ◆ When the Commission has reached its decision, the TPDI Directorate asks the Properties Directorate (by sending an official letter to it) to determine the land value and collect the appropriate fees from the investor.
- ◆ In Properties Directorate, expert engineers estimate the value of the land:
- ◆ Estimating the value of the land only (called empty land value).



- ◆ Estimating the value of the land plus and estimation of the cost of building on it (called filled land value).
- ◆ The investor must pay 20% of the filled land value to Central Bank of Somalia to secure money
- ◆ This payment process is initiated by the Income Collection Department. This department issues a letter to the bank branch asking them to receive the deposit from the investor. This process is done directly between the investor and the bank; it is not done through the Mustofiat. This 20% security deposit is kept safe in the Municipality account and whenever the construction progresses up to 50%, the investor can get back this security deposit.
- ◆ TPDI Directorate provides the final construction sketch and map (blueprint) based on the Koroki. Usually, however, the investor provides the construction map (blueprint) developed by a construction or architecture company and presents it to this Directorate.
- ◆ The Directorate reviews these blueprints for technical correctness regarding structural soundness, integrity, and safety. If the blueprints meets specification, they will approve (give a “visa” stamp) the blueprints.
- ◆ When the blueprints are approved and been issued a visa, the building permission is given to the investor.

The Process to Get Back the Security Money:

- ◆ When the construction has progressed to 50%, the investor can go to the Main Construction Directorate to ask for its confirmation of this fact.
- ◆ Personnel from the Main Constructions Directorate visit the building site to check the progress of the construction.
- ◆ If this Directorate confirms that construction is at least 50% complete, the investor can claim acquisition of the ownership deed through the Commercial Court and obtain the return of his/her security deposit.
- ◆ The investor submits an application letter to the Mogadishu Mayor. The investor is directed to the Commercial Court to obtain the ownership deed.
- ◆ Then the owner proceeds to the Income Collection Department with an official letter from Main Constructions Directorate to obtain the return his/her security deposit.
- ◆ This Department sends a letter to Da Somalia Bank and the security deposit can then be obtained by the investor.

Note:

- ◆ This process (return of deposited money) takes at least two days
- ◆ Distribution of commercial land is under the Industrial Parks Directorate of MMI.
- ◆ The above mentioned process is for those who either do not already own land or those who own land which is not included in the area under the master plan. These people can legally purchase several blocks based on the bidding process.
- ◆ For people who already own lands within the area of the master plan, the processes are very short. They only submit application letters and there are no need for paying security money and other related processes but they should follow all legal administrative process.