

## **BUILDING REGULATIONS 1919**

**GN 210/1919**  
**(Lane 11/756)**

### **BUILDING ACT**

- (i) For Port Louis by the Municipal Council of Port Louis;
- (ii) For the Towns of Curepipe, Beau Bassin and Rose Hill, and Quatre Bornes by the Boards of Commissioners of these townships, respectively;
- (iii) For the rural districts including declared villages.

[Regulations 1, 2, 8,10,11,12,22,25,30(2),31(1),40,41,42 and 43 are revoked in so far as the towns are concerned - cp.13 (b)/213/47]

### **BUILDINGS GENERALLY**

#### **1. Plan of building to be erected should be provided**

Plans and drawings shall show clearly of what materials the building is to be made and they shall be drawn to a scale of, at least, one centimetre per metre or one-eighth inch to the foot, with figured dimensions.

#### **2. Plan, how to be made**

- (1) A ground plan showing proposed doors and windows, a longitudinal section and cross section shall at least be provided; in case of a storied house, plans of the ground floor and each floor shall be submitted.

#### **When to be altered**

- (2) The Authority shall have power to order any alterations in the plans as he shall deem necessary for the solidity and salubrity of the building, or for improving its appearance when built in a commercial centre.

#### **3. Surface drainage**

Sufficient surface drainage to the extent of, at least, five feet, shall be required round buildings.

#### **4. Sites, how levelled**

Building sites shall be so levelled as to offer a free flow of surface waters towards the natural fall of the ground to the satisfaction of the Authority; subject to the provisions of the Code Napoleon respecting the flow of surface waters.

#### **5. Drains and channels**

When required by the Authority, drains and channels shall be made, either in the natural ground or built in masonry or concrete.

#### **6. Dimension and inclination**

- (1) Drains in the natural ground shall not be less than one square foot in section with an inclination of one in one hundred.
- (2) Masonry drains shall not be less than half a square foot clear in section. They shall be formed; either of concrete six inches deep on all sides, the mortar to consist of one part of lime to one part of sand and one part of red earth (ciment bâtard), the surface rendered with a layer half an inch thick of mortar consisting of one part of Portland cement to two parts of sand; or paved with moellons resting on a bed of stone chips laid in "ciment bâtard" six inches deep, the joints to be pointed with mortar of one part of Portland cement and one part of sand; the fall to be one in one hundred and twenty.

#### **7. Paving**

Paving in yards may be required by the Authority, whenever the soil of the locality, through its nature or the difficulty of naturally draining it, is likely to preserve dampness. Such paving shall be made on a bed of sand three inches deep, the stones laid in mortar of approved quality (ciment bâtard) and pointed with mortar of one part cement to two parts sand.

#### **8. Open space**

- (1) There shall be around each house a width of open space which shall be not less than 900 mm.

(2) Paving of such spaces may be required as in regulation 7.

(3) Paragraph (1) shall not apply where -

- (a) the house has been built-
  - (i) with a loan supplied under section 24 of the Sugar Industry Labour Welfare Fund Act; or
  - (ii) by the Central Housing Authority in the exercise of its powers under the Central Housing Authority Act; or
- (b) (i) the distance between the house and any adjoining building is not less than 1800 mm; and
  - (ii) the owner of the adjoining building has given his consent.

**Amended by [GN No. 351 of 1980]; [GN No. 13 of 1984]; [GN No. 48 of 1987]**

## **9. Distance of trees and branches**

Trees shall only be allowed within such distance from houses that their branches will not project nearer than ten feet from houses used for human habitation.

## **10. Space between wall of any house and boundary of the property on which it stands**

- (1) The distance between the wall of any building and the boundary line of the property on which it stands shall be not less than 900 mm.
- (2) Paragraph (1) shall not apply where-
  - (a) a house has been built-
    - (i) with funds supplied under section 24 of the Sugar Industry Labour Welfare Fund Act; or
    - (ii) by the Central Housing Authority in the exercise of its powers under the Central Housing Authority Act;

- (b) two buildings have a common party wall; or
- (c)
  - (i) the distance between the building and any adjoining building is not less than 1800 mm;
  - (ii) the owner of the adjoining building has given his consent; and
  - (iii) the approval of the Authority has been obtained.

**Amended by [G.N No. 29 of 1963]; [G.N No. 351 of 1980]; [G.N No. 13 of 1984]; G.N No. 48 of 1987]**

#### **11. Alignment of buildings**

Buildings shall be erected on the alignment prescribed by the Authority or at not less than ten feet from such alignment.

Where a building is erected at the junction of two or more public roads no part of any such building shall be within fifteen feet of the road borders.

The same regulation shall apply to houses built at the angles of roads or on sharp bends, whenever the angles formed by the junction of the straight or tangent lines contain an angle less than one hundred and thirty-five degrees.

#### **12. Pentices**

Pentices, unless they project outside the footpath, shall be provided with gutters; down pipes conveying the rain water into the street gutter shall do so at the level of the invert of the said gutter.

#### **13. Height of ground floor above the soil and footpath**

The ground of a building shall be at least one foot above the highest part of the ground floor on which the building is to be erected, and six inches above the level of the street footpath; or one foot above the level of the centre of the road, if there is no footpath.

#### **14. Ventilation under ground floor**

- (1) Outside walls of basements shall be ventilated on at least two parallel sides by means of openings measuring (whether in one or more openings, as may be approved by the Authority) one square foot for every ten feet of running length of wall, or fraction of additional ten feet.
- (2) Inside walls of basements shall provide for ventilation by means of openings of one and a half square foot, for the same length of wall, in the same alignment as the external openings.
- (3) In the case of a building with surrounding verandahs, ventilation shall be provided by means of pipes or as may be approved by the Authority.
- (4) The Authority shall have power to fix a minimum depth for cellars; such minimum depth shall not be less than two and a half feet.

**15. Dampproof course in foundation of buildings**

When prescribed by the Authority, a dampproof course may be required in the masonry foundation of a building; such to consist of cement mortar three-fourths of an inch thick, in the proportion of one of cement to one and half of sand; the Authority may also order that the areas under the ground floor shall be covered with a four-inch layer of ordinary red earth concrete rendered with cement mortar of two of sand to one of Portland cement.

**16. Construction of wooden buildings**

The scantlings of every piece of timber to be used in construction shall depend on the size of the building and shall be passed or altered by the Authority in the drawing submitted under regulation 1.

**17. Details of construction**

The following dimensions shall be used for a building covering an area not exceeding two hundred and fifty superficial feet; they may be increased as the building is increased: plates, uprights, traverse pieces, principal, joist, king post (not less than four inches by four inches), rafters (not less than three inches by three inches). There shall be for every running length of ten feet two struts at least abutting in opposite

directions towards the two corners and up-rights. All pieces shall be connected together by tenoned and mortised joints having a perfect fit, the joint being secured by a wooden trenail having also a perfect fit. The bottom and top plates shall be connected on the outside by an angular iron cramp bolted to each plate. Minimum dimensions of cramps and bolts in case of a building covering the area above mentioned; cramp fifteen inches long, one and a half inch broad one-fourth inch thick; bolt three-eighths of an inch in diameter. The bottom plate shall besides be fixed to the masonry foundation by bolts built in the wall or by iron cramps.

**18. Building materials, quality of, and how to be used**

Timber shall be of sound quality, i.e. any timber to be used in a structure shall have no rotten portions.

Old tin, old galvanised iron sheets, planks from cases, and all second-hand materials should be approved of by the Authority before being used in any construction.

Sand shall be taken, as much as possible, above high water mark and shall be thoroughly washed in clear water when used in ferro-concrete buildings.

Lime shall be free from impurities.

Red earth to be devoid of vegetable matter.

**19. Manner in which they are to be used**

When a lime mortar is used, there shall never be a lesser proportion of lime than one of lime to one of sand. Red earth may be added to a lime mortar in the proportion of one of lime and one of sand in all buildings used as kitchens or privies or in any other minor masonry buildings the dimensions of which have been approved by the Authority.

Red earth shall never be used by itself as a binding material.

When cement mortar is made use of, the maximum admixture of sand shall be eight parts of sand for one part of Portland cement. No lime should be added to a cement mortar.

## **20. Bolts**

Bolts shall be used to hold the plates of the wooden structure or those of the roof of a masonry building. They shall be fixed in the centre of the wall in either case, at least eight feet apart. For the size of house mentioned in regulation 17, the diameter of the bolt shall be three-quarters of an inch and the length buried in the wall two feet; the nut shall be fixed with an iron washer a quarter of an inch thick.

## **21. Dice stones**

The dice stones to support columns of verandahs shall be at least twenty-one inches deep. If buried in the ground, they shall be bedded in concrete to a depth of fifteen inches; if the foundations are above ground the dice shall form an integral part of such foundations. Columns shall be secured to the dices by means of a bolt leaded into the stone or by other means approved of by the Authority.

## **22. Building materials to be exclusively used in certain localities**

In all villages and towns it shall not be lawful, except with the permission in writing of the authority, to erect any house or building covered or lined with straw, leaves or any thatch whatsoever, or to cover or line with straw, leaves or thatch, any house or building already erected, or to put on or add to the roof or side of any house or building, already covered or lined with straw, leaves or thatch, any straw, leaves or thatch:

Provided that the Authority may determine certain areas in the suburbs of a village or town where straw buildings may be allowed and that the Authority may at any moment alter the description of those areas, in which case straw buildings already erected in areas where they are no longer allowed shall be pulled down on the order of the Authority provided that five years have elapsed since their construction.

## **23. Walls of buildings**

(1) Masonry walls shall have the following minimum thickness-

Ground floor buildings, eight feet high, not less than one foot six inches;  
ground floor buildings exceeding ten feet high, not less than twenty-one inches.

- (2) One storied buildings: ground floor not less than twenty-one inches, first floor not less than eighteen inches.
- (3) If the ground floor building exceeds twelve feet as in the case of a church, there shall be a first course, up to the Plinth, of two feet six inches to three feet, or more, according to circumstances.
- (4) Through-stones shall be used in all walls, the proportion of such to be one or more through stones averaging one foot square in section for every square yard of masonry. Corner stones and other cut stones going through the wall shall be reckoned as through -stones.

**Amended by [G.N No. 351 of 1980]**

#### **24. Foundations**

The foundations of a building shall be made on solid ground. In unsafe ground, it shall be optional to use piles, or the foundations shall have such a width that the total pressure on the ground per unit length of wall shall not exceed half a ton per square foot. Foundation courses shall project always three inches on each side of the wall. A foundation course for a wooden structure shall vary from one foot six inches to two feet in width and shall never be less than one foot in depth.

#### **25. Size and ventilation of rooms for human habitation**

- (1) Rooms intended for human habitation shall have a floor area not less than seventy-five square feet provided that one dimension of the room be at least seven and a half feet.
- (2) (a) The minimum height of rooms from the floor to the wall plate shall be eight feet provided that no beams project below the ceiling.  
  
(b) In the case of sloping roofs the minimum height shall be seven feet provided that the average height of the room be not less than eight feet.

- (3) The ventilation of each room shall be provided by doors and windows as prescribed in regulation 27.

**Amended by [G.N No. 190 of 1950]; [G.N No. 81 of 1952]; [G.N No. 351 of 1980]**

**26. Ventilation of rooms not intended for human habitation**

Rooms not intended for human habitation shall have for ventilation and light a door and window area equal to one-sixth of its floor surface. No room shall be used as a workshop unless proper ventilation as prescribed by the Authority be established.

**27. Doors and windows, number, size, form, and arrangement**

There shall be at least one door or one window for every ten feet, or fraction of ten feet exceeding three feet, of running length of outer wall of building. A window shall be at least four feet high by at least two feet six inches wide; a door at least seven feet high by a least two feet six inches wide.

**Amended by [G.N No. 190 of 1950]; [G.N No. 81 of 1952]**

**28. Ventilation of rooms intended for human habitation**

No room shall be allowed to be used for a human habitation unless there is on one side of it a door or window opening on to the outside or on to an open verandah.

**29. Chimneys and flues**

- (1) Chimneys and flues shall be rectangular or circular in plan. The minimum height above the roof shall be four feet. The minimum thickness for a masonry chimney of the inside wall at the top shall be eight inches, with outside batter of one in fifty. Metallic chimneys, if more than ten feet high above roof, shall be secured by guides.

- (2) Wooden materials shall never have a flush face with the inside of any flue but shall stop at six inches therefrom, the end of the timber shall, in addition, be coated with cement, mortar or asbestos.

**30. Outhouses, dependencies and kitchens**

- (1) No building shall be less than eight feet high from floor level to wall plate, if the building is covered with a pitched roof not less than forty degrees, and not less than ten feet otherwise.
- (2) Outhouses and dependencies may, with the leave of the Authority, be built against the party wall which separates two contiguous properties; in that case such walls shall be of masonry, concrete or brick and shall be carried up so as to form a parapet one foot at least above the highest part of such outhouses or dependencies, and the thickness of the parapet shall be at least eight inches and a half.
- (3) No kitchen shall be built in inflammable materials, with the exception of the frame work, doors and windows which may be in timber.
- (2) (5) Every kitchen or oven now existing, or to be hereafter erected, shall have a chimney the height of which shall be determined by the Authority who may require the owner of the premises where such a kitchen or oven is erected, to rebuild, repair or construct the said kitchen or oven, or to add thereto a chimney as may be deemed necessary by the said Authority for the prevention of fires.

**Amended by [G.N No. 351 of 1980]**

### **31. Privies**

- (1) A privy, unless provided with approved water flushing apparatus or properly constructed drainage, shall not be built at a distance of less than ten feet from any kitchen or human habitation, unless the owner is allowed to do so by the Authority.
- (2) Floors of privies shall be made of concrete, at least six inches thick; the concrete may consist of one measure of sand, one of lime and one of red earth with six measures of two-inch stone. The surface shall be rendered perfectly smooth with cement mortar, at least three-fourths of an inch thick. The mortar to consist of one part of sand to one part of Portland cement. The floor level shall be at least six inches above the highest part of the ground on which the privy is built.

The minimum dimensions shall be: length four feet, width three feet, height seven feet to eaves. The frame of the privy may be of wood lined with galvanised iron and covered with the same material; or the sides and roof may be boarded in, in which case the inside shall be painted or limewashed.

Ventilation shall be provided in the upper part of two opposite sides by means of openings equivalent in sectional area to one-tenth of the floor surface. The privy shall be provided with a door capable of being closed at all times.

### **32. Septic tanks**

- (1) Septic tanks may be used in conjunction with water closets provided the tanks conform to the following conditions.
- (2) No septic installation shall be constructed without a special permit of the Authority.

Prior to the erection of a septic tank, the applicant shall submit to the Authority plans in triplicate showing -

- (a) the proposed site of the septic tank,
- (b) drawings and specifications of proposed installation,
- (c) lines of drains (if any),
- (d) boundaries of applicant's premises,
- (e) all existing buildings, and
- (f) in the case of buildings with one or more storeys the floor arrangements.

The Authority shall submit those plans for approval to the Sanitary Authority, and no septic tank shall be used unless the work shall have been approved by the Sanitary Authority and the Authority who shall both have power at any time to inspect and supervise the work in course of construction.

- (3) Septic tanks shall be constructed in open air and one hundred feet at least from any building or from the boundary of the owner's ground or such distance to the satisfaction of the Sanitary Authority or Senior Engineer Sewerage. They shall be efficiently covered and ventilated and so protected as to minimise smell therefrom and prevent the breeding of mosquitoes.
- (4) Septic tanks (smallest tank permissible six feet long four and a half feet deep-capacity ninety-four cubic feet excluding dead end space above sewage) shall be of such a capacity as to provide accommodation for at least sixty gallons of sewage for every bedroom contained in the house or houses which are connected to them, plus thirty gallons for each servant's quarters, which should be provided with water closet or closets connected with the tank.
- (5) All water closets or latrines on premises provided with septic tank shall be connected with the tanks.
- (6) Connection between the water closets, baths, kitchens and tanks shall be by means of glazed sanitary pipes properly jointed, trapped and ventilated. Inlet and output pipes shall be fixed at opposite ends of the tank; the inlet shall terminate with a bend fixed in such a manner as to deliver the sewage below water level in the tank. The outlet shall commence with a right angle bend drawing its supply from at least one foot below the level of the sewage in the tank. The tank itself shall be divided transversely by a series of baffle walls or plates so as to compel the whole of the liquid to traverse the tank by alternate rising and falling or by flowing from side to side.
- (7) Walls shall be constructed of masonry in mortar or concrete; in the former case, the mortar shall consist of one part lime, one part sand and one part red earth or one part cement to not more than six parts sand; in the latter case, the mixture shall consist of not less than one part cement to one part red earth, two parts sand and six parts of one and three quarters inch stones. In either case the whole of the walls and floor shall be rendered in cement mortar at least three-quarters of an inch thick in such a manner as to make them thoroughly watertight; the mortar for this purpose shall consist of one part cement to not more than one and a half parts clean sand, carefully screened. The floor shall be made of concrete of the above proportions at least eight inches in thickness and the roof be formed of similar material either arched or flat, an opening being provided of suitable size to permit of

periodic inspection and cleansing of the septic tank. The opening must be of approved pattern and practically airtight.

- (8) The effluent of the tank shall be disposed of by connection to the main or the drainage or sewage. In no case shall effluent or filtrate by sub-irrigation or underground discharge or by disposal on land be permitted except with the special permission of the Authority and under such sanitary conditions as may have been previously approved by the Permanent Secretary, Ministry of Health by which the effluent or filtrate will be made innocuous before disposal.
- (9) Sewage storage tanks shall be so constructed and situated that their contents may be evacuated by a vacuum tank cart. All septic tanks have to be periodically cleared out usually after three to five years. Where the tanks are used in excess and water is limited, it requires to be done oftener.
- (10) Sewer line from house must not be less than four inches in diameter with tight joints and fall of one in fifty. All excess water to be excluded from septic tanks as continuous flow without quiescent period disturbs septic action.
- (11) No addition or alteration to existing septic tank arrangements shall be undertaken until sanction shall have been obtained from the Authority, after approval by the Sanitary Authority. Plans of such alterations or additions shall be submitted in triplicate giving full details of the proposed additions and alterations.
- (12) Whenever it shall be shown to the satisfaction of the Sanitary Authority that a nuisance is caused by a defective installation the Sanitary Authority shall ask the Authority to order the reconstruction of such tank either partially or entirely and the necessary works shall be carried out at the expense of the owner.

**Amended by [G.N No. 257 of 1925]**

### **33. Stables**

Horses, mules, donkeys, goats shall be kept in stables, at least twenty feet distant from any house or room which may be used for human habitation.

**34. Floor of stables**

The level of the floor of the stables shall be six inches above the highest part of the ground on which the building is erected. The floor shall be paved so as to be watertight and laid on a concrete layer four inches thick.

**35. Slope and drain of stables**

Such floor shall have a slope of, at least, one in fifty, and shall be provided with a drain leading to a pit in which urine will collect and allow of being removed. The arrangement of such drain and pit shall be determined in every case by the Authority, according to circumstances.

**36. Material to be used. Height**

The sides of the building may be of timber, metal, masonry or thatch (where thatch buildings are allowed, so also the roof), the minimum height shall be from floor to eaves: for goats six feet, for other animals eight feet; the superficial area for one goat sixteen square feet, for each other animal one hundred square feet.

**37. Box**

The box of each animal shall be placed in the stables at right angles to the face to be ventilated.

**38. Height, how measured**

In the case of stables where the roof or ceiling is inclined, the mean height of the same above the floor may be taken as the height thereof for the purposes of these regulations; but the lower of the walls shall not in any case be less than 6 feet high above the floor for horses, mules and donkeys, and four feet for goats and pigs: Provided that no space shall be reckoned which is more than sixteen feet above the floor.

**39. Ventilation of stables**

Ventilation of the stables, shall be provided by doors and ventilators together, to the extent, on one side, of one-eighth of the surface of the wall to be ventilated, and on the opposite side, one square foot in section for every running five feet.

#### **40. Pigs**

Pigs shall be kept, where permitted, at thirty feet at least from any house or room which may be used for human habitation. In other respects the stable shall be the same as are specified for goats.

#### **41. Thatched buildings**

Straw and other cheap buildings shall not be erected in towns and in declared villages except under the written consent of the Authority and special conditions imposed by him. In other places, they may be allowed under the following conditions:-

- (1) The floor level of these shall be at least one foot above the highest contiguous ground.
- (2) The area of every room intended for human habitation shall not be less than seventy-five square feet and one side of each room at least shall receive light and ventilation from the open.
- (3) The height from floor to wall plate shall not be less than seven feet.
- (4) Every room will have for ventilation and admission of light openings equivalent to one-sixth the floor area.

**Amended by [G.N No. 351 of 1980]**

#### **42. Distance between straw and other buildings**

No straw building shall be newly erected or enlarged unless a distance of fifty feet be left between such new construction or enlargement and any neighbouring structure not being a straw building, and at least ten feet between the building newly erected or enlarged and the boundary of the premises; but a straw building may be newly erected or enlarged at twenty feet from another straw building.

#### **43. Distance from roads**

The minimum distance of a straw building from the centre of a main road shall be twenty feet plus half the width of the road and from the centre of a branch road ten feet plus half the width of the road.

**44. Application to build, Plan of property to be provided**

All applications giving notice of intention to build, rebuild, alter, add or repair shall be made on a printed form to be supplied by the Authority and shall be accompanied by a plan of the property, showing the position of the intended structure with respect to any existing building or buildings, and the boundaries of the property, with figured dimensions as may be required by the Authority or to what building any alterations, additions or repairs have to be made. A plan of the building to be erected, added to, altered or repaired shall also be submitted, as determined in regulation 1 when required by the Authority.

**45. Inspection of buildings**

Buildings should be inspected at least twice whilst the structure is being made. If in the course of the erection of the building, a contravention to the above regulations is found out, the building will not be allowed to proceed before the necessary alterations are carried out to the satisfaction of the Authority.

**46. Cleanliness of frontage**

The Authority may order buildings and wall enclosures along the alignment of any street to be kept clean, or may order them, if need be, to be repainted or whitewashed, as the case may be.

**47. Screens and awnings**

Screens and awnings for the protection of shops shall not be tolerated unless made of materials approved of by the Authority. They shall always be maintained in good condition and kept clean; the distance between the pavement and the lower part of each screen and awning shall be determined by the Authority and shall never be less than seven feet.

**48. Penalty for breach of regulations**

Any person contravening any of the above regulations shall be liable to a penalty not exceeding five hundred rupees, and to a further fine not exceeding ten rupees for each day during which such breach is continued after conviction of the original offence. And in addition to such penalties, the Authority may order the pulling down or removal of any building or part of a building at the expense of the offender, if the offender has not complied within a period to be fixed by the Authority, with the notice served upon him at the request of the Authority calling upon him to pull down any building or part of a building, erected or made in breach of the provisions of these regulations.

- 49.** Every application made under regulation 44 of these regulations in respect of a building to be constructed, reconstructed, altered, added to, or repaired, in any place other than Port Louis or the townships of Curepipe, Beau Bassin and Rose Hill, and Quatre Bornes, shall be addressed to the officer in charge of the Public Works District office for transmission to the Authority.
  
- 50.** On any inspection of such a building as aforesaid carried out under the provisions of the Building Act and the regulations made thereunder, the Authority may be accompanied by such person or persons as the Authority may think fit.