

**URBAN AND REGIONAL PLANNING AND  
DEVELOPMENT LAW**

**NO. 16 OF 2011**

**EKITI STATE OF NIGERIA**

**EKITI STATE URBAN AND REGIONAL PLANNING DEVELOPMENT  
LAW  
NO.16 OF 2011**

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**A LAW TO PROVIDE FOR THE ADMINISTRATION OF PHYSICAL  
PLANNING, URBAN DEVELOPMENT, URBAN REGENERATION AND  
BUILDING CONTROL IN EKITI STATE AND FOR CONNECTED PURPOSES**

**NO. 16 OF 2011  
EKITI STATE OF NIGERIA**

**COMMENCEMENT** ( )  
**ENACTED BY THE EKITI STATE HOUSE OF ASSEMBLY AS FOLLOWS:**

**PART I  
ADMINISTRATION OF PHYSICAL, URBAN DEVELOPMENT AND  
BUILDING CONTROL IN EKITI STATE**

**1.           *Establishment of the Agencies***

There is established the following physical planning and development agencies (referred to in this Law as the “Agencies”) to implement the policies of the Ministry.

- (a) The Ekiti State Physical Planning Permit and Building Control Agency (referred to “Planning Permit and Building Control Agency”)
- (b) The Ekiti State Urban Renewal Agency (referred to as the “Renewal Agency”)

**2            *Functions of the Ministry***

(a) The Ministry of Physical, Urban and regional Planning (referred to in this Law as the Ministry”) shall be responsible for initiation, formulation of policies for all physical planning, urban development, urban regeneration and building control policies of the state.

(b) The Ministry shall be responsible for the initiation, formulation of policies, programmes and review of all aspects of physical planning urban development, urban regeneration and building control in the state.

(c) Implementation of its policies, through the relevant agencies established under the provision of this Law;

(d) Preparation and approval of the following hierarchies of physical development plans;

- (i) Regional Plans;
- (ii) Sub-regional Plans;
- (iii) District Plan;
- (iv) Model City Plans;
- (v) Urban/Town Plans;
- (vi) Urban Regeneration Plans
- (vii) Development Guide Plans; and
- (viii) Local Plans including layout and subdivision Plans;

(e) Provision of technical assistance to all government ministries and agencies on matters relating to physical planning, urban development, urban regeneration and building control;

(f) Determination of locations of infrastructure facilities and centres of economic activities in the State.

(g) Offering advice on State development project/programmes with socio-economic and environmental impacts as be referred to it from time to time;

(h) Formulation of legislations on physical planning, urban development, urban regeneration and building control in the State;

(i) Formulations of guidelines for fostering inter-ministerial, intergovernmental bilateral and multi-lateral cooperation on physical planning, urban development, urban regeneration and building control;

(j) Adoption of measure for the promotion of physical planning, urban development, urban regeneration and building control policies in the State;

(k) Conducting research on planning urban development, urban regeneration, building construction and control;

(l) Creation and administration of data base for physical planning, urban development, urban regeneration, building construction and control in the State;

(m) Consideration of all matters referred to it by the State Executive Council, other governments ministries, agencies and the general public;



- (n) Liaising with agencies of other governments including Federal, State and Local Government in the execution of its physical planning, urban development, urban regulation and building control programme and projects;
- (o) Regulating the location, positioning, dimensions, appearance, display and manner in which urban furniture shall be affixed to land in the State;
- (p) Prescription of fees chargeable for its services;
- (q) Executing such other planning, urban development, urban regeneration and building control functions and duties as may be assigned to it by the Governor.

### **3. *Power of the Commissioner***

- (a) Review the issuance of Planning Permits by the relevant Authority and Agencies;
- (b) Direct any relevant Authority/Agency established under this Law to seal up any premises for alleged contravention of any physical planning, urban development, urban regeneration or building control law and regulations for the purpose of enforcement and compliance;
- (c) Direct any relevant Authority/Agency established under this Law to demolish any unauthorized structure or development on, under, or over any land or seabed in the state after the issuance of appropriate notices;
- (d) Authorize the entry into any premises at reasonable hours of the day for purpose of giving effect to the provisions of this law and Regulations made under it.
- (e) Delegate specific responsibilities and functions for implementation to any Agency established under this Law and to any other person and;
- (f) Organize stakeholders meetings for the purpose of deliberating on any matter under this Law.

### **4. *Assent of the Governor for Special Building Projects***

The assent of the Governor shall be obtained in respect of development of special buildings such as multi-story building of (5) five floors and above, University, (Public & Private), tertiary institutions, Air-port, Railway Station and refinery.

**5. (1) *Procedure to be adopted for the Preparation and review of development plans.***

The relevant physical Planning Agency in the State shall, with the approval of the Commissioner:

- (a) Set up programmes for the preparation and review of development plans and the review of an Operative Development Plan which shall take place periodically as may be determined by the relevant agency;
- (b) Approve where it considers appropriate, certain plan(s) as shall be drafted and processed for approval in defined parts;
- (c) Direct that some sections of the Operative Development Plans be reviewed, revised, redrafted and processed for approval.

(2). For the purpose of preparing Development Plans in the State, the Ministry or relevant Agency shall from time to time invite relevant stakeholders including Ministries, Agencies, Non-Governmental organization, Professional Bodies and individuals for the purpose of considering any matter relating to physical planning and urban development.

**6. *Publication and Preparation of Draft Development Plans***

1. Notice shall be given in the official Gazette and in at least two daily newspapers circulated within the State and by other specified means, of the date on which preparations shall commence for a draft plan or for reviewing an Operative Development Plan of it and the official Gazette Notice shall, where appropriate, provide the following information:

- (a) The Location, boundary, geographic co-ordinates and description of the proposed area for development plan(s)
- (b) A general description of the type(s) of development proposed and working population;
- (c) Matters which could be contentious; or
- (d) Any other matter of public interest.

2. After the publication of a draft development plan, the Ministry or relevant Agency shall ensure that there is:

- (a) Acknowledgement of all written submission; relevant information and suggestion;
- (b) Consideration of all written submission, relevant information and suggestions;

(c) Convening of public meetings, public hearings and interviews to discuss and decide on the relevance of written comments it considers necessary; and

(d) Submission of all written comments together with a summary of such comment on the draft plan.

3. On receipt of the draft development plan, the Ministry or the relevant Authority/Agency shall:

(a) Direct that specified amendments be made to meet requirements which are considered necessary in the public interest; and

(b) Approve that the Draft Development Plan, as submitted or as amended in accordance with its directions as stated in the paragraph of this subsection, is suitable for exhibition.

#### **7. *Exhibition of Draft Development Plan***

(1) A Draft Development Plan or Part of it shall be made available for public inspection at the Ministry and the Agencies' offices between the hours of 9:00a.m. and 4:00p.m. on working days for a period of twenty-eight (28) days.

(2) During the period, the plan shall be advertised in at least two daily newspapers circulated within the State and in specified media stating the places and hours at which the Plan may be inspected.

(3) A copy of the Draft Development Plan shall be available to any person on the payment of a prescribed fee as may be specified from time to time.

#### **8. *Submission of objection to draft plan by member of the public***

(1) During the period of exhibition of the Development Plan as set out in Section 7 of this Law, any member of the public including Non-Government Organizations, State Ministries, Agencies, Local Governments and Professional Bodies, may submit to the Ministry or the relevant Agency, written statements of their objections which shall:

(a) Define the nature and reasons for the objection(s);

(b) Suggest alterations and amendments that could be made to resolve the objection(s).

(2) Such suggestions shall be made by the objector personally or through relevant and appropriately registered Professionals as advocate to the objector.

**9. *Schedules of Summaries of Objections and Comments.***

(1) The Ministry or relevant Agency shall prepare schedules of summaries of the objections, comments and suggestions submitted to it.

(2) Such schedules shall be submitted within twenty-eight (28) days after the day of exhibiting the draft Development Plan.

**10. *Consideration of comments and Objections***

The Ministry or relevant Agency shall within Sixty (60) days after final date of exhibiting a draft development plan, consider the schedules of objections and comments submitted to it.

**11. *Procedure for to amendment of Draft Plan***

(1) The Ministry or relevant Agency may give preliminary consideration any objection in the absence of the objector and may propose amendments to the draft plan in the public interest.

(2) Notice of such Amendment shall be served in writing on the objector.

(3) An objector may notify the Ministry or relevant Agency in writing within fourteen (14) days after service of notice under subsection 2 of this section that his objection is withdrawn on the condition that the amendment as proposed by the Ministry or relevant Agency has nullified his objection failure of which, such objection shall be cease to hold.

**12. *Withdrawal of Objection***

(1) Where an objection has been conditionally withdrawn and the Ministry or relevant Agency does not proceed with the proposed amendment, the written statement of objection shall be considered at a meeting.

(2) The objector shall be given reasonable notice of such meeting, which he or his representative may attend and shall be heard.

### **13. *Notice of Amendment***

(1) Where an amendment appears to affect any approved land use such development project which has been granted development permit, notice of such amendment shall be given to the applicant by registered post or advertisement or other practicable means.

(2) Any written objection received within fourteen (14) days after giving notice under subsection (1) shall be considered at a meeting of the Ministry or relevant Agency where the objector, other objectors or their representatives may be present and shall be heard.

(3) Upon the consideration of any objection in accordance with subsection (2) of this section, the Ministry or relevant Agency may reject the objection in whole or in part or may cause amendments to be made to the draft development plan in order to wholly or partially satisfy such objection.

(4) The final decision of the Relevant Agency shall be communicated in writing to the parties within a week from the date of the decision.

### **14. *Meeting***

(1) The Commissioner shall preside at any meeting for the Consideration of a Development Plan in the Ministry.

(2) The Commissioner on the advice of the General Manager of the relevant Agency shall call for a meeting for the consideration of a Development.

(3) The General Manager shall preside at any other meeting of the relevant Agency.

### **15. *Additional Power of Amendment***

(1) The draft Development Plan made under section 5 of this Law may be amended after exhibition, but only before it is approved by the Commissioner on the advice of the relevant Agency.

(2) Every amendment to a draft development plan made under section 6 (3) of this law shall be exhibited for public inspection between the hours of 9:00 a.m. and 4:00 p.m. on working days for a period of fourteen (14) days and during such period be advertised in at least two (2) daily newspaper circulated within the State.

(3) A copy of an amended draft plan made under this section shall be made available to any person on payment of such fee as may be prescribed from time to time.

**16. *Objection Development Plan***

Any person affected by an amendment to a proposed draft Development Plan made under this Law may make an objection within a period of twenty-one (21) days in the manner provided for under Section 8 of this Law.

**17. *Submission for Approval***

After the consideration of objections of the draft final Development Plan, with or without amendments, shall be submitted to the Commissioner for approval together with:

- (a) Any objection made and not withdrawn;
- (b) A schedule of the amendments made, if any, with a view to meeting such objections; and
- (c) Copies of the minutes of meetings and hearing held in relation to the consideration and hearing of the objections and amendment of the draft Development Plan.

**18. *Operative Development Plan***

(1) Subject to the provision of this law upon the submission of the final Development Plan, the Commissioner on the advice of relevant Agency may:

- (a) Approve it in part;
- (b) Approve it in whole;
- (c) Decline approval; or
- (d) Refer it to the relevant Agency for further consideration and amendment of the whole or part thereof.

(2) A final Development Plan approved under this Law shall be referred to as an “Operative development Plan” and a notice to this effect shall be published in the state official Gazette and two (2) daily newspapers or published in any other suitable manner as may be prescribed by the Agency.

**19. *Correction of Operative Development Plan***

There shall be a notice a Notice in the official Gazette of intention to correct any omission or error in any Operative Development Plan as well as due publicity for the correction or omission.

**20. *Deposit of Operative Development Plan***

(1) Copies of the Operative Development Plan, duly signed by a Development Plan authorized officer, shall be deposited in the Ministry and with other organs of Government responsible for its implementation, execution, administration, enforcement and compliance, and such plans shall be available for inspection between the hours of 9:00 a.m. and 4:00. P.m. on working days.

(2) Copies of the Operative development Plan shall be made available for sale at a price to be determined by the Ministry.

**21. *Revocation of Operative development Plan***

(1) The Commissioner on the advice of the relevant Agency Authority may:

(a) Revoke in whole or in part, any Operative development Plan

(c) Refer any Operative Development Plan or part of it to the relevant Agency for:

(i) Replacement by a new Development Plan or part of it or

(ii) Amendment.

(2) Notification of any revocation under subsection (1) of this section shall be published in the Official Gazette and indicated on all the copies of the Operative Development Plan deposited for inspection as required by section 20 of this Law, as well as any other means of communication or publicity.

(3) With reference to subsection (1) (b) of this section, a replacement or amendment of an Operative Development Plan or part of it shall be prepared approved and deposited in accordance with the provision of this Law.

(4) An Operative development Plan of review and amendment shall be replaced by a new Operative development Plan or read as one with any approved amendment, as the case may be.

**22. *Compliance Operative Development Plan***

(1) All Government Agencies involved in processing application for planning permit shall comply with the provision of the Operative Development Plan

(2) All application for planning permit shall comply with the provision of the Operative Development Plan.

**23. *Review of Operative Development Plan***

Without prejudice to section 5 (1) of this Law, the review of an Operative development Plan shall be undertaken every five (5) years.

**PART II**

**EKITI STATE PHYSICAL PLANNING PERMIT AND BUILDING CONTROL AGENCY**

**24. *Establishment of the Planning Permit and building Control Agency***

There is established the Ekiti State physical Planning Permit and Building Control Agency (referred to in this Law as the “Planning Permit and Building Control Agency”)

**25. *The General Manager of the Planning Permit and Building Control Agency***

(1) There shall be appointed by the Government for the Planning Permit and Building Control Agency, a General Manager who shall:

- (a) Be a holder of a recognized qualification and professional registration in Town Planning; and
- (b) Who shall have not less than twelve (12) years cognate posts professional registration experience.

(2) The General Manager shall be the Chief Executive Officer of the Planning Permit and Building control Agency and shall handle:

- (a) The General Administration; and
- (b) The Execution of the functions conferred on the Planning Permit and Building Control Agency under this Law.

**26. *Functions of the Planning Permit and Building Control Agency***

The Planning Permit and Building Control Agency shall be responsible for:

- (a) Processing and issuance of Planning Permit in the State, subject to the provisions of this Law and regulations in pursuant to this Law;



- (b) Monitoring and ensuring compliance with provision of approved and Operative Development Plans, approval orders and regulations made under this Law;
- (c) Establishing District Planning Permit officers for the discharging of its functions with the approval of the Governor on the recommendation of the Commissioner;
- (d) Establishing local planning permit and building control offices in cooperation with the local Governments for the discharge of its functions at the Local Government for the discharge of its functions at the local Government level with the approval of the governor on the recommendation of the Commissioner;
- (e) Preparation and periodic review of the following categories of physical development plans:
  - (i) District Plans;
  - (ii) Development Guide Plan;
  - (iii) Town plans; and
  - (iv) Local Plans
- (f) Referring any plan prepared by it to the Ministry for the purpose of obtaining the approval of the Commissioner;
- (g) Keeping records of Planning Permit, Application granted, rejected or withdrawn and publication of the list in the State Official gazette.
- (h) Evaluation of physical planning technical report in consultation with the Ministry;
- (i) Preparation and review of physical planning regulations in consultation with the Ministry
- (j) Engaging in Planning activities to achieve zero tolerance of illegal development;
- (k) Engaging in stakeholder consultations, enlightenment and publicity;
- (l) Operational control and supervision of its local planning permit and Building Control Agency;
- (m) Enforcement of building control regulations;
- (n) Regulations and inspection of building works and certification of various stages of building construction and keeping of such records;
- (o) Removal of illegal and Non-conforming buildings;
- (p) Identification and removal of distressed buildings to prevent collapse;
- (q) Issuance of certificate of completion and fitness for habitation;

- (r) Provision of buildings services such as material hesitation evacuation and testing fire and public health control;
- (s) Exercise other powers as may be conferred on it by Regulations made pursuant to this Law.

**27. *Planning Permit***

- (1) The permit of the planning permit and building control agency shall be required for any physical development in the State.
- (2) A development of any building above two floors shall insure his/her liability in respect of construction risks submit a certified true copy (C.T.C) of such Insurance Policy certificate with his/her application for Planning Permit.
- (3) A developer shall make provision for access, safety and toilet for physically challenged persons in public and commercial buildings.

**28. *Application for Planning Permit***

- (1) A developer (whether private or government) shall apply for a planning permit in such manner, using such forms and providing such information and documents as may be prescribed by the Regulations made.
- (2) An application made under this Law shall comply with all requirements and standard of an Operative Development Plan of which is a part.
- (3) A plan required to be made under this Law shall be prepared by the appropriate registered professional and shall be in accordance with the provisions of the regulations made pursuant to this Law.
- (4) An application for a planning permit to develop or partition a structure or subdivide or partition land shall be in conformity with the planning regulations made pursuant to this Law.
- (5) Any Planning permit granted shall satisfy the provisions of the state land Policy and the Land use Act.
- (6) No development shall be commenced by any Government or its Agencies without obtaining a permit from the planning permit Authority.

**29. *Submission of technical report***

A developer shall, at the time of submitting his application for planning permit, submit a detailed technical report as prescribed by the regulations made pursuant to this Law.

**30. *Grant or Rejecting Planning Permit***

The Planning Permit and Building Control Agency may approve or reject an application for Planning Permit.

**31. *Ground for Rejection of an application for Planning Permit***

(1) An application for the planning permit may be rejected if:

(a) The application is not in accordance with Operative Development

(b) In the opinion of the Planning Permit and Building Control Agency, the proposed development is likely to cause nuisance or have major impact which cannot be adequately mitigated on the environment, facilities or inhabitants of the community or in the public interest; or

(c) The development is not in the accordance with any other condition as may be specified by regulations made under this Law.

**32. *Delay of Planning Permit***

(1) The Planning Permit and Building Agency may if circumstances so require delay the approval of application for Planning Permit until the developer:

(a) Satisfies the following conditions:

(i) Provisions of infrastructures and service facilities

(ii) Provisions of necessary commercial facility

(iii) Provision of necessary social recreation and communal facilities or

(iv) Payment of a sum of money to the Planning Permit in lieu of the provision of or of its subsection.

(b) Enter into agreement with an individual, corporate or incorporate body in respect of any matter which the Planning Permit Law building deems to be necessary for the development

- (c) Pays such fees or other charges as prescribed by the Planning Permit and complies with any other condition stipulated by regulation made under this law.
- (2) In reaching its decision under subsection, the planning permit shall comply with:
  - a. the policies and proposals on operatives development plan applicable to a locality within its areas of jurisdiction.
  - b. A proposal plan or an approved plan under review and
  - c. Any other consideration made particular to a locality by regulation made under this Law.
- (3) The Planning permit for a period of time not exceeding three months from the date of submission of the application
- (4) The decision of the Planning Permit on an application for a Planning Permit shall be communicated to the applicant in writing for three months from the date of submission of the application.
- (50) Where the planning permit decides not to approve on application, it shall give reasons for its decision in writing
- (6) The decision of the Planning Permit and Building Control Agency shall be evidence of information stated in it.

**33. *Consideration of Representation by developer***

The Planning Permit and Building Control Agency may consider under representation made to it by a person, body or organization to be affected by an intended development.

**34. *Grant of Planning Permit***

The Planning Permit may under this Law grant a permit or without condition to an application in respect of the following.

(a) Use and development of land which conform the following minimum setbacks:

S/N	TYPE OF DEVELOPMENT	SETBACK
1.	Stream	30.0m
2	Rivers	60.0m
3.	Dams and large water bodies	100.0m
4.	Local roads	4.5m
5.	State roads	30.0m
6.	Federal roads	50.0m
7.	Low tension (domestic) power line	4.5m
8.	Medium tension power line	15.0m
9.	High tension power line	45.0m
10.	GSM cell radio antenna	10.0m
11	Optic fibre line	4.5m
12	Main water pipe lines	15.0m
13	Quarry	100.0m
14	Railway	30.0m
15	Gas pipeline	30.0m

(b) Change in the use of land, seabed or structure or part of structure

(c) Alteration of an approved development plan

(d) Renovation of existing structure

(e) Demolition of the existing structure by the owner/developer

(f) Demolition or removal of contravening structures within a minimum of 6.0mts. from the outer edge of the road in the core areas of the town.

### **35. *Approved Planning Permit***

Any approval granted under this Law by the Planning permit and Building Control Agency shall be referred to as “Planning Permit”

### **36 *Compliance with Planning Permit***

The holder for the time being of a Planning Permit shall comply with the contents of the Permit.

**37. *Validity of Planning Permit***

- (1) Any Planning Permit granted in respect of any development on any land shall be deemed valid
- (2) A Planning Permit shall become invalid where development has not been commenced within two (2) years of the grant of such permit
- (3) Where a developer fails to commence development within two (2) years, the planning permit shall be subjected to revalidation by the planning permit and building control agency on the payment of the prescribed fees, provided the operative development plan has not been amended, varied or altered as provided for in this Law
- (4) A Planning Permit shall not be deemed to confer ownership of the land of the application.

**38 *Enforcement of rights and duties attached to a planning permit***

The Planning Permit and Building Control Agency attached to a Planning Permit, against a developer provided that, where a developer transfers or assigns his interest, the Planning Permit and Building Control Agency shall enforce all the rights and duties attached to a Planning Permit against a holder or occupier for the time being.

**39. *Register of application submitted to it and publication of planning permit***

- (1) The Planning Permit and Building Control Agency shall keep register or records of all applications for planning permit.
- (2) The list of Planning Permit issued shall be published in the State Official Gazette.

**40 *Provision for Planning of trees and greenery***

- (1) The Planning Permit and Building Control Agency shall grant Planning Permit subject to the preservation of existing trees or greenery or planning of new trees or greenery on the development by the imposition of necessary conditions.
- (2) Without prejudice to the provisions of any existing law under the subject matter, the planning permit and building control agency shall make “tree Preservation and Greenery Orders” for securing such amenities within its area of jurisdiction.

(3) if it appears to the Planning Permit and Building Control Agency that the amenities or part of an area or an adjoining area is seriously injured by the condition of the garden, vacant site or open land, the planning permit and building control agency, the occupier or owner of such land a notice requiring such steps to be taken for abating an injury within such period of time as may be specified in the notice.

(4) The Notice referred to in subsection (3) of this section shall contain a period of Thirty (30) days within which such injury shall be abated, failure of which the garden, vacant site or open land may be acquired by the State Government subject to the provisions of the Land Use Act.

#### **41. *Revocation of Planning Permit***

Any Planning Permit granted under this Law may be revoked in part or in whole on any of the following grounds:

- (a) The proposed development and uses for which the Planning Permit was granted are no longer appropriate;
- (b) The site for which the Planning Permit was granted is required for overriding public purposes;
- (c) The planning Permit was obtained fraudulently;
- (d) The developer or owner of the Planning Permit has developed in excess of the approved granted or, has not complied with the terms and conditions under which the permit was granted;
- (e) The permitted development has been modified, altered, varied, added to or renovated without permit; or
- (f) The permitted development has not complied with building control standards.

#### **42. *Payment of Compensation***

(1) The State Government shall pay compensation for the revocation mentioned in section 41 (a) and (b) to the extent of all reasonable costs that may have been incurred by the owner or the developer if:

- (a) Development has commences;

- (b) The developers or owner is liable under an existing contract to a third party for damages for a breach of contract; or
- (2) Compensation shall not be paid for the revocation mentioned in section 41 (c), (d), (e) and (f).

**43. *Assessment Compensation***

- (1) The amount of compensation payable under this Law shall be such as to reimburse the developer or holder for the time being of a planning permit for the losses incurred on the development as a result of the revocation and shall not be in excess of the sum incurred by the developer.
- (2) No compensation shall be payable under this section if:
  - (a) The right of occupancy of the land on which a development was to take place has been cancelled or revoked on the grounds that the applicant did not comply with the requirement of the Land Use Acts; or
  - (b) A claim for compensation is not made within Ninety (90) days after notice of revocation is served on the holder for time being of a planning permit.

**44. *Period Payment of Compensation***

Compensation payable under this Law shall be paid not later than Ninety (90) days after a claim for compensation has been made.

**PART III**

**URBAN RENEWAL, IMPROVED AREAS REHABILITATION AND UPGRADING**

**45. *Establishment of Ekiti State urban Renewal Agency***

- (1) There is established Ekiti State Urban Renewal Agency (referred to in this Law as “Renewal Agency”)
- (2) The Renewal Agency shall be made under the supervision of the Ministry of Physical, urban and Regional Planning



**46. Board of the Agency**

(1) The Board of the Renewal Agency is hereby established

(2) The Board shall consist of the following members:

(a) A full-time Chairman, who shall be a holder of a recognized qualification and professional registration in town planning or related discipline, shall be the head of the renewal Agency.

(b) Two other full-time members.

(c) Seven Ex-Officio members who shall be registered members of the following professional:

1. Town Planning
2. Architecture
3. Civil Engineering
4. Law
5. Estate Management
6. Land Surveying
7. Building

(d) The Ex-Officio members are to be nominated from the relevant Ministries, Departments and agencies

(e) There shall be an Executive Secretary for the Renewal Agency who shall:

(i) Be a holder of recognized qualification and professional registration in town planning and

(ii) Who shall have not less than twelve (12) years cognate post professional registration experience.

(iii) He shall be responsible for the day-to-day administration of the Agency and

(v) The execution of the functions of the Urban Renewal Agency.

**47. Remuneration**

Members of the Board shall be paid such remuneration or allowances as may be approved by the Governor.

**48. *Removal of Member***

Members of the Board shall be removed by the Governor, if he is satisfied that it is not in the interest of the Agency that such person should continue in office, provided that the Governor shall also have powers to suspend a member, if deemed appropriate.

**49. *Tenure of Office***

(1) Subject to the provision of section 50, the Chairman unless he resigns his appointment through a letter addressed to the Governor shall hold office for a term of four years subject to the pleasure of the Governor

(2) Any public officer appointed to be official member shall hold office as such of the pleasure of the Governor.

**50. *Resignation***

Any member other than an ex-officio member shall hold office subject to the pleasure of the Governor for a term of four years and may at any time, resign his office by a letter to be addressed to the Governor through the Chairman

**51. *Functions of the Renewal Agency***

(a) Monitoring and identifying areas qualified for upgrading and advising the State Government on redevelopment or renewal programmes accordingly;

(b) Preparing and implementing approved State Urban upgrading and urban redevelopment projects;

(c) Holding, administering, and maintaining government acquires properties within redevelopment or renewal projects areas.

**52. *Exercise of Power***

Where a development plan prepared by the renewal agency in accordance with section 5 to section 17 has been approved under section 18 of this Law, the renewal agency may exercise the power set out in this part for the purpose of assisting in the implementation of that plan.

**53. *Improvement Area***

- (1) The Renewal Agency may after the plan has been approved by an order published in the Gazette, designate and declare any part of the area for which such plan has been made to be an “Improvement Area” for the purpose of rehabilitating and upgrading the physical environment, social facilities and infrastructure of the area.
- (2) The rehabilitating, renovation and upgrading may be brought about through the combined efforts of the residents of the area concerned and the Renewal Agency.
- (3) The Renewal Agency shall before declaring an area to be an improvement area, satisfy itself that the purpose set out in subsection one (1) of this section is reasonably likely to be achieved.

**54. *Consultation and cooperation improvement area***

- (1) The Renewal Agency shall before declaring any part an improvement area:
  - (a) Use its best endeavour to inform the residents of the proposed area by such means as it deems fit of the:
    - (i) Purposes and intents of the proposed improvement;
    - (ii) Powers vested in the Renewal Agency; and
    - (iii) Facilities which would be made available and benefits to be derived by the areas.
  - (b) Hold meetings with the local government of the area or any other associations in the area to:
    - (i) Ascertain the views of the residents on the proposed improvement area and the exercise of powers relating to it;
    - (ii) Set up liaison or consultative committees between the renewal agency and representatives of the resident to monitor the progress of the rehabilitation, renovation or upgrading in the area.
  - (c) Inform other relevant statutory authorities of the proposed improvement area and invite their views and comments on it;

(d) Take into account the views and commitments made under paragraphs (b) and (c) of subsection (1) of this section and from other interested parties on the proposed improvement area.

(2) The renewal agency shall, after declaring an area to be an improvement area:

(a) Hold regular meetings with the committees established under section 1 (b) (ii) of this section;

(b) Assist or join other persons in assisting a resident or group of resident within the area to draw up and implement plans for the improvement of the neighborhood;

(c) Generally advise and assist the residents of the areas to take full advantage of improvement concerned.

**55. *Power prepare an Improvement Plan***

(1) The Renewal Agency shall, in an improvement area, have power to:

(a) Prepare an improvement area plan showing what ways and over what period of time the area is to be improved and may, where necessary include a plan for the area or part of it;

(b) Grant, guarantee or otherwise facilitate the granting of loans to a person or group of persons to:

(i) Assist in the improvement, repair or renovation of house within the area as may be dedicated by the Renewal Agency; or

(ii) Provide, improve, repair or renovate social and communal facilities within that area;

(c) Subject to the provision of this Law, demolish or order the demolition of building or part of it and where appropriate recover the cost of the demolition from the owner of the building or part of it;

(d) improve, repair or renovate or order the improvement, repair or renovate of a building or part of it and where appropriate, recover the cost of the improvement or repair from the owner of the building or part of it; and

(e) Pay compensation within 90 days on such terms and conditions as may be prescribed, to a person who suffers a loss or damage through the exercise of its power in the area.

- (2) The Renewal Agency shall have power to enter into agreement with persons or body corporate for the purpose of implementing its improvement plans

**56. *Restriction of the power to demolish***

- (1) The Power of the Renewal Agency to demolish or order the demolition of a building or part of it under this Law may not be exercise unless:

(a) The building falls so far below the standard of other buildings used for habitation in the area that it is likely to become a danger to the health of occupiers of adjacent buildings;

(b) The building is in such a state of disrepair that it is likely become a danger to public safety and cannot be repaired at a reasonable cost;

(c) Two or more contiguous building are badly laid out and so congested that without the demolition of one or more of them that part of the improvement area cannot be improved; or

(d) It is in connection with the provision of infrastructural facilities and other services for the area.

**57. *Demolition Order***

- (1) The Renewal Agency shall, before ordering the repair, renovation of a building or part of it:

(a) Inspect the building or part thereof to ascertain its condition and situation

(b) Where the proposed order is for a repair of a building or part of it prepare a schedule of necessary information which shall inform the owner or occupier of the building:

(i) Of the proposed order and the reasons for it;

(ii) The date, time and place where the renewal agency shall consider any representation or objections to the proposed order;

(iii) Of such other matter as may be prescribed by regulations:

(a) Affix a notice of the proposed order on a conspicuous part of the building to which the order relates;

- (b) Appoint a committee of members of the renewal agency to hear, consider and report on any representation or objection which may be made orally or in writing by the owner or occupier or his duly authorized representative; and
- (2) Where the Renewal Agency; after consideration of the report of the committee appointed under paragraph (d) of subsection (1) of this section confirms the proposed order with or without modification or alterations, it shall serve a notice and the reasons for it in such for as may be prescribed by regulations on:
  - i. the owner or occupier of the building; or
  - ii. the person who made representatives or objections to the proposed order
- (3) An aggrieved owner, occupier or interested party of a building which is the subject of a demolition order, may appeal against the order as provided under Part VI of this Law.
- (4) An order made under this section shall take effect where:
  - (a) There is no appeal against the order, at least 28 (twenty-eight) days after:
    - (i) its service on the owner or occupier of the building; or
    - (ii) the appeal has been finally determined or demolished.
- (5) The Renewal Agency shall not enter to repair, renovate or demolish a building or part thereof which is the subject of an order until:
  - (a) After the period stated in the notice of the proposed order has expired, or
  - (b) Where there is an appeal against the repair, renovation, demolition, until the appeal has been finally determined or dismissed

**58. *Compensation for demolition***

- (1) Where, under this Law, the Renewal Agency propose building or part thereof used for human habitation, it shall make recommendations through the Commissioner to the Governor for the acquisition of the property.
- (2) Compensation shall be payable to the owners or developers as provided for, under the Land Use Act.

## **PART IV**

### **ENFORCEMENT**

#### **59. *Enforcement Notice***

Enforcement Notice shall include the following

- i. Contravention Notices;
- ii. Stop Work Order;
- iii. Quit Notices;
- iv. Seal-up Notices;
- v. Regulation Notices; and
- vi. Demolition Notice.

#### **60. *Service Enforcement Notices by relevant agencies***

(1) The relevant agency may serve enforcement notices on the owner of the private or public, residential, commercial, or any other land use wherever and development is commenced without planning permit and building control authorization or, where the building constitutes danger to the occupier or public or, where the building is affected by a renewal programme.

(2) An enforcement notice may be issued under subsection (1) of this section, notwithstanding that the authorized development, renovation, alteration, repair or addition took place before the commencement of this Law

(3) An enforcement notice served under subsection(2) may direct the developer or owner to obtain planning permit or building control authorization or altar the structure to be in conformity with building regulations within twenty-eight (28) days of the contravention notice.

(4) An enforcement notice served subsection (1) of this section may direct the developer or owner to altar, discontinue or remove a development

#### **61. *Conditions in order to altar vary etc***

(1) Before serving an enforcement notice in accordance with the provision of subsection (3) of section (60) the relevant agency shall:

- (a) have regard to the existing conditions for granting planning permit;

- (b) have regard to the likely environment degradation or impact of development carried out being out; and
- (c) consider the overriding public interest without prejudice to paragraph (b) of this subsection.
- (2) The relevant agency may impose additional conditions as it may deem fit in each circumstance.

**62. Requirement of enforcement notices**

An enforcement notice serve under section 59 by the relevant agency shall:

- (a) Be in writing and addressed to the developer or owner;
- (b) State the reasons for the proposed action of the relevant agency;
- (c) Give time for responses to the notice;
- (d) Consider any representation made by a developer or owner, or on behalf of a developer or owner.

**63. Address and Services of enforcements notices**

- (1) The Notice shall be addressed to the owner, occupier or those responsible for the illegal structure, works or development and is deemed to have been duly and validly served by pasting or affixing such notice and marking on any part representatives of the developer found at the site.
- (2) Where service of notice is affected by pasting or affixing on any part of a structure or premises, the person affecting service shall make photographic evidence of the pasting or fixing of the notice

**64. Enforcement of Order**

The relevant agency shall enforce an order of the High Court of Ekiti State against a developer or holder for the time being of a planning permit who fails to comply with such an order



**65. *Liability for expenses***

A developer or holder of the time being a planning permit shall be liable for the expenses reasonably incurred by the relevant agency or any of its officers or agents, as the case may be, in enforcing the provisions of this Law.

**66. *Stop Work Order***

Where it appears to the relevant agency that:

- (i) An authorized development is being carried out; or
- (ii) a development does not comply with a planning permit issued by the relevant agency; or
- (iii) a development is defective or poses danger to the owner, contractor, occupier or the public, or constitutes a nuisance to the occupier or public, the relevant agency shall issue a stop work order on the development.

**67. *Defective Structure***

(1) The Building Control Agency shall have power to serve on developer or holder for the time being of a Planning Permit. A demolition notice if the Structure erected by the developer or holder of the permit is found to be defective as to pose danger or continue a nuisance to the occupier or public.

(2) Notice served in sub-section (1) of this section shall contain a date not later than 21 (twenty-one) days on which the building control agency shall take steps to commence demolition of the defective structure.

**68. *Power of Building Control Agency to demolish defective buildings***

(1) After the expiration of the time specified in the notice served under sub-section (2) of section 67 of this Law, the Building Control Agency shall demolish the defective structure and recover cost of demolition from the owner or developer.

(2) Where the owner or developer refuses to pay the cost of demolition within 3 (three) months of service of a demand notice, such property shall be forfeited to the State Government

**69. *Power of relevant agencies over abandoned property***

The relevant Agency shall have power over any abandoned building in the State in the following ways:

- i. seal up the property to prevent its conversion by unauthorized persons;
- ii. unseal the property upon satisfaction that it is structurally stable or;
- iii. unseal the property where the owner or developer submits a written application supported by an affidavit that he is ready to continue further development or recovery the building within fourteen (14) days of the unsealing; or
- iv. make the owner of the structure pay penalty fees to be determined from time to time before such structure is unsealed.

**70. *Forfeiture of property on collapse of building or structure***

In the event of the collapse of any property or structure due on the part of the owner or the developer, such property shall be forfeited to the State Government after due investigation and or publication in the State Official Gazette.

**71. *Offences and Penalties***

- (1) Any person who contravenes the provision of this Law and Regulations made pursuant to this Law is guilty of an offence and shall be liable on conviction to a fine not exceeding the sum of Two Hundred and Fifty Thousand Naira (₦250, 000.00) or One (1) month or Community Service or both.
- (2) Any person who breaks any seal or, remove any marking placed upon property by or with the orders of the relevant agency commits an offence and shall, on conviction be liable to a fine not exceeding the sum of Five Hundred Thousand naira (₦ 500,000.00) or two (2) Months Community Service or both.
- (3) Any person who fails to insure his building as required under this law commits an offence and shall on conviction be liable to a fine not exceeding the sum of Two Hundred and Fifty Thousand Naira (₦250,000.00) or One (1) month or Community Service or both.

- (4) Subject to any restrictions or conditions prescribed by the constitution or any other Law, a Magistrate Court shall have jurisdiction and power in respect of trial of offences contained in this law or regulations made pursuant to this Law.
- (5) Where any cost is incurred by the relevant agency in the course of demolition or removal or enforcement of compliance, such cost shall be assessed and communicated in writing to the owner, builder, developer, occupier or any other person responsible for the illegal structure demanding for reimbursement of the cost.
- (6) Any person who fails to pay the assessed cost of demolition shall be guilty of an offence and be liable to a fine not exceeding the sum of One Hundred Thousand Naira (₦ 100,000.00) or one month (1) Community Service in addition to the payment of the assessed cost referred to in subsection (5) of this Law.
- (7) Where an offence under this Law is committed by the body corporate, the fine on conviction shall be twice the fine not exceeding the sum of Two Hundred and Fifty Thousand Naira (₦250, 000.00) where there is no option of fine.
- (8) Where the act constituting an offence under this section continues after the service of the relevant notices, the offender upon conviction in addition to the penalty for the offence shall be liable to additional fine no exceeding One Hundred Thousand Naira (₦ 100,000.00) for every day the offence continues.
- (9) For the purpose of this section, “any person” shall include an owner, his servants, agents or privies, a developer, an independent contractor, architect, engineer or builder and each of these persons who knowingly participated in contravening the provision of the Law or any Regulation made under this Law.

## **PART V**

### **ACQUISITION OF LAND AND COMPENSATION**

#### **72. *Power to acquire land***

- (1) Where it appears to the Commissioner that it is necessary to obtain any land in connection with planned urban or rural development in accordance with the policies and proposals of any Operative development Plan, any right of occupancy subsisting on that land may be revoked on recommendation to the relevant agency.

(2) Any right of occupancy referred to in subsection (1) of this Section shall be revoked only in accordance with the relevant provisions of the Land Use Act.

**73. *Payment of Compensation***

(1) All matters connected with the payment of compensation for the revocation of the right of occupancy under this part shall be governed in accordance with the relevant provision of the Land Use Act.

(2) Any compensation payable as a result of the revocation of the right of occupancy under this part shall be paid within twenty-eight (28) days.

(3) Where in the option of Relevant Agency, a person has committed a gross contravention of an existing scheme, the land together with the building on it may be forfeited for the breach of the scheme under this law without payment of any compensation.

**74. *Facilitation of the Execution of Operative Development Plan***

Notwithstanding any provision of this Law, the Relevant Agency may, when it deems it necessary:

(a) facilitate the execution of the Operative Development Plan;

(b) make payment or reasonable compensation to any person who had developed or who is carrying on lawful development who sustains a damage or suffers any loss while his land is affected by:

(i) injurious affection; or

(ii) disturbance; or

(iii) displacement in order to give effect to any provisions of this Law or Regulations made under the Law.

**PART VI**

**APPEALS AND OTHER MATTERS**

**75. *Establishment of Appeal Committee***

There is established a body to be known as the Physical Planning and Building Control Agency Committee (referred to this Law as “the Appeal Committee”).

**76. *Composition of the Appeal Committee***

- (1) The Chairman and members of the Appeal Committee shall be appointed by the Governor on the recommendation of the relevant professional bodies.
- (2) The Appeal Committee shall comprise of:
  - (i) The Chairman who shall be registered professional in the built environment with at least fifteen (15) years cognate post registration experience
  - (ii) The following members who shall be registered members of the relevant professional bodies with not less than ten (10) years cognate post registration experience:
    - (a) A Town Planner;
    - (b) An architect;
    - (c) A Legal Practitioner;
    - (d) An Engineer;
    - (e) A Land Surveyor;
    - (f) A Builder;
    - (g) An Estate Surveyor and Valuer;
    - (h) A Quantity Surveyor;
    - (i) A Representative of Ministry of Physical Planning and Urban Development;
    - (j) Two (2) members of the public suitable standing and not members in the built environment profession; and
    - (k) A Secretary who shall be a registered Town Planner in the Civil Service of the State not less than Grade Level 14.

**77. *Functions of the Appeal Committee***

The Functions of the Appeal Committee shall include:

- (a) Investigation of petition sent to it on Physical Planning Regeneration or Building Control matter;
- (b) Consideration of appeals from members of the public on the decisions of the relevant agency;

- (c) Investigation of complaints concerning officials on matters relating to the grants of Planning Permit;
- (d) Recommendation of appropriate remedial action;
- (e) Submission of an annual report to the Commissioner; and
- (f) Advise on matters referred to it by the Commissioner or relevant Agency or other departments or agencies of government and the general public.

**78. *Powers of the Appeals Committee***

The Appeals Committee shall have powers to:

- (a) Investigate and decide on:
  - (i) All public complaints concerning decisions on development permit application, Development Plans, Layouts or Schemes, Change of Use, Approval-in-Principles, Demolition, Conduct of Planning and Building Control Officials and Service of Notices; and
  - (ii) Disputes arising from compensation or other matters affecting physical planning and development and building control in the State.
- (b) Invite any member of the public including officials for interview in the course of carrying out its investigation for the purpose of obtaining information or advice;
- (c) Call for documents, plans, schemes, files, in the course of its investigation;
- (d) Consult the Physical Planning Law and Regulations of the State in its proceedings;
- (e) Recommend the approval or withdrawal or reinstatement of any planning permit granted;
- (f) Recommend the suspension of further physical development activities in relation to the building, site or premises the subject or investigation.

**79. *Recommend Actions of the Appeals Committee***

The Appeal Committee shall make recommendations for the consideration of the Governor through the Commissioner.

**80. *Proceeding of the Appeals Committee***

- (1) The Appeal Committee shall regulate its own proceedings. Operations and meetings.
- (2) Quorum shall be by a simple majority of the members of the Appeal Committee.

**81. *Sittings of the Appeals Committee***

- (1) The Chairman of the Appeals Committee shall cause a sitting of the Appeals Committee once a month or as may be deemed necessary to hear appeals.
- (2) The aggrieved owner, occupier, developer or interested party may attend sittings of the Committee and shall be heard if he so desires or through his authorized representatives.

**82. *Remuneration Allowances***

The Chairman and members of the Appeals Committee shall and be paid such remuneration and allowances as may be approved by the Governor from time to time.

**83. *Tenure of Office of the Appeals Committee***

- (1) The Chairman and members of the Appeals Committee shall hold office for 3 (three) years and shall be eligible for re-appointment for another term of three years by the Governor on the recommendation of the Commissioner.
- (2) The office of the Chairman or a member shall become vacant if:
  - (a) The Chairman or a member has completed his tenure of office.
  - (b) He resigns his appointment in writing under his hand to the Governor through the Commissioner;
  - (c) Without good cause he absent himself from sittings for the hearing of an appeal referred to the committee on three consecutive occasions;
  - (d) He is adjudged bankrupt by a court of competent jurisdiction;
  - (e) He is so incapacitated either by reason of illness or otherwise as to make him incapable of attending meetings of the committee;
  - (f) He is adjudged to be of unsound mind;
  - (g) His appointment is terminated by Governor in the interest of the Public;

- (h) He is found guilty of professional misconduct by the relevant professional registration council in Nigeria; and
  - (i) He is convicted of corruption by a Court of Law.
- (3) The Office of the Chairman or member shall also be vacant by reason of good cause.
- (4) For the purpose of sub-section (3) of this Section “good cause” means:
  - (a) Failure to disclose a professional involvement in the case before the Appeals Committee at its earlier or prior stage; and
  - (b) Having direct or indirect proprietary or pecuniary interest in the case before the Appeals Committee.

**84. *The Secretariat***

The office of the Secretary shall serve at the Secretariat for the Appeals Committee.

**85. *Appeal against Decision of the Committee***

- (1) An aggrieved person or any interested party may appeal against the decision of the Appeals committee and such appeal must be made within twenty-eight (28) days after notification of the final decision of the Committee has been communicated.
- (2) An appeal against the decision of the Appeal Committee shall be as of right to the High Court of the State and the appeal must be made within twenty-eight (28) days after written notification of the decision of the Committee

**86. *Power to make Regulations***

- (1) The Commissioner on the recommendation of the relevant agency may make regulations for the purpose of carrying into effect the provisions of this Law including implementing development planning relating to the following:
  - (a) The format, scales, standard, notations and matters to be included and covered in all types of physical development plans;
  - (b) The format, documents, survey plans, development plans and matters to be dealt with in all application for planning permit;



- (c) The form and content of the comprehensive records that must be kept of all application for planning permit; and
  - (d) Prescribing in particular the fees payable in respect of any application for planning permit and other matters incidental to it.
- (2) The Commissioner shall have power to make regulations determining the forms and contents of physical development plans in the State and the said power shall come within the following:
- (a) Outline development plans as specified in the first schedule to this Law
  - (b) The preparation of Development Plans by the Planning Permit Authority and Publicity of such plans;
  - (c) The mode of objection of Physical Development Plan or Scheme;
  - (d) The preparation of schemes by relevant agencies of the State and the execution of such schemes;
  - (e) Application for grant of physical planning permit and building control authorization; and
  - (f) To set standards of building work for construction of buildings and structures with documents containing practical and technical guidance on compliance.
- (3) The Commissioner shall have power to make regulations on the recommendations of the Building Control Agency for the regulation of building control standards and any matter incidental to it.
- (4) The Commissioner shall have the power to make regulations for the location, position, dimensions, appearance, display and manner in which urban furniture shall be affixed to land.

**87. *Validity of the Planning Permit***

Subject to the provision of this Law, any planning permit granted in respect of any physical development in any part of the State before the commencement of this Law, is deemed valid

**88. *Repeals***

- (1) Capital and Urban Development Authority (and other matters incidental thereto or connected therewith) Law of Ondo State as applicable to Ekiti State is repealed;
- (2) Any previous existing Urban and Regional Planning Law of Ondo State applicable to Ekiti State is repealed.

**89. *Interpretation***

In this, unless the context otherwise requires:

**“Abandoned Building”** included an existing previously occupied but vacated building and, left in that condition for a period of up to five years, or a building which is under construction but on which work has ceased for up to five years;

**“Commissioner”** means the Commissioner who for the time being is charge with the responsibility for physical planning, building control and urban development.

**“Constitution”** means the Constitution of the Federal Republic of Nigeria 199 as amended;

**“Developer”** means a builder, contributor, creator, pioneer;

**“Development”** means

- (i) The carrying out of the building, mining, or other operation in, on, over, or under any land, or
- (ii) The making of any material change in use of any land building or structure, or
- (iii) Conversion of land, building or structure from its established or approved use, or
- (iv) Placement or display of urban furniture on the land, on building or structure, or
- (v) Making of any environmentally significant change in use of any land, and
- (vi) Demolition of buildings including felling of trees.

**“Development Plans”** means details, drawing and specifications for a development rendered at appropriate scales, dimensions and sizes and prescribed by the regulations made pursuant to this Law;

**“Gazette”** means Ekiti State Government Official Gazette;

**“Good Cause”** means failure to disclose a professional involvement in any matter before the Advisory Committee; having direct or indirect proprietary or pecuniary interest in any matter before the Advisory Committee;

**“Governor”** means Governor of Ekiti State;

**“Land”** includes land covered with water and everything attached to the earth or permanently fastened to anything which is attached to the earth and also chattels real, and tenures of every description and any interest therein, and undivided shares of land;

**“Ministry”** Means Ekiti State Ministry of Physical, Urban and Regional Planning;

**“Operative Development Plan”** means any plan that has formally been endorsed for implementation

**“Planning Permit”** means an approval or assent given for the time being to a development and includes, layout or subdivision plan, building control authorization given at construction and post construction stages;

**“Relevant Agency”** means the Ekiti State Physical Planning Permit and Building Control Agency, the Ekiti State Urban Renewal Agency and any other bodies that may be created under this Law;

**“Rehabilitation”** means a planning process whereby individual structures are improved to meet established building standards and criteria. It can also be called Renovation Scheme;

**“Redevelopment”** means a planning process where an existing old and decayed settlement or neighborhood which has been declared a blighted area is completely pulled down and redeveloped from scratch and thereby creates a new and modern development in replacement of the old one;

**“Renovation”** means to rebuild, reclaim, recondition, reconstruct, rehabilitate, reinstate, rejuvenate, reinstate, restore, a building (excluding painting);

**“State”** means the Ekiti State Government.

**“Special Building Project”** includes refineries, petrochemical plants or complex, storage/holding tank farms, container/bonded terminals and other developments that may be classified by the relevant agencies as special building projects;

**“Urban Furniture”** included all physical structure placed on the landscape and affixed to the land distinct from actual building and, includes bus stop shelter, telecommunication antennae, mast and tower, cables and pipes, street neon signs, advertisement billboards, light status, artifact placement, fountains and direction finders;

**“ Urban Renewal”** means a planning process geared towards a physical improvement of existing urban settlement to eliminate blight by any of the following methods; Redevelopment, upgrading or Regenerating or, Rehabilitation, Preservation and Conservation’

**“Upgrading or Regeneration”** means a planning process whereby an existing but decaying urban area is improved in parts to meet established physical planning; and

**“Waste Land”** includes land which for the time being is unworkable and includes burrow pit. Land degraded by erosion, abandoned waste dumps and land to flooding.

***90. Citation***

This Law may be cited as the Ekiti State Urban and Regional Planning and Development Law.