

Trouble Enforcing Building Codes Leads to Dangers in Haiti

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Disregard for building codes, neglecting to get permits, ignoring government inspectors - who have too little power to be effective - all are common practices in Haiti. An investigative report by Dieudonné Joachim, a member of an investigative team trained by [Knight International Journalism Fellow Kathie Klarreich](#) reports on the failure to enforce building codes - and how dangerous that could be if Haiti were to experience another earthquake.

Klarreich has trained investigative journalists throughout Haiti, formed a network of investigative reporters across the country, and established an investigative journalism fund.

[For the original article in French, click here.](#) Below is the English translation.

Is the Haitian State is as weak as its building code enforcements?

The housing problem, already acute before the earthquake of January 12, 2012, has worsened because of the 190,000 homes destroyed or damaged, according to official statistics. The construction sector has been booming, but seismic hazards have, it seems, caused no change in the way of building in Haiti. Building permits are delivered in small numbers when they are solicited.

One morning, like any other, officers from Leogane’s engineering department decided to do a routine building inspection in the northern neighborhood of Chatuley. Here the newly constructed concrete buildings stand out like trees in a desert. The cost of some run well into six-digits.

Dismounting from their motorcycles, the three inspectors exchanged greetings with the workers on the 100-square metered site. Despite the day’s heat, the workers responded icily, as if they feared the inspectors’ presence would shut down their jobs, and their salaries.

A conversation ensued and tempers flared as onlookers, already gathering in the shade of a mango tree, threw in their two cents. The crowd and tension grew; it was obvious the workers did not have a building permit.

Even though members of Haiti’s police force appeared, they did little to help the government officials. Eventually the inspectors, threatened by the size and tone of the crowd, retreated, unable to enforce the laws designed to protect the lives and property of the population. This case is far from isolated.

Municipalities Lack Necessities

Whether it is Léogâne, Croix-des-Bouquets or Delmas, municipalities affected by the earthquake lack the technical means and competent personnel to issue permits that would force construction workers to respect the State’s new building requirements. In Léogâne, the engineering department has only six employees: the chief, his deputy and four inspectors who have attended seminars of the Ministry of Public Works, Transport and Communications (MTPTC).

"City Hall doesn’t issue more than ten permits a month,” admits Jean Ponny Charles, chief municipal engineer for the city of Léogâne.

"There have been no requests for permits from the city,” said Charles Hyginus Raymond, assistant director of public works in the MTPTC and head of the Technical Evaluation of Buildings Office (BTEB).

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The problem of skilled human resources and adequate material is serious. It prevents city hall engineers from carrying out their responsibilities," said Charles, who was seated in a nearly empty room, without a computer, computerized records, global satellite positioning apparatus (IGPS) and without qualified personnel at his disposal.

Léogâne, which has a population of about 200, 000 residents, consists of 13 communal sections but because of their geographic division they do not receive equal treatment. "Only three are in the plains; those in the mountains are simply neglected or abandoned," says Charles, an electrical/mechanical engineer.

On average, electrical inspectors from the mayor's office of Léogâne visit ten work sites per week. (In one instance, an employee had to rent a private vehicle for \$19/day to complete his inspections). Even if that number is higher than it was pre-earthquake, the head of the Leogane's municipal engineering team admits it is still insufficient. And, he says, the 100-gourde tax per square meter (US\$2.50) for residential construction is not high enough. That being said, most homeowners would like to see that tax abolished.

Léogâne: one case among others

"Despite the fact that we have a tax of 75 gourdes (US\$1.90) per square meter of construction for a building and 50 gourdes (US\$1.10) per square meter for a closing, too often we are unable to collect the money," said engineer Ernso Rémy, head of the municipal service of the metropolitan town of Croix-des-Bouquets. This, despite ten MTPTC trained inspectors working full time.

By contrast, Delmas City Hall office of municipal engineering has 19 inspectors, six engineers, three secretaries, two police officers and the support of the Street Brigade Control (Bricor). In addition, it has two pickups, and a heavy equipment truck, far more than what is available to the municipalities of Croix-de-Bouquets and Léogane.

Still, Delmas' engineering service has its own problems. Jeff Enock Lamy who heads its service, said that his institution hands over about three million gourdes (\$750,000) per month to the Directorate General of Taxation (DGI), money they have received from permits.

The different municipalities say that the money collected for the DGI comes through local branches. To access a portion of these funds, City Hall must apply to the Ministry of the Interior, which in turn writes to the Ministry of Finance, which can then release these funds to the DGI. The process must be reversed before the money is available for the municipalities from the National Credit Bank.

What is Haiti's Construction Code?

Although Haiti does not yet have its own code, since February 9, 2010, the MTPTC says it has been employing international codes, including ACI-318, Euro code 8 and the Canadian National Building Code. Haiti's construction code is still being prepared by an international consortium – Norbati/SNC Lavalin/LGL S.A and is currently under review within several ministries.

The MTPTC is the body responsible for the regulation of construction in Haiti. The mayor's office gives the permits but it asks for technical advice from the ministry. It is rare to find permit requests submitted to the MTPTC by townships which do not lack one or more elements essential to the construction of buildings. Even if the titles are valid, the calculations are either absent or inaccurate. Raymond says they get blamed when in fact it is the fault of the municipalities. "This gives us a bad reputation."

For technical advice, City Hall sends a request to the Directorate of Public Works (DTP) which, through its urban planning department, checks it against the compliance standards. A list of components of the construction plan – the façade, drainage, distribution of reinforcement – then have to go through the property owner who must provide a cost estimate and survey plan.

If few permits are granted, the responsibility must be shared between the central government and the municipalities. Several heads of engineering departments lament the fact that the central state doesn't understand that revenue collection is directly tied to the needs of the community. The townships believe that more autonomy would help them raise money and if the revenue they raised remained in their community, there would be fewer problems.

City Hall issues building permits once it has verified the title, the ground plan survey, the foundation and façade plan. In addition City Hall also requires that the engineer, architect or building company show its certification in order to prevent technical shortcomings in the building process.

If houses had been built according to code, chances are fewer people would have died during the earthquake. The President and CEO of Miyamoto International and a specialist in American and Japanese earthquake-resistant buildings, has provided useful tips for safer construction, such as how to bind columns with calipers

or determine of the height of the stirrups. “This could have reduced by half the number of deaths caused by the January 12, 2010 earthquake," Kit Miyamoto said in Le Nouvelliste in March 2012 "Everything must be changed."

Unfortunately, says engineer Charles, the population’s attitude towards construction hasn’t changed much. Building is happening without regard for existing standards, despite measures of control that are in place and a radio awareness campaign. People still want to do construction their way, without restriction or input from the government.

Could townships be more effective if they had more resources? Could buildings be safer if codes were enforced? Probably, but no one will know until the next major seismic activity, at which point it may be too late. Again.

Dieudonné Joachim

Program: HAITI: TRACK AID FUNDS TO ENSURE A STRONG RECOVERY

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2000 M St. NW, Suite 250 Washington, DC 20036 USA **Phone:** 202.737.3700 **Fax:** 202.737.0530 editor@icfj.org

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