

MONGAR

DEVELOPMENT CONTROL

REGULATIONS

2016 - 2040



DEPARTMENT OF HUMAN SETTLEMENT

MINISTRY OF WORKS AND HUMAN
SETTLEMENT

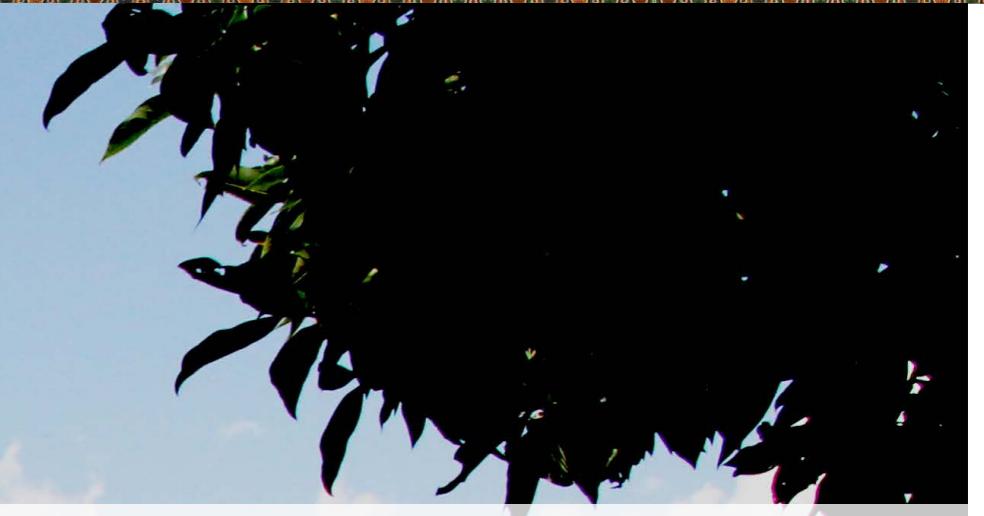
MONGAR DEVELOPMENT CONTROL REGULATIONS



2016-2040

DEPARTMENT OF HUMAN SETTLEMENT
MINISTRY OF WORKS AND HUMAN SETTLEMENT

Contents



TITLE AND COMMENCEMENT.....	1
SECTION 1 PLANNING REGULATIONS.....	2
SECTION 2 BUILT FORM REGULATIONS.....	8
SECTION 3 ADMINISTRATION.....	20
SECTION 4 PROCEDURES FOR OBTAINING DEVELOPMENT PERMIT.....	24
SECTION 5 PROCEDURE DURING DEVELOPMENT/ BUILDING CONSTRUCTION.....	32
SECTION 6 BUILDING REGULATIONS.....	36
ANNEXURES.....	39

SECTION 1

PLANNING REGULATIONS

This regulation shall be called the Mongar Development Control Regulations 2016-2040 (MDCR 2016-2040). These regulations shall come into force with effect from the date of their notification by the Royal Government of Bhutan. This Regulations contain six sections which shall be strictly complied for all types of development/constrcution withing the Mongar Thromde.

Section 1 - Planning Regulations

Section 2 - Built-Form Regulations

Section 3 - Administration

Section 4 - Procedures for Obtaining Development Permit

Section 5 - Procedure During Development/ Building Construction

Section 6 - Building Regulations

JURISDICTION

This MDCR 2016 - 2040 applies to the areas within Mongar Thromde (Mongar and Kidheykhar excluding Gyelpoishing)

1 Planning Regulations.....3

1.1 List of Precincts Designated in the Mongar Structur Plan.....3

1 Planning Regulations

The planning regulations contain permissibility of various uses and activities in the designated precincts, permissible plot coverage and building heights in specified precincts. Apart from the planning regulations provided hereunder, all other provisions remain as per the Bhutan Building Regulations 2018.

1.1 List of Precincts Designated in the Mongar Structure Plan

The Precincts Schedule has been formed to facilitate an easier functioning city. Different precincts have different land uses, in an attempt to prevent conflict in land uses. The following list of Precinct categories has been formed so that the city can function in harmony. Each precinct protects a group of human activities from the interfering, or destructive aspects of other human activities. The definition of Precincts maintains an ecological balance between nature's order and an order of human activities. Thus each precinct reflects a sphere of human, or natural and conduct. By defining and separating these spheres, the optimum meaning and functionality of each sphere is protected. With this principle in mind, the following precincts have been defined.

1. UC-1 : Urban Core 1

The town centre, high density precinct of trade and commerce

2. UC-2 : Urban Core 2

The town centre with traditional characteristics, medium density precinct of trade and commerce

3. UV-1 : Urban Village 1

Medium density, mixed use precinct

4. UV-2 : Urban Village 2

Medium density, residential precinct

5. I : Institutional

Local, National and International Institutions

6. OS : Open Space System

Precincts of open spaces such as parks, gardens, sport facilities and recreation areas

7. E : Environmental Conservation Precinct

Enhancement and protection of Mongar's fragile ecological legacy

8. S : Service Precinct

Precincts characterized by service infrastructure and industry establishment including workshops

9. Dzong Precinct

Dzong Complex

10. Child Care Precinct

Precinct Characterized by day care centre

Table 1 : Uses Permissible in the Designated Precincts

S 1. No	Precinct	Description of Precinct	Uses Permissible
1.	UC-1 (Urban Core)	A precinct of high concentration of commercial and public use	Shopping Centers, Food Courts, Cinema Hall, Multiplexes, Bowling Alleys, Pool and Billiard Halls, Hotels, Tourism and Recreation based facilities. Commercial Center, Public Buildings, auditorium, transport terminal for passengers, Office Buildings, Public Facilities, Public Utilities, banks, Professional Offices, Parks, Gardens, Playgrounds, training institutes, research institutions, hostels, canteens, sports complex gymnasium, library, Open space proposed for party and marriage ceremony and amusement and recreation activities, Art Galleries, Exhibition Halls, Discotheques, Bars.
2.	UC-2 (Urban Core 2)	Medium Density, Mixed use Precinct	Residential uses. Local level retail shops and services, household economic activity and cottage industries ,which do not create noise, vibrations, fumes, dust, etc. only in independent dwelling units. Play fields, gardens, gymnasium, swimming pool, public facilities and utilities, club house, local community hall, etc. Bars, discotheque, pool rooms and any other night time recreational centers and activities contradicting with residential uses would not be permitted. All permissible non-residential uses in the residential area may be permitted in a residential dwelling only on the ground floor or any other floor with separate means of access/staircase from within the building or outside the building, but not within the prescribed marginal open space. Such development shall only be permitted beyond 150m from the boundary of the building unit of existing school or heritage place.
3.	U V - 1 (Urban Village 1)	Medium Density, Mixed Use Precinct	Residential uses. Local level retail shops and services, household economic activity and cottage industries ,which do not create noise, vibrations, fumes, dust, etc. only in independent dwelling units (not in tenement dwellings or flats). Educational institutional buildings, day-care centers, dispensaries, clinics, public facilities and utilities, local community halls are allowed. Bars, discotheque, pool rooms and any other night time recreational centers and activities contradicting with residential uses would not be permitted. All permissible non-residential uses in the residential area may be permitted in a residential dwelling only on the ground floor or any other floor with separate means of access/staircase from within the building or outside the building, but not within the prescribed marginal open space. Such development shall only be permitted beyond 150m from the boundary of the building unit of existing school or heritage place.
4.	U V - 2 (Urban Village 2)	Low Density, Residential Development	Residential uses. Resorts, professional services, office spaces, and educational institutes shall be permitted. Any commercial use including retail outlets, shops and recreational centers shall not be permitted.

5.	I- Institutional	Local, National & International Institutions	Educational, training, cultural & government institutions, public libraries, Museums, art galleries, exhibition halls, government offices. Residential and other activities incidental to the main institutional use, provided only 20% of the site should be used for such activities.
6.	Children care centre	Day care center for 3-6 year old children	Day care centre with 30 % ground coverage for indoor space. Rest of the area to be planned as outdoor play area.
7.	Dzong Precinct	Dzong Complex	Only uses which enhance the image, use and iconography of the Dzong
8.	Service precinct	Service infrastructure and industry establishment. Heavy maintenance industry which has adverse impact on land, water & air.	Water treatment plant, sewage aerobic & mechanical plants, electric substations etc Small scale industries, agro based industry, weaving, carpentry workshops. Heavy maintenance industry, wholesaling and warehousing, automobile workshop, car wash, vehicle garages and workshops. (Environment clearance is required).
9.	OS (Open Space System)	Public Assets, open space within settlement areas.	No built structure shall be allowed. Public facility such as: parks, gardens, playground and recreational facilities etc. Spiritual and religious structures such as Chortens & prayer wheels.
10.	E- Environment Conservation Precinct	Precincts with 58% and above slopes; and high hazard zone as per the geotechnical study	Natural reserve and sanctuary, the River Basin, Streams, Rivulets, avi-fauna, fauna breeding places, unique flora and bio-mass preserves. Activities related to environmental enhancement / protection and permitted / undertaken by or on behalf of the National Environment Commission. Existing structures with an approval may be retained, but new development and extension to the old structure (except the above mentioned) is not permissible. Footpaths and cycle tracks, footbridges, vegetable and flower gardens, nurseries, landscape elements like lamp posts, benches, gazebos, children's play equipments and litter bins, shall be permitted.
11.	G-2 Local Green Space System	Public Assets, open space within settlement areas.	1) Public facility such as: parks, gardens, playground & recreation of any type for surrounding residential areas 2) Spiritual and religious structure such as chortens & prayer wheels.
12.	E-4 Agri-Based Environments	Precincts with 30% and above slopes characterized by orchards, green houses, on-farm food processing & research.	Agriculture, Horticulture, Orchards, Floriculture, Vegetable Gardens, Facilities for Plant Tissue-culture, Mushroom Culture, Green Houses, Cold Storage incidental to Agriculture and related uses, Dairy Farms, Poultry Farms, nursery.

Table 2 : Precinct Schedule

Designated Precinct	Plot Area (in sqm)	Max. Plot Coverage	Min. setbacks (m)	Max. Height-no. of storey*	Remarks
UV-1 (Medium Density ,Mixed Use Precinct)	485.64 & above	40%	Minimum of 3 m on all three sides and minimum of 2 m in the front or follow the existing building line, if there is any	3	Inclusive of basement or split floor level
UV-2 (Low density ,Residential development)	485.64 & above	30%	Minimum of 3 m on all three sides and minimum of 2 m in the front or follow the existing building line, if there is any	3	Inclusive of basement or split floor level
UC-2 (Urban Core -2)	485.64 & above	40%	Minimum of 3 m on all three sides and minimum of 2 m in the front or follow the existing building line, if there is any	3	Inclusive of basement or split floor level
UC-1 (Urban Core 1)	225 & above	50%		4	Not applicable
Resorts	1000 sqm &above	As per the precinct's plot coverage and number of floors(resorts to be allowed only in UV-2 precinct)			Depending on the availability of sufficient water
I- Institutional	1000sqm &above	30%	Minimum 3m on all sides	2	Inclusive of basement or split floor level
Kindergarten/ Child care centre	1000sqm &above	30%	Minimum 3m on all sides	2	Inclusive of basement or split floor level
Dzong Precinct	-	-	-	-	
Service precinct	-	-	Minimum of 3 m on all sides	2	Inclusive of basement or split floor level
OS- Green Space System	-	10%	-	2	Inclusive of basement or split floor level
E- Environment Conservation Precinct	-	-	-	-	

*Includes split level floor or basement if there will be any. Basement to be used for services and not for habitation.

Note 1: Plot Coverage

The maximum permissible plot coverage shall be within set back rules as prescribed in these Regulations.

Note 2: Standard plot size for development

All existing plot having an area equal to or above 7 decimals (after land pooling) in urban core and 13 decimals (before land pooling) and 10 decimals (after land pooling) in other precincts would be permitted for development. Plot sizes less than the standard plot size shall be developed as per the guide-

lines for development on small plots and shall be referred to the Competent Authority for approval.

Note 3: Consolidation of Smaller Plots

For existing plots having an area less than the standard plot size, the alternatives are:

- a. Addition of surplus land (reserved plot) to the landowner's reconfigured plot to make it a standard size plot.
- b. Consolidation with other smaller plots, allowing joint ownership to create a standard size plot.

Note 4: Projected Balconies

Cantilevered balconies (not enclosed) projecting up to 1.2m in to the setback area from the ground floor external wall face shall be permitted. Projections beyond 1.2m may be permitted provided they do not extend in to the setback areas and they are structurally safe. Such projections/ structures shall not cover the septic tanks. In case of commercial buildings cantilevered balconies shall be allowed only at the rear.

Note 5. Parking Areas

All permitted proposals within the respective precincts shall provide plot level parking spaces as per the parking standard mentioned in table ?. Proposals in Urban Core shall be exempt from plot level parking provided the total clear retail floor area is less than 450 sq.m. beyond which provision shall be made of 1 car parking space for every 30 sq.m. of clear retail space or part thereof.

Table 3 : Parking Requirements Standards

Description of use in the Building	Number of Vehicle Parking Space Required
Residential Space	1 Car Parking space for each unit
Shops (up to 40 sq.m. or 400 sq.ft. of clear retail floor space)	1 Car Parking Space for every 5 shops
Shops (up to 50 sq.m. or 550 sq.ft. of clear retail floor space)	1 Car Parking Space for every 40 sq.m. of clear retail floor space
Departmental Store or Shopping Centers (over 450 sq.m. or 5000 sq.ft. of clear retail floor space)	1 Car Parking Space for every 25 sq.m. of clear retail floor space
Offices	1 Car Parking Space for every 30 sq.m. of new usable office floor area with a minimum of 5 per office
Public Halls, Community Centers, Non-Residential Clubs, Restaurants and Cafes	1 Car Parking Space for every 30 sq.m. of net usable floor area
Theatres and Cinemas	1 Car Parking Space for every 15 fixed seats of Public Accommodation
Hotels and Guest House	1 Car Parking Space for every room or 30 sq.m. of net usable floor area
Hospitals	1 Car Parking Space for every 10 beds
Industry and Workshops	1 Car Parking Space for every 80 sq.m. of net usable floor area
Warehouse	1 Car Parking Space for every 100 sq.m. of net usable floor area
Vehicles Service and Repair Workshops	5 Car Parking Space for every service or repair bay

SECTION 2

BUILT FORM REGULATIONS

2 Built Form Regulations.....	9
2.1 Site Development.....	9
2.2 Visual Quality.....	10
2.3 Number of Storeys.....	12
2.4 Setbacks	13
2.5 Ground Coverage.....	14
2.6 Landscaped Area.....	15
2.7 Balconies.....	15
2.8 Use-Specific Guidelines.....	15
2.9 Character Settlements.....	16

2. Built Form Regulations

This part of the MDCR 2016-2040 contains the development controls that have to be strictly complied in conjunction with the provisions of the Planning Regulation. This development controls prescribed herein applies to all the designated precincts within the Mongar Thromde (Mongar and Kilikhar). This controls the built forms of the development and the important settlement characteristics within the Thromde.

2.1 Site Development

Objective

To minimize the impact of the development and to retain the natural character and setting.

2.1.1 Cut and Fill

Site development shall be carried out in a way that the cut and/or fill are minimized and the cut and/or fill are almost equal within a plot. The exposed slopes are to be revegetated as soon as possible to prevent soil erosion and soil stability issues. The development should follow the contours. As per the Mongar geotechnical hazard map, the Mongar Thromde consists of colluviums soil deposit, which is susceptible to erosion or land slide, if there is no proper drainage or if the site development work is not carried out to minimize the soil stability. The development works to be carried out simultaneously with mitigation to prevent soil erosion or land slide.

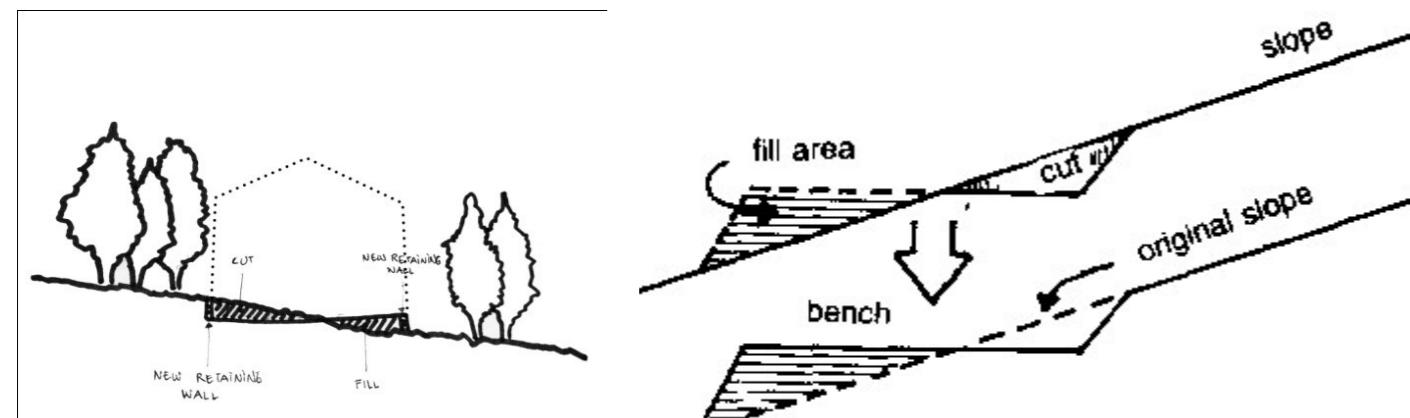


Figure 1: Cut and Fill (image source – Internet)

2.1.2 Retaining Walls

Retaining walls should be built in a way that it blends with the site character and topography and not to be massive. Stepped retaining walls are recommended rather than a large uniform wall. The stepped retaining walls to be landscaped in the intermediate terraces. Where there are requirement for higher retaining walls, there has to be surface texture/pattern or sufficient landscaping at the base.



Figure 2: (Source: City of Nanaimo Steep Slope Guidelines)

Figure 3: In Mongar-above E-W Highway - this terraces needs landscaping

2.2 Visual Quality

Objective

To protect and preserve the natural character of hillside and also provide opportunities for scenic views.

2.2.1 Ridgeline

Some ridgeline visible from the strategic locations in the Mongar Thromde contributes significantly to character of Mongar. A ridgeline is a continuous line that is formed of the earth/top of tree lines and demarcates the contrast between the sky and the earth.

Developments in the vicinity of the significant ridgelines have to be sited so as to retain the trees/vegetation on the ridgelines as much as possible. Trees have to be planted on the gaps/cuts created due to road cuts, site clearing etc., to restore the continuous ridgeline appearance. The building roofs/bulk should be below the ridgelines to maintain the ridgeline continuity

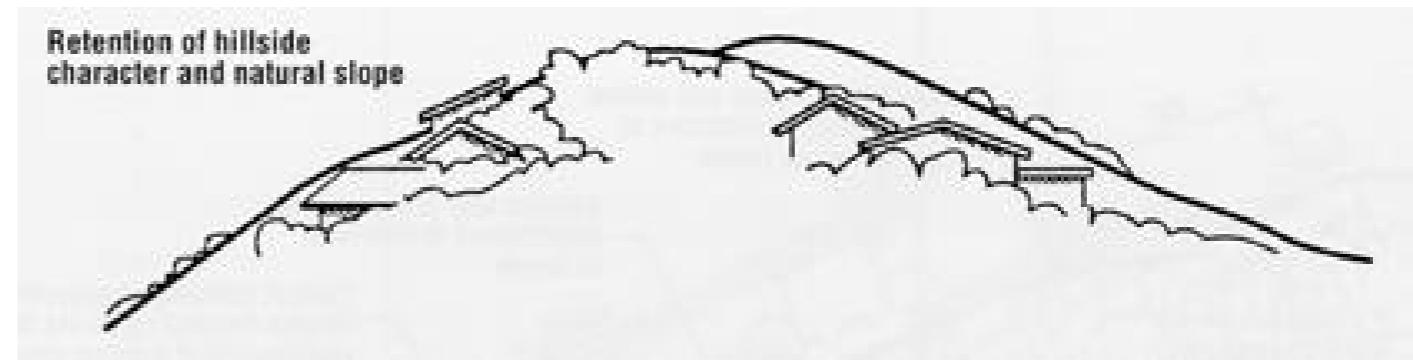


Figure 4: (Source: City of Nanaimo Steep Slope Guidelines)



Figure 5: View of the ridge from the Park in the core



Figure 6: Ridgelines in Mongar that needs to be preserved

2.2.2 Scenic Features

These are the natural features such as water courses, cliffs, rock outcrops, gullies and knoll of the site that is visually unique and visible on the site or a neighborhood. The Mongar Structure Plan includes these scenic features in the Environment Conservation Precinct and needs to be preserved. The development should be sited in a way as not to change, disturb or remove the scenic features.



Figure 7: Knoll—used as helipad and knoll on which a resort stands

2.2.3 Views lines/corridor towards Dzong

There are certain view lines/corridors that enhance the grandeur or highlight the landmarks within the Mongar Thromde. The Mongar Dzong located in the town is newly constructed that serve as administrative headquarters of the Mongar Dzongkhag and in times to come it will form a landmark or the main image of the Thromde. Its significance in terms of its physical structure also needs to be preserved and enhanced to highlight its importance and its imagery for the residents or the visitors. Important view lines/corridors from/towards the Dzong need to be preserved through restricted or no development.



Figure 8: View toward Dzong as seen from School and visual corridor proposed to be preserved

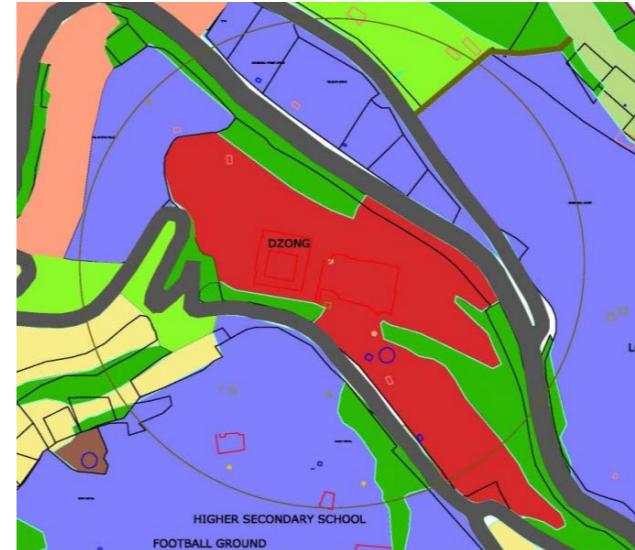


Figure 9: Map showing Dzong precinct and view of the Dzong as seen from the Highway

Construction of monumental structures that would overshadow the Dzong shall not be allowed in 150 m radius of the Dzong area. As the plots in the vicinity are mostly institutional in nature, the construction in these plots needs to be restricted in terms of bulk, mass and height.

2.3 Number of Storeys

The number of storey is based on site stability as per the geotechnical study, population projection, and existing character of traditional settlement. The number of storey is as prescribed in the planning regulations, which also includes basement/split floor level as per the site conditions.

Objective

- To ensure that the buildings are in harmony to the site context and the conditions
- To encourage buildings that would integrate with the scale of the streetscape and the setting
- To ensure development of split level building based on the site context/situation

Development controls

- Development is not to exceed the maximum number of storeys as indicated in Table 2 (Planning Regulations)
- Development of split level floors or basement to be carried out with minimum cut and fill

The definition of basement and split level floor is provided in this section to understand the concept. Given the steep topography of Mongar, there is probability of split level floors or basement depending on the site conditions.

2.3.1 Split Level House

It is a type of house with floor levels staggered. For Mongar, it is recommended to propose split level home that is set in or on the ground and not to propose stilt level floors.

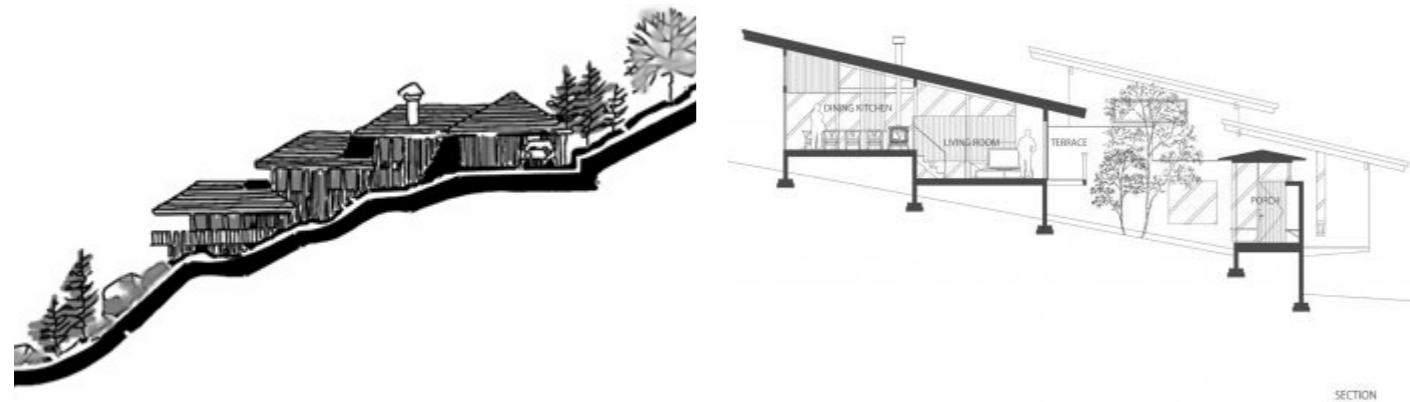


Figure 10: Split level floors on/in ground recommended (L) and split floors on stilts not recommended (R)

2.3.2 Basement

A basement is the part or whole of the building below the ground level. At least 3 sides of the building has to be located partly or wholly below ground level but so located that the vertical distance from the average to the floor is greater than the vertical distance from average to the ceiling (as indicated in the illustration below) .Basements are not meant for habitation purposes.

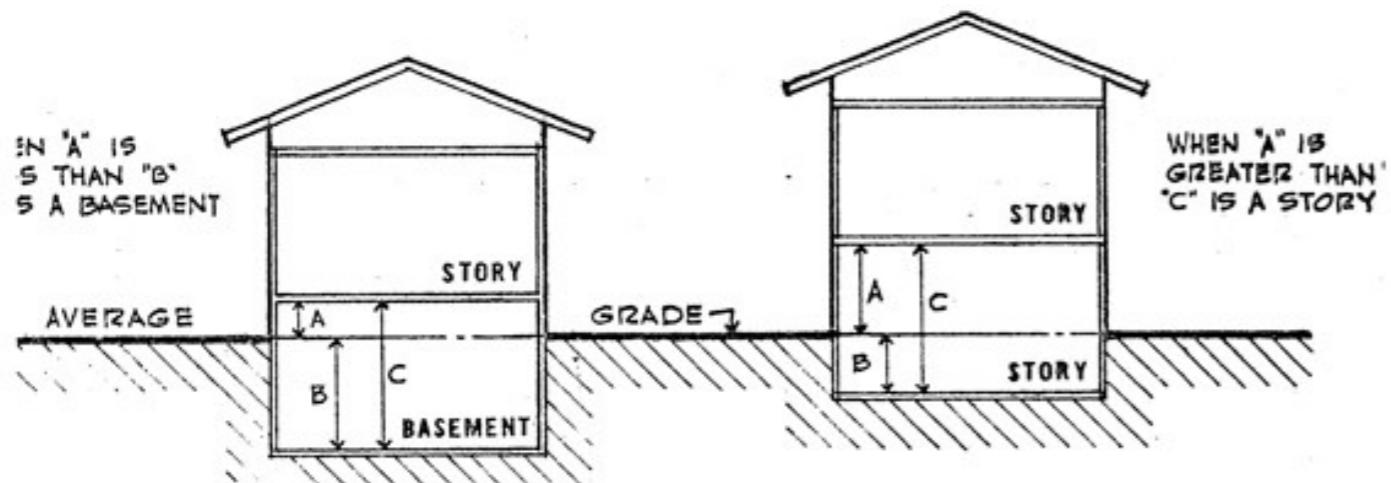


Figure 11: Basement (Image source: internet)

If the natural ground level is not uniform or kept as natural without leveling, the basement is the floor that is less than 1.8m above the ground level for more than half of the perimetrof the structure.

2.4 Setbacks

2.4.1 Front Setbacks

Objective

- To provide for uniform front setbacks for unity in building line
- To ensure that existing character of the street or locality by following the existing building line
- To ensure buildings are appropriately sited on the plot with due regard to the site

Development Controls

The front set back requirements apply from the front plot boundary to the front façade of the building:

- Front setbacks are to be consistent as prescribed in Table 2 of Planning Regulations. Where a plot abut into different hierarchy of road, the building frontage to face the higher hierarchy of road.
- Where there are existing building lines, new building construction must follow the existing building line.
- Corner plots- the front set back minimum requirement as prescribed in the Table 2 of planning regulation applies to sides of a plot that are abutting/facing the roads. This is only applicable to plots in UC-1 and UC-2
- Setback areas are not to be used for storage of materials of any kind.

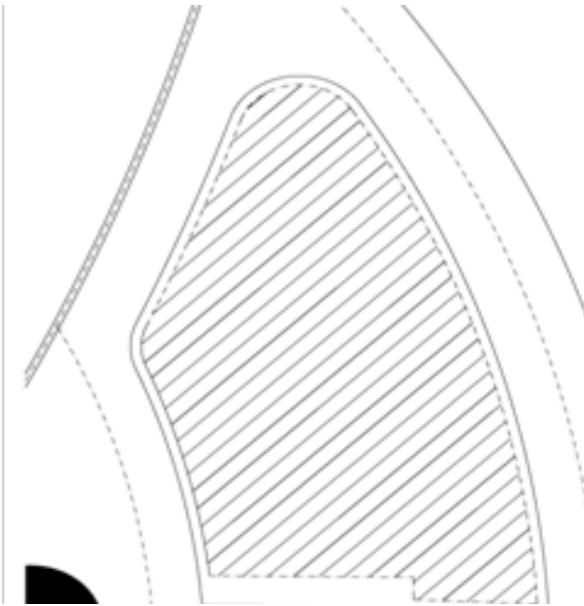


Figure 12: Corner plots (front set-back)

2.4.2 Side and Rear Setbacks

Objective

- To provide sufficient setbacks to building for ventilation, sunlight, retain privacy levels and minimize overlooking/overshadowing
- To minimize overshadowing of adjacent properties or private or public open spaces
- To create consistent pattern of building separation of along streets

Development Controls

- Walls must be setback at least 3 m from any sides and rear side of the plot boundary.
- All windows of habitable rooms within proposed dwelling house must be designed to minimize any direct overlooking impact upon adjoining property.
- Setback areas are not to be used for storage of materials of any kind.

2.5 Ground Coverage

Ground coverage is the proportion of site/plot area covered by the building(s) at the ground level. Basement, unenclosed balconies and the like are not included for the purpose of ground coverage.

Objective

- To limit building cover for provision for permeable landscaped areas, deep soil zone and private open space
- To control density

Development Controls

- The maximum site coverage is as per the regulation prescribed in Table 2 of Planning Regulations.

2.6 Landscaped Area

Objective

- a. To preserve existing vegetation cover such as native trees/shrubs and encourage additional plantation of local trees
- b. To allow for permeable surfaces for rain water infiltration and to minimize surface run-off
- c. To enhance views from within dwelling houses
- d. To minimize privacy impacts in the residential premises

Development Controls

- 1) 'Landscaped area' is a permeable area capable of growing trees, plants, ground covers and does not include any building, structure and hard paved surface. The minimum landscaped areas required based on the lot size is defined as below
 - 1.1) Plot area less than 525.98sqm - 20% landscaped area
 - 1.2) Plot area greater than 525.98sqm - 30% landscaped area
- 2) Landscaped area must be integrated with the proposed or existing drainage system of the plot
- 3) A minimum of one tree (semi-mature small to medium evergreen or deciduous) is to be provided within the landscaped area of a residential/mixed use building with a distance of minimum 3 m from the building wall.
- 4) Select and position trees and shrubs to manage sun access and wind impacts.

2.7 Balconies

Objective

- a. To ensure balconies are of sufficient size to accomodate activities or range of uses meant for
- b. To ensure balconies are well integrated with the form and details of the building/structure
- c. To ensure that balconies enhance building design, quality and respect visual privacy of neighbours.

Development Controls

- 1) Balconies must be provided for each residential unit in an apartment
- 2) Balconies must not be used for storage of goods that would pose risk to the passersby
- 3) The balcony must be position/designed to ensure that sufficient light can penetrate in to lower building floors.
- 4) The enclosure of balconies will generally not be permitted due to their negative impact on building form and aesthetics, functionality, maximum ground coverage controls
- 5) Balconies must be allowed on the sides or rear side of buildings in all the designated precincts.

2.8 Use-Specific Guidelines

2.8.1 Child Care Centers

Objective

- a. Establish child care center that meets the needs of children in terms of access, health, safety, amenities and are very well designed
- b. Ensure child care centers in neighbourhood unit based on the need generated by development

Location

1. Child care centers to be located at ground level, where possible and have:
 - a) access to outdoor space that are adequately fenced on all sides with a minimum height of 1.8m
 - b) Emergency access and egress points
 - c) No direct street access to any hierarchy of road
2. Child care centers may be located above ground level where it is not possible to provide them at ground level, however, the above requirements (a), (b) and (c) has to be met.
3. Child care centers are not to be located, where there are direct street frontage access to road with huge traffic, lack of pedestrian safety and the impact of the development on traffic.

Design of play areas

Indoor play areas must have:

- a) Direct access to sunlight, ventilation and outdoors views
- b) Comfortable access between the indoors and outdoors area
- c) Clear sightlines to other areas within child care centers for staff supervision

Outdoor play areas:

- a) Must be located away from main entrance, parking areas, vehicle circulations area, noise and environmental pollution sources
- b) Must be a minimum size of 7sqm of usable outdoor space per child
- c) Must provide space for active play
- d) Must have gates which are self closing and child proof
- e) Include landscaping which creates visual interest and provides shading where appropriate
- f) Must be adequately fenced on all sides with minimum height of 1.8m

2.9 Character Settlements

This section contains the guidelines for development for defined locality. The locality/settlement is identified based on their character including land uses, built form, topography, setting, heritage and streetscape. The nominated areas are Naling and Traditional line of houses along the main core town. These two settlements have unique character that needs to be retained and enhanced through the future development interventions. Development has to be consistent with the character statement and guiding principles for that settlement in additions to the requirements/guidelines within other sections of this DCR.

Developments in form of renovation or new constructions have to be consistent with the following objectives and the principles outlined in each section under the defined locality:

Objective

- a. Preserve and enhance the existing character of the settlement
- b. Retain and enhance existing views and vistas of the buildings, place of historic and aesthetic significance
- c. Encourage active use of frontage in the Public domain
- d. Maintain high level of day light access to street, lanes, parks and other public domain spaces
- e. Ensure that the development has regard to the character, fabric, scale, street alignment, materials and reinforce distinctive attributes and qualities of the built form

2.9.1 Traditional Line of Houses Along the Main Core Town

The line of Traditional houses along the entrance to the core gives identity to the place. The row of houses has been there since the beginning of the time defining Mongar image and identity. It also forms a visual corridor at the entrance to the core defining the edge of the core. The new development needs to be in line with the existing character of the town.

Principles

- a. New constructions or development to be consistent with the height, scale and materials of the existing structures
- b. The street frontage, height, number of storey, height to be consistent to the existing
- c. Enhance the shop frontage for activity and shopping
- d. Encourage plantation of local trees or other green trees/plants
- e. Pedestrian access and connectivity to be enhanced

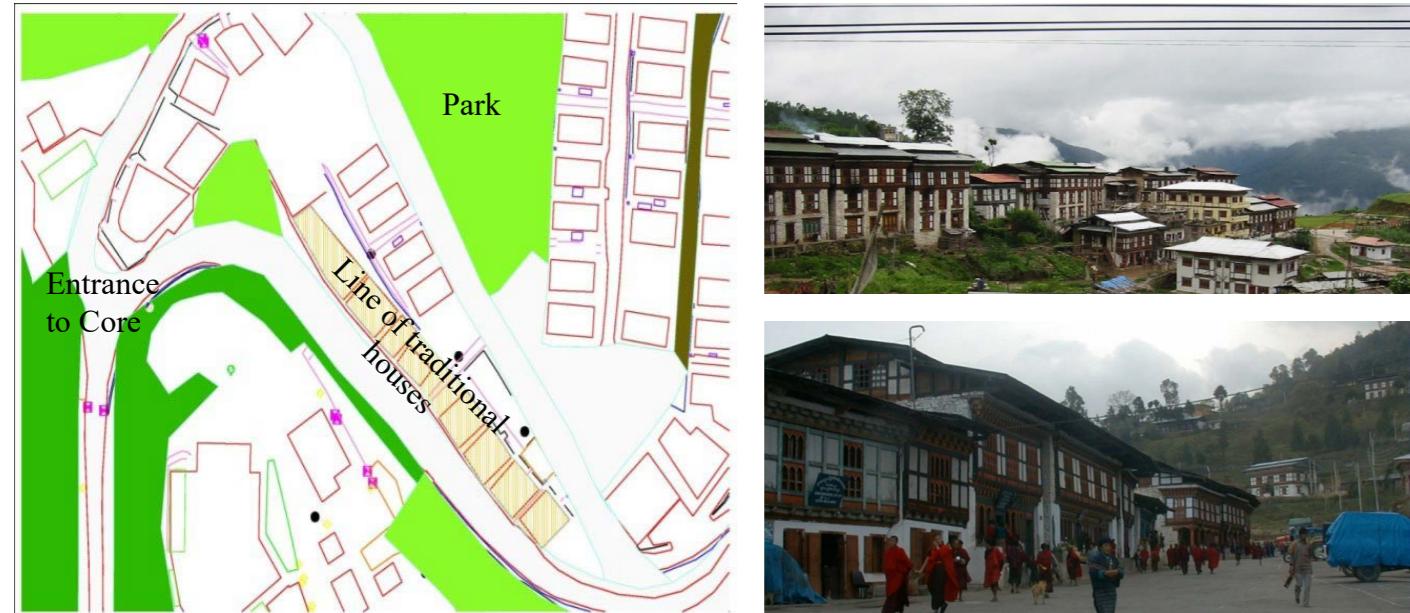


Figure 13: Traditional houses in Mongar core town

2.9.2 Naling

Naling is a small settlement with traditional structures of 2 storey perched on a hill. It has a unique setting that is predominantly visible. It has become necessary to preserve the setting and structures as it gives an identity to the place. Due to rapid urbanization there has been new concrete structure that is slowly taking away the character of the place. The new development needs to be in line with the existing character of this settlement.

Principles

- a. New constructions or development to be consistent with the height, scale and materials of the existing structures
- b. The Constructions to be of local materials and as per the existing old structures in Naling
- c. The scale of development to be followed as per the existing scale
- d. Encourage plantation of local trees or other green trees/plants
- e. Pedestrian access and connectivity to be enhanced



Figure 14: Traditional houses in Naling

CHAPTER 3

ADMINISTRATION

3.1 Applicability.....	21
3.2 Interpretation.....	21
3.3 Delegation of Power.....	21
3.4 Discretionary Powers.....	21
3.5 Relations to other Plans or Regulations.....	22
3.6 Definition	22

3.1 Applicability

- i. These Regulations shall be applicable from the date of their notification by the Royal Government of Bhutan. The Regulations shall be applicable to all development in the listed jurisdiction unless otherwise stated.
- ii. Except, as otherwise stated, these Regulations shall apply to all development, redevelopment, erection or re-erection of a building, change of use, etc., as well as to the design, construction, reconstruction of, and making material additions and alterations to a building.
- iii. Planning permit should always precede building permit.
- iv. If there is a conflict between the requirements of these Regulations and those of any other rules or byelaws, these regulations shall prevail.

3.2 Interpretation

Unless the context otherwise requires, the terms and expressions not defined herein shall have the same meaning as indicated in the following legislations:

- i. Local Government Act 2009
- ii. The Local Government Act 2014 (Amendment)
- iii. The Land Act 2007
- iv. National Housing Policy 2002
- v. Building Regulation 2018
- vi. Building Code of Bhutan

3.3 Delegation of Power

The implementing authority may delegate any of the powers, duties or functions conferred or implemented upon or vested in the implementing authority to its officers or designated committee of officers generally or specifically in writing and may impose certain conditions and limitations on the exercise of such powers as it may deem fit.

3.4 Discretionary Powers

The implementing authority may exercise its discretion in conformity with the intent and spirit of these regulations, in order to mitigate any demonstrable hardship or to sub-serve public interest in the following ways:

- i. Decide on matters where it is alleged that there is an error in any order, requirement, decision and determination, interpretation made by it under delegation of powers, while applying these regulations.
- ii. Interpret these regulations in various contexts of or in situations where more clarity is required. Under such circumstances the implementing authority's decision shall be final and binding.
- iii. Decide upon the nature and the extent of concessions in respect of marginal distances, room heights, etc. that can be granted in cases of proven hardship for reasons which are to be recorded in writing. However, such relaxation shall not affect the health, safety and hygiene of the inhabitants of the building and the neighborhood and the structural stability of the building. Provided further that while granting such relaxation, as above, the authority may impose conditions as may be necessary. These may include a payment of deposit and its forfeiture for non-compliance, payment of a premium amount and other obligations, etc.
- iv. No concessions shall ever be made in respect to lot coverage or additional floors.
- v. Decide on the fine or compounding charges to be made applicable in cases of developments where non-adherence to these regulations is detected.
- vi. Authorize the erection of a building or the use of premises for a public services undertaking or a public utility purpose where such an authorization is reasonably necessary for the convenience and the welfare of the public, even if such erection or use is not permitted as per these regulations.
- vii. Determine and establish the location of zoning boundaries in cases of doubts or controversies.

All matters stated above may be decided by a committee designated and authorized by the implementing

authority. When issues arise that are not covered within these regulations, the implementing authority shall refer the matter to the competent authority

3.5 Relations to other Plans or Regulations

The MDCR 2016-2040 should be read in conjunction with the provisions of the Structure Plan and the BBR-2018. If there is any inconsistency between this MDCR 2016-2040 and other regulations, the MDCR 2016-2040 prevails.

3.6 Definitions

Accessory Use- A structure that is not the main use on a plot. A garage is an accessory use to a house and a storage shed is an accessory use to a commercial building.

Basement- The story of a building below the ground floor.

Building- Any structure for whatsoever purpose, and of whatsoever materials constructed and every part thereof, whether used as human habitation or not including foundations, plinths, walls, columns, floors, roofs, chimneys, plumbing and building services, fixed platforms, verandas, balconies, cornices or projections, part of a building or anything affixed thereto. However, structures of a temporary nature like tents, huts, etc. erected for temporary purposes or for ceremonial occasions, with the permission of the Implementing Authority, shall not be considered to be "buildings".

Building Height- The permissible number of floors. In addition to the precinct regulations, the height of buildings shall be governed by the "Bhutanese Architecture Guidelines 2014" and by the overall allowable building heights.

Commercial Building- A building or part thereof primarily used for commercial purposes such as shops, stores, departmental stores or markets, for display and sale of goods or merchandise, including office, storage and service facilities incidental thereto located in the same building.

Community- The people living in a particular place and usually linked by common interests.

Community Facilities/Services- Facilities/Services used in common by a number of people, including schools, health, recreation, police, fire, public transportation, community center etc.

Demarcation- The marking of the site plan at the actual location, on the ground, by the implementing authority in the presence of the owner and adjacent plot owners, if any.

Density- A measure of the intensity of occupants or use and measured in units per area. Units are commonly referenced in plots, dwellings, rooms or people per area.

Development- Carrying out of subdivision (division of land) or building construction on a plot of land. This also includes structural changes, demolition of buildings, excavation of land, and/or any change in use.

Development Permit- Permit issued for authorising demolition, construction or alteration of part or the whole of a structure.

Existing Use- Authorized use of a plot of land, a building, or a structure existing before the commencement of these regulations.

Floor- The lower surface in a story on which one normally walks in a building. This does not include a mezzanine floor. The floor at ground level with direct access to a street or open ground/land shall be called the ground floor. The ground floor shall also be counted as a floor in defining the number of floors and referred to

as the ground floor. All additional floors shall be numbered sequentially starting with 1.

Floor area- Shall mean the total area of the floor including the area of walls.

Front - The area of land or side of building facing the primary road.

Household- The socioeconomic unit which often coincides with the basic kinship unit of a society. Usually several related persons living together in a form of shelter and sharing food and other basic resources.

Implementing Authority- The government body responsible for governance, implementation and additions/ corrections of these regulations.

Infrastructure- The basic physical networks, including water supply, sewage disposal, electricity, circulation, street lighting, storm drainage, and telephone.

Occupancy Certificate- An official document issued by the implementing authority certifying that the building is safe and fit for occupancy.

Open Space- A parcel of public land set aside to retain land, water, flora, fauna, historic or aesthetic features in their natural state; scenic or open condition; parcel size to be based on the surface area necessary to maintain the integrity of the unique site characteristics. Public use to be based on the preservation of the unique site characteristics and the scope of facility development to be based on the evaluated carrying capacity of the site.

Parking Space- An area, enclosed or unenclosed, covered or uncovered, sufficient in size to park vehicles with space for their movement

Permit- A valid authorization in writing by the implementing authority to carry out development or a work regulated by the regulations.

Plot Coverage- The percentage of building area to the total area of the plot.

Precinct Plan- A geographical area designated in the approved urban development plan/structure plan for the purpose of regulating land uses within the approved planning boundary.

Referral Authority- An authority created by the government to which certain aspects of a proposed development may be required to be referred to, and a no objection certificate obtained from, before the implementing authority scrutinizes/examines the proposal for approval.

Right of Way- An area reserved for road carriageway, central verge, footpath, roadside drains, avenue plantations and utilities.

Road/Street- Any expressway, highway, boulevard, street, lane, pathway, alley, stairway, passageway, carriageway, footway or bridge, whether a thoroughfare or not, over which the public has the right of passage or access or have passed and had access uninterrupted for a specified period, whether existing or proposed in any scheme.

Setbacks- The distance between the plot boundary and the building outer edge, or the distance between buildings within a plot.

Site Plan - The up-to-date legal plan of the plot showing all boundaries, their dimensions, the total plot area, angles in degrees of corners, abutting legal roads and required set-backs issued by the competent authority.

Sub-division- The division of a single plot or building unit into two or more legal parts.

SECTION 4

PROCEDURE FOR OBTAINING DEVELOPMENT PERMIT

4.1 Development Permit.....	25
4.2 Procedure for Obtaining Development Permit.....	25
4.3 Documents and Particulars to be Furnished with the Application.....	25
4.4 Scrutiny, Services and Amenity.....	26
4.5 Grant of Development Permit	27
4.6 Security Depositi	27
4.7 Rejection of Application	27
4.8 Validity of Approval.....	27
4.9 Revalidation/ Renewal.....	27
4.10 Cancellation/ Revocation of Approval.....	27
4.11 Suspended/ Cancelled/ Revoked due to Change of Ownership.....	28
4.12 Liabilities and Responsibility of the Applicant.....	28
4.13 LDemolition/Reconstruction of Dangerous/ Unsafe/ Dilapidated Buildings....	28
4.14 Temporary Permission.....	28
4.15 No Objection Clearance from Referral Authorities.....	28
4.16 Development Undertaken on Behalf of the Government.....	28

4.1 Development Permit

No person shall change the use of a land or carry out development or erect a building or carry out additions and alterations or carry out civil construction activity without obtaining a written permit from the implementing authority. Development permit shall be issued only to the legal owner of the land/plot. Provided that no such development permit shall be necessary for the following:

- i. Carrying out works for the maintenance, improvement or alteration of a building, being works which affect only the interior of the building without altering the structural members of the building or which do not materially affect the external appearance thereof – such as providing or closing of a window or a door or ventilator not opening towards other's property, providing intercommunication door, white washing / painting, retiling, plastering and patch work, re-flooring and replacement of flooring. Provided further that no built up area shall be added to the existing work without seeking the implementing authority's permit.
- ii. Carrying out the following works by / in compliance with an order or direction made by an authority under a law for the time being in force:
 - a. Required for the maintenance or improvement of highway, road or public street, being works carried out on land within the boundaries of such highway, road or public street including repairs, extensions, modifications to existing service installations, culverts, bridges, tunnels, drains, foot over bridges, subways, pavements, pedestrian railings along pavements, medians, etc.,
 - b. For the purpose of constructing, laying, inspecting, repairing or renewing drains, sewers, mains, pipes, cable, telephone or other apparatus including breaking open of a street or other land for that purpose,
 - c. Falling in the purview of the operational constructions by government departments/ bodies, such as water tanks—over head or underground, pumping stations, sub stations, traffic signals, bus stop shelters, overhead electrical equipment for electrification, etc.

4.2 Procedure for Obtaining Development Permit

A person or body intending to carry out layout development as defined in these regulations in or over a land and/or subdivide land or to erect a building or carry out additions and alterations to a building or to carry out development within the limits of the jurisdiction shall obtain prior permit for the same from the implementing authority by providing all the required information in the prescribed forms, formats and plans prescribed under these regulations and as may be amended from time to time by the implementing authority.

The application shall be signed by the legal owner of the plot or authorized signatory. The applicant shall submit signed plans and drawings along with the application and pay the requisite scrutiny fees, development charges, betterment charges, and other charges and dues if any to be levied under these regulations.

4.3 Documents and Particulars to be Furnished with the Application

The following particulars and documents shall be submitted along with the application.

Table 1 : List of Documents and Particulars to be furnished with the Application.

Sl. No.	Land Development	Building Development
1.	Copy of the land ownership certificate issued by the implementing authority.	Copy of the land ownership certificate issued by the implementing authority.
2.	Copy of the site plan certified / issued by the implementing authority.	Copy of the site plan certified / issued by the implementing authority.
3.	Copy of Ordinance Certificate substantiating "Use Conformity".	Copy of Ordinance Certificate substantiating "Use Conformity".
4.	Three copies of proposed layout plan drawn to a readable scale showing all the details of the development.	Three copies of proposed layout plan drawn to a readable scale showing all the details of the development.
		Three copies of the detailed drawings showing the plans, sections and elevations of the proposed building to a scale of 1:100 showing all the details.
5.	Certificate of architect or planner who prepared the plans and drawings.	Certificates of architect and engineers who prepared the plans and drawings.
6.	Copy of No Objection Clearance from relevant authority wherever applicable.	Copy of No Objection Clearance from relevant Authority wherever applicable.

Notes:

1. All the drawings shall be prepared in metric system only.
2. The applicant shall sign all forms, plans, sections or written particulars or cause them to be signed by his authorized signatory and registered Architect and Engineers.
3. One copy of each plans and documents shall be returned, on approval, to the applicant duly signed by the implementing authority or authorized officer.

It shall be incumbent on the person/body whose plans have been approved, to submit any modified plans with variation such as increase in built-up area, building height or change in plans he proposes to make during the course of construction of his building work, and the procedure laid down for plans or other documents hereto before, shall be applicable to all such modified plans.

4.4 Scrutiny, Services and Amenity Fees

The permit for carrying out the development will be granted by the implementing authority only on the payment of scrutiny fees for processing the submitted application, service and amenities fees for execution of works as decided by the implementing authority. These fees and maintenance charges are liable for revision by the implementing authority from time to time.

4.5 Grant of Development Permit

On receipt of the application for development permit, the implementing authority will either grant or refuse the development permit in accordance to the provisions of the regulations and further inquiries. The permit may be granted with or without conditions or subject to general or special orders. The development permit shall be in the prescribed form and it should be issued by an officer authorized by the implementing authority. Every order granting permit subject of conditions or refusing permission shall state the grounds for imposing such conditions or for such refusal.

Granting development permit shall mean acceptance by the implementing authority of all the requirements of these regulations excluding the following:

- i. Easement rights.
- ii. Soil bearing capacity of the respective plot
- iii. Variation in area from recorded areas of a plot or a building.
- iv. Structural reports and structural drawings.
- v. Soundness of material specifications used in construction of the building.

4.6 Security Deposit

To ensure compliance with these regulations and the directions given in the sanctioned plan and other conditions, a security deposit shall be charged at the rates prescribed by the implementing authority from time to time for the due observance and performance of the conditions of the development permit. The amount shall be deposited on request before issue of "Development Permit".

- i. The amount of security deposit shall be paid only in the form of a demand draft.
- ii. Government, semi-government, local authorities are exempted from this provision.
- iii. The security deposit shall be refunded without interest within one year after grant of the occupancy certificate, on written request from the applicant.
- iv. The security deposit shall be forfeited either in whole, or in part, at the absolute discretion of the implementing authority for breach of any of the provisions of these regulations and conditions of the "Development Permit". Such forfeiture shall be without prejudice to any other right of the implementing authority.

4.7 Rejection of Application

If the plans and information given do not contain all the particulars necessary to deal satisfactorily with the development permit application, the application shall be rejected.

4.8 Validity of Approval

The validity of the approved plan shall be for one year from the date of approval. The development should start within 365 Gregorian calendar days from issue of development permit.

4.9 Revalidation/ Renewal

Development permit granted under these regulations shall be deemed to have lapsed, if such development work has not commenced till the expiry of 365 Gregorian calendar days from the date of granting the development permit. However, the implementing authority may on application made to it before the expiry of above period, grant an extension of 365 Gregorian calendar days at a time, on the payment of revalidation/ renewal charges as decided by the implementing authority.

4.10 Cancellation / Revocation of Approval

If a person/ body has secured a development permit through misrepresentation or production of false documents, then the development permit will be canceled/revoked.

4.11 Suspended/Cancelled/Revoked due to Change of Ownership

Development permit granted under these regulations shall be deemed to be suspended/cancelled/ revoked, in cases of change of ownership, unless the 'original' owner who applied for, and obtained the development approval submits a letter to the implementing authority about the change in ownership giving details of the transaction and the new owner submits an application duly attaching copies of all the official records of such a transaction and an undertaking that he accepts the transfer to himself, of all the responsibilities and liabilities of the previous owner that relate to the development on the site.

4.12 Liabilities and Responsibility of the Applicant

Notwithstanding the development permit granted under these regulations, a person/body undertaking any development work shall continue to be wholly and solely liable for any injury or damage (direct or indirect) or loss whatsoever that may be caused to anyone in or around the area during such construction and no liability whatsoever in this regard shall be cast on the implementing authority. Neither the grant of development permit nor the approval of the plans, drawings and specifications shall in any way absolve the applicant of the responsibility for carrying out the development in accordance with the requirement of these regulations.

4.13 Demolition / Reconstruction of Dangerous/ Unsafe/ Dilapidated Buildings

Wherever it is necessary to demolish a dilapidated/unsafe structure in the interest of public safety, such demolition shall be carried out by the applicant wherever so directed by the implementing authority. However, if the same is to be reconstructed, it shall be done in conformity with these regulations with due approval from the implementing authority.

4.14 Temporary Permission

Applications for temporary permissions need not be submitted through the registered professional. A scrutiny fee shall be paid as decided by the implementing authority. The maximum validity of the temporary structure is 1 year after the implementing authority accord temporary permission. The proponent can apply for the renewal of the temporary permission on the expiration of its validity which will be verified by the implementing authority. This temporary permit shall be permitted only for:

In the case of private premises- temporary sheds to be used for storing construction material/ as watchmen's cabin during construction phase,

On the public roads, highways- temporary sheds to be used for storing construction materials/ as watchmen's cabin/ workmen's shelter during construction/ repairs/ maintenance of public roads.

4.15 No Objection Clearance from Referral Authorities

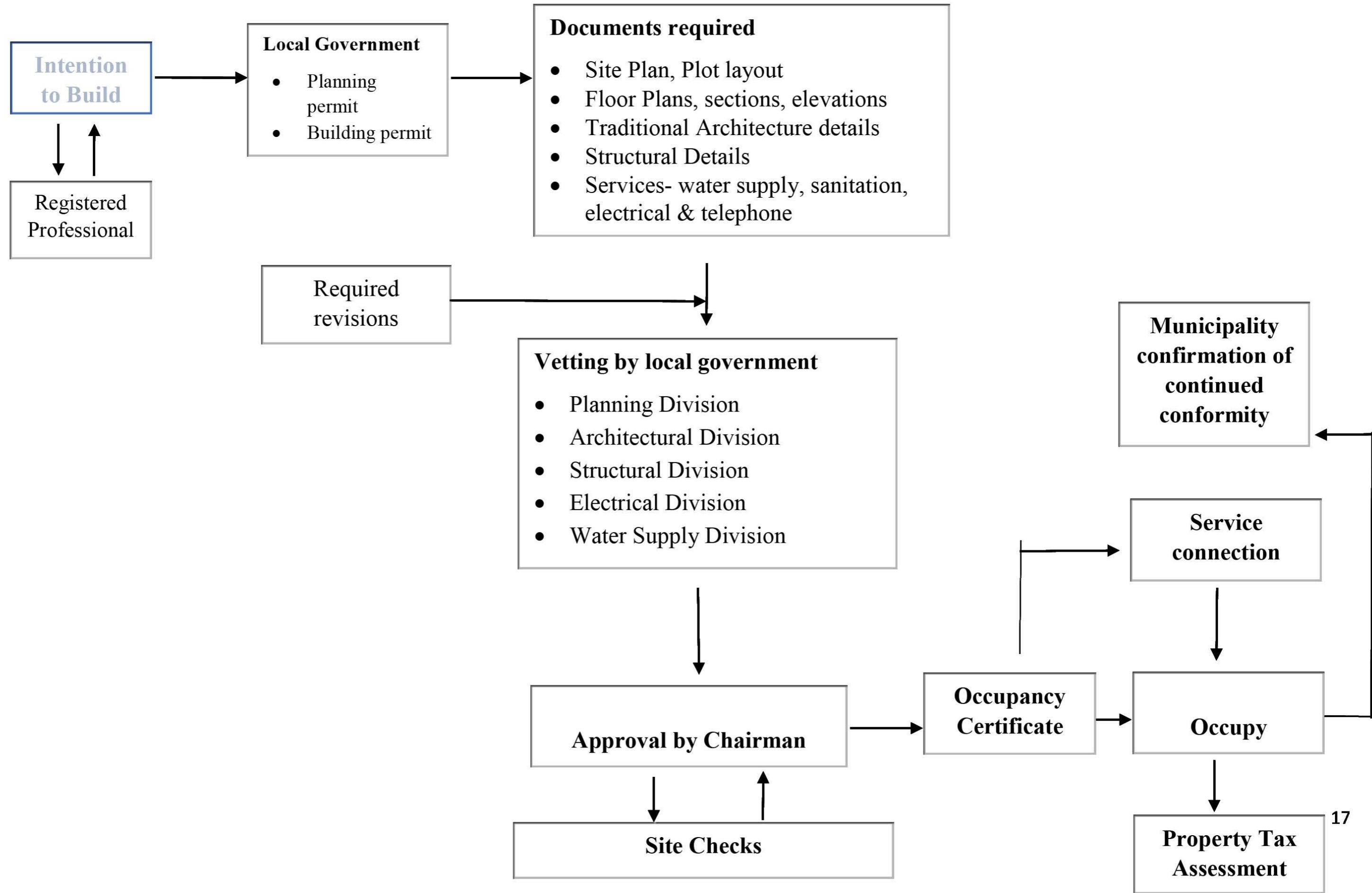
The proposal submitted shall be in conformity with other acts/regulations and shall, wherever applicable submit the NOC, from the respective authorities for conformity with their regulation and standards.

4.16 Development Undertaken on Behalf of the Government

The Office-in-Charge of a Government Department shall inform in writing to the Implementing Authority of the intention to carry out development for its purpose along with the plans of proposed development or construction.

- i. All the development undertaken on behalf of the Government shall strictly conform to these regulations.
- ii. Any Government proposal which is not in conformity with the Mongar Structure Plan and these Regulations should have prior approval from the Competent Authority.

Chart 1: Chart showing procedure for obtaining building permit and completion of building construction



SECTION 5

PROCEDURE DURING DEVELOPMENT/ BUILDING CONSTRUCTION

5.1 Temporary Service Connections.....	33
5.2 Documents at Site.....	33
5.3 Commencement Certificate.....	33
5.4 Inspections.....	33
5.5 Inspections at Various Stages.....	33
5.6 Deviations During Construction.....	33
5.7 Occupancy Certificate for Buildings.....	34
5.8 Issue of Occupancy Certificate.....	33
5.9 Permanent Service Connections.....	34
5.10 Change of Building or Premises Uses.....	35
5.11 Confirmation Inspections by Referral Authorities.....	35
5.12 Safety on Site.....	35
5.13 Child Labour.....	35
5.14 Protection of Adjoining Public Properties.....	35
5.15 Development Without Prior Approval.....	35
5.16 Regularization Fees for Developments without Prior Approval.....	35

5.1 Temporary Service Connections

An applicant with a certified copy of development permit may apply to the respective agencies for temporary connection of services like electricity, water and sewerage. The use of a public street/road or a public place for loading and unloading and stacking of materials of construction and construction equipment shall not be allowed.

5.2 Documents at Site

The applicant shall keep the issued development permit (planning and building permit) along with the necessary documents such as a copy of the approved drawings and specification on the site during construction.

5.3 Commencement Certificate

No applicant shall carry out any further work after any of the inspection stages without an inspection and clearance by the implementing authority. On receipt of the progress report certifying that the work has been executed as per the approved plan, it shall be the duty of the implementing authority to inspect, verify and endorse the report.

5.4 Inspections

Developments shall be subject to routine/periodic inspections by the implementing authority or persons/bodies authorized by the implementing authority. The implementing authority may, at any time during erection of a building or the execution of work or development, make an inspection without giving prior notice of its intention to do so. In the event of deviation(s) from the approved plan, including quality control or any of the conditions noted in this section, the implementing authority shall have the full authority to stop construction.

5.5 Inspections at Various Stages

The following shall be the recognized stages for progress verification in the erection of a building or the execution of a work which shall be verified and approved by the authorized engineer/ building inspector from the implementing authority for carrying out further construction work as per the sanctioned plan:

- i. Site layout
- ii. Foundation; before casting of footings
- iii. Plinth
- iv. Each Floor level before any casting (including basement or split level floors, if any)
- v. Before roofing

A person/body who is empowered/responsible under these Regulations shall give to the designated officer of the implementing authority at least four working days notice in writing of the time at which the work will be ready for inspection. This shall be called the progress certificate, which shall be duly filled-in and kept with the owner/architect and produced at the time of each inspection to be scrutinized and signed/endorsed by the building inspector, before the commencement of the next stage of construction.

5.6 Deviations During Construction

Alteration in the approved development and/or building plan shall require prior approval from the implementing authority. Notwithstanding anything stated in the above regulations it shall be incumbent on the person whose plans have been approved to submit revised plans for deviations he/she proposes to make during the course of construction of his/her building work and the procedure laid down for plans or other documents here to before shall apply to all such revised plans.

5.7 Occupancy Certificate for Buildings

The applicant shall obtain occupancy certificate from the implementing authority prior to occupancy or use of the completed development/building. Occupancy certificate should be renewed after every year.

The application for the occupancy certificate shall include:

- i. In case of any change from the approved plans, (which is permissible within these Regulations), a completion report in the prescribed form along with three copies of the 'as built' drawings endorsed by the registered architect/engineer. It shall also be incumbent on every person who is engaged under this Regulations to supervise the erection or re-erection of the building, to endorse this completion report. One copy of the 'as built' drawings shall be stamped and returned to the applicant after inspection and approval by the implementing authority.
- ii. A copy of the progress certificate containing all the comments and endorsements of the building inspector at every stage of inspection. In case of occupying the building or part thereof without obtaining occupancy certificate, the security deposit shall be forfeited. On receipt of the application, the building and its premises shall be inspected by the implementing authority to verify that the work has been completed as per the approved drawings, or if there is a change, permissible within the regulations, approve and endorse the 'as built' drawings submitted along with the completion report. The inspection team shall consist of authorized architect and engineer from the implementing authority. Based on this inspection report, the occupancy certificate shall be issued.

5.8 Issue of Occupancy Certificate

The authority issuing occupancy certificate shall ensure that:

- i. Proper hygienic and sanitation facilities have been provided as per standards and are located as per approved plan.
- ii. Domestic drains (to collect the rainwater) have been constructed as per standards and as per the design approved.
- iii. The completed portion of the building/dwelling unit applied for occupancy is fit and safe for such.
- iv. Construction debris around the building, and/or on the abutting road, and/or adjoining property is cleared by the applicant.
- v. The applicant has permanently displayed the full postal address (house number, street name and zone) outside the main entrance to the building and each unit has been given an individual number or letter.
- vi. The trees as per the design are planted on site or ensure this by taking suitable deposit as decided by the Implementing Authority.
- vii. The parking spaces are properly developed and the layout of parking is provided as per the approved plans. Signboards indicating the entrance, exit and location of parking spaces for different types of vehicles is permanently erected and maintained at an appropriate prominent location.
- viii. The completion report endorsed by the Implementing Authority procured and submitted by the owner.

5.9 Permanent Service Connections

The occupancy certificate shall not be issued unless the required information is furnished by the owner and the structural designer/architect concerned. Permanent connections will only be given to services like water, sewerage, electricity and telephone by the respective agencies after the occupancy certificate has been issued.

SECTION 6

BUILDING REGULATIONS

5.10 Change of Building or Premises Uses

The applicant shall apply in writing to the implementing authority for conversion of approved building or premises uses to other uses or activities. Permission for change of use shall be given only if the building use conforms to the precincts category, structural safety of the building and other relevant clauses of the regulations.

5.11 Confirmation Inspections by Referral Authorities

Developments sanctioned through special conditions/appeals shall be liable for inspections by the special authorities or the implementing authority for revalidation of the development permit.

5.12 Safety on Site

All construction sites must be organized in a manner that the safety of all persons, on the site, at all times is assured. Special care must be taken that no person is electrocuted, that no one falls, or that no one is burnt, or that no material falls on a person.

5.13 Child Labour

It is incumbent that the applicant or his site in-charge sees that no underage workers, or children, are present on the construction site, either as employees, guests, or as dependents of legal employees.

5.14 Protection of Adjoining Public Properties

No construction activity in any site shall damage any of the public properties located adjoining the site, or use these properties for activities like storing of construction materials.

5.15 Development Without Prior Approval

If a development requiring the written permit of the implementing authority under the provision of these regulations or other rule, regulation or by-law is done by a person without obtaining written permit, it shall be deemed to be unauthorized. The implementing authority shall at any time, by written notice, order the same to be removed, pulled down or undone.

If the requisitions contained in the order are not carried out by the person or owner within the given period of time, the implementing authority shall remove or alter such work and the expenses thereof shall be paid by the person or owner as the case may be.

In cases where development has already started/commenced on site for which development permit in writing is not obtained from the implementing authority, but where this development on site is in accordance with the provisions of these regulations, the development permit for such work on site without the prior permit may be granted by the implementing authority on the merits of each individual case. For such development works, an additional amount shall be charged on the entire land area or total built up area as per the following rates, over and above the regular charges / fees.

5.16 Regularization Fees for Developments without Prior Approval

- a. Payment of 100% of the cost of the deviated construction and regularization of the deviation, if no application was made but the construction is as per the rules.
- b. Payment of 50% of the cost of construction and removal of the deviation, if no application was made and the construction is not as per the rules
- c. Payment of 50% of the cost of the deviated construction and regularization of the deviation, if an application was made and the construction is as per the rules.
- d. Payment of 25% of the cost of the deviated construction and removal of the deviation, if an application was made but the construction is not as per the rules.

6 Building Regulations

6.1 Architectural Design

Same as BBR 2018

6.2 Circulation Space Requirements

Same as BBR 2018 and BC 2018

6.3 Light and Ventilations Requirements

Same as BBR 2018 and BC 2018

6.4 Artificial Lighting and Mechanical Ventilation

Same as BBR 2018 and BC 2018

6.5 Ventilation Shaft

Same as BBR 2018 and BC 2018

6.6 Fire Safety

Same as BBR 2018 and BC 2018

6.7 Porch

Same as BBR 2018

6.8 Septic Tank

Same as BBR 2018 and BC 2018

6.9 Roof and Site Drainage

Same as BBR 2018

6.10 Access for the Disabled

Same as BBR 2018 and BC 2018

6.11 Structural Control

Same as BBR 2018 and BC 2018

6.12 Water Supply and Sanitation Control

Same as BBR 2018 and BC 2018

6.13 Electrical Installations Control

Same as BBR 2018 and BC 2018

6.14 Telephone

Same as BBR 2018 and BC 2018

6.15 Minimum Floor Space of Rooms in Residential Buildings

Same as BBR 2018 and BC 2018

6.16 Painting

Same as BBR 2018

Table 1: Water for Institutional Needs (as per IS: 1172-1963)

Sl. No.	Institutions	Water requirements (litres per head per day)
1.	Hospitals (Including laundry)	
	a) No. of beds exceeding 100	450 (per bed)
	b) No. of beds not exceeding 100	340 (per bed)
2.	Hotels	180 (per bed)
3.	Hostels	135
4.	Nurse homes & medical quarters	135
5.	Boarding schools/colleges	135
6.	Restaurants	70 per seat
7.	Airports	70
8.	Bus stations	70 (could be reduced to 25 where bathing facilities are not provided)
9.	Day school/colleges	45
10.	Offices	45
11.	Factories	45 (could be reduced to 30 where no bathing rooms are required)
12.	Cinema, Concert halls & theatres	15
13.	Garden, Sports ground	3.5 per sq.m
14.	Animal/Vehicles	45

Table 2: Water Requirements for Domestic Purpose (as per IS: 1172-1963)

Sl. No.	Description	Amount of Water (litres per head per day)
1.	Bathing	55
2.	Washing of Clothes	20
3.	Flushing of W.C.	30
4.	Washing of House	10
5.	Washing of utensils	10
6.	Cooking	5
7.	Drinking	5
Total		135

ANNEX 1**APPLICATION FOR PLANNING PERMIT**

(Please type or write in clear block letters, use additional sheet if necessary)

1. Date Filed:
2. Name of applicant:
3. Sex: Male Female:
4. Citizenship Identity Card No.:
5. Address:
6. Contact details: Phone No.:
E-mail address:

Passport Size Photo

**7. Following documents shall be submitted:**

- i. Copy of the latest Lag Thram/ Land Ownership Certificate
- ii. Copy of Planning Certificate (only in planned areas)
- iii. 2 sets (A3/A4) site plan showing the (one set referral to the other agencies):
 - a) The boundaries and dimensions of the plot, set-back lines and the access road
 - b) Levels of the plot, and the location of drains, septic tank and soak pit
 - c) Location and dimensions of existing buildings, trees and car parking spaces.
- iv. Certificate of the designer.

8. Declaration to be signed by the applicant:

The information supplied in this application form is correct to the best of my knowledge and if there are any discrepancies, I shall be personally responsible for the same and I am prepared to face any disciplinary or legal action against me.

Date: Signature:

For official use only

Noting of the dealing officer with regard to land holdings, building construction, etc.

Recommended Not recommended

Permit No. : Date Issued.....

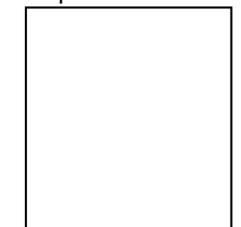
(Note: Permit expires if the work is not started within two years after the issuance of the permit or two years from last inspection)

Name & Signature of the Dealing Officer:
.....Name & Signature of approving authority
.....**ANNEX 2****APPLICATION FOR BUILDING PERMIT**

(Please type or write in clear block letters, use additional sheet if necessary)

1. Date Filed:
2. Name of applicant:
3. Sex: Male Female:
4. Citizenship Identity Card No.:
5. Address:
6. Contact details: Phone No.:
E-mail address:

Passport Size Photo

**7. Construction Type/Building use:****8. No. of Floor/floors:****9. Following documents shall be submitted:**

- i. 2 sets (A3/A4) of architectural, structural, electrical, water supply and sanitation drawings duly signed by the designers.
- ii. Copy of the latest Lag Thram/ Land Ownership Certificate
- iii. Copy of latest site plan
- iv. Copy of planning permit
- v. Certificate of the designers

10. Declaration to be signed by the applicant:

The information supplied in this application form is correct to the best of my knowledge and if there are any discrepancies, I shall be personally responsible for the same and I am prepared to face any disciplinary or legal action against me.

Date: Signature:

For official use only

Noting of the dealing officer with regard to land holdings, building construction, etc.

Recommended Not recommended

Permit No. : Date Issued.....

(Note: Permit expires if the work is not started within two years after the issuance of the permit or two years from last inspection)

Name & Signature of the Dealing Officer:
.....Name & Signature of approving authority
.....

ANNEX 3

APPLICATION FOR OCCUPANCY CERTIFICATE

(Please type or write in clear block letters, use additional sheet if necessary)

To

.....

Sir/Madam,

I hereby certify that the addition/ alteration/ construction of building on Plot/Thram No.on.....Lam in.....has been completed on....., according to the approved building plan/ drawings, vide building permit no. dated.....

The work has been completed to our best satisfaction. Workmanship and all the materials have been used strictly in accordance with the approved documents/ drawings and relevant standards, codes of practice and specifications, relevant rules and regulations. The building is fit for use for which it has been added /altered/ constructed. The necessary 'Occupancy Certificate' may be issued.

Signature of the Owner:

Name & Address:

Contact No.:

E-mail address:

Date:

ACCEPTANCE/ REFUSAL OF OCCUPANCY CERTIFICATE

To,

.....

Sir/Madam,

With reference to the application datedregarding the addition/ alteration/ construction of building on plot/Thram No.in street/ Lam.....inDzongkhag/ Thromde has been inspected on date and found that the building is **fit ()** or **not fit ()** for occupation.

Instruction / Remarks (if any):

Signature of the approving authority

Official Seal

Dated:

ANNEX 3

APPLICATION FOR OCCUPANCY CERTIFICATE

(Please type or write in clear block letters, use additional sheet if necessary)

To

.....
.....
.....

Sir/Madam,

I hereby certify that the addition/ alteration/ construction of building on Plot/Thram No.
.....on.....Lam in.....has been completed
on
....., according to the approved building plan/ drawings, vide building permit
no.
..... dated.....

The work has been completed to our best satisfaction. Workmanship and all the materials have
been used strictly in accordance with the approved documents/ drawings and relevant
standards, codes of practice and specifications, relevant rules and regulations. The building is
fit for use for which it has been added /altered/ constructed. The necessary 'Occupancy
Certificate' may be issued.

Signature of the Owner:

Name & Address:

Contact No.:

E-mail address:

Date:



MoWHS, THIMPHU