



P.O. Box 47427-00100 Nairobi, email: ruiruproject@gmail.com

MHASIBU RIVERPARK BUILDING CODE AND GUIDELINES

1.0 Introduction

Mhasibu Riverpark Estate is a 120-acre controlled development estate located within the outskirts of Ruiru Town and is intended to provide a serene environment for family homes.

Development Control and Approval Committee(DCAC) shall have five(5) to seven(7) members and shall be constituted as follows:

- a) At least **two(2)** Mhasibu Riverpark Management Ltd board members
- b) **One (1)** person nominated by the Mhasibu Riverpark Management Ltd board
- c) An **Architect** or **Engineer** appointed by Mhasibu Riverpark Management Ltd Board.

The committee will be mandated to review and approve building plans for all developments to be constructed within Mhasibu River Park Estate.

The committee or its authorized representative shall carry out periodic inspections of active sites within Mhasibu Riverpark Estate to ensure that all buildings comply with DCAC and Kiambu County approved building plans in order to ensure a safe and healthy built environment for all.

2.0 Architectural designs and Plans General regulations

- a) Each approximate one-quarter (1/4) acre sized residential plot shall have only one main dwelling house, with or without self-contained domestic staff quarters. The DSQ shall not be more than 2 rooms and 30 square meters.
- b) The built-up area shall not exceed 50% of the total plot area
- c) The house designs shall observe setbacks from the plot boundaries, a minimum of 6m at the front, 3m at the back of the plot and a minimum 2.4 m on the sides of the plot. Developers who wish to put up swimming pools and gazebos should observe a setback of a minimum 1.5m from the plot boundaries and a minimum of 3.5m from the main house.
- d) All secondary structures such as gazebos, pit latrines, power rooms, guardhouses etc. intended to be constructed on the residential plot must be shown on the building plans to be submitted to DCAC for review.
- e) No residential house or building shall be more than two (2) stories, inclusive of the ground floor. However, an attic floor within the roof shall be allowed and in case of a flat roof, a built-up space not exceeding 30% of the roof may be allowed.
- f) No house/building shall be constructed using materials other than those approved by DCAC or its authorized agent. Any house or structure built or roofed with galvanized iron sheets or asbestos shall not be permitted or approved.
- g) No house/ building shall be constructed using combustible or temporary materials. For purposes of this rule, combustible or temporary materials include timber, wooden walls, thatch, poles and mud.



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- h) Masonry perimeter walls shall not be allowed except 1.5m long gate pillar walls, gate house and dwarf wall up to 2 courses or 450mm above **Finished Road Level**. Developers shall plant only live fence. The fence height should not be more than 2.4m high. Chain link on timber poles or steel poles must be neatly trimmed at the 2.4m level. Growing of Eucalyptus trees, Bougainvillea, Napier grass, maize, Kei Apple, and all Thorny and poisonous plants in the Estate is strictly prohibited.

3.0 Review of Proposed Building Plans

- a) Property owners shall pay the prescribed service charge to Mhasibu River Park Estate Residents Welfare Association's (MPERWA)
- b) New developers **MUST** pay **Kshs 10,000** approval fee to Mhasibu Riverpark Management Ltd prior to applying for design review. This is to facilitate the estate engineer's inspection of the project.
- c) The plot owner or their authorized agent shall present the proposed drawings to Development Control Committee for review of the building plans before submission of an application for building approval to the Kiambu County Government.
- d) Within 14 Calendar days, Development Control and Approval Committee shall review the building plans and either approve, approve with conditions or modifications, deny the application, or request additional information. Any decisions made shall be in writing...
- e) No construction shall be allowed until approval is granted by the DCAC and the Kiambu County Government.

4.0 Amendments of approved plans

- a) Any change(s) to plans approved by the Development Control and Approval Committee may only be amended by the same procedures provided herein for original design approval.
- b) Design review for amendments shall be limited to the proposed change(s) and shall be considered in context of the approved design.

5.0 Construction Rules and Guidelines

5.1 Project Plans

A Contractor shall not commence building work before submitting detailed building plans to the DCAC, which must include :-

- i) Details of building work to be undertaken; and
- ii) The commencement and anticipated finishing dates of the building contract.

5.2 Site Access and Egress

- a) A Contractor shall not commence building works before :-
 - i) Reporting to the DCAC for the pre-building interview



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- ii) Returning to the DCAC a duly signed acknowledgement copy of this Building Code and Guidelines together with the supporting documents and information specified therein;
 - iii) Supplying to the DCAC or its designated representative, in writing, the following particulars of employees and sub-contractors who will require access to the premises and to notify the Committee, in writing, of any changes within 7 days from the date when such changes occur:
 - o Full name
 - o National Identification Number
 - o Designation
 - iv) Ensuring that the Contractor's staff, agents and subcontractors comply with this Building Code and Guidelines.
- b) A pre-building inspection of the site shall be held to record its condition for future comparison.
- c) Only authorized vehicles will be allowed into the development. Deliveries must be made on business days and during off peak hours. For purposes of this clause:
- i) Business days are Monday to Saturday each week (excluding National Days designated under the Constitution of Kenya and gazetted public holidays.
 - ii) Off peak hours are before 0700hrs and after 1830hrs.
- d) Contractors and their suppliers shall only enter and exit through the designated access and egress routes, that is, through a plot or roads as determined by Mhasibu Riverpark Management Ltd or its designated representative. Contractors will be responsible for their staff and suppliers.
- e) Vehicles with mechanical legs on trailers must use protection for possible road surface damage.

5.3 Contractors Camp

The Contractor shall provide to the MRPML a site plan detailing the positioning of any proposed labour camp for approval. Use of the labor camp will be restricted to contractor's personnel only and for purposes connected with development of the owner's parcel of land. A register of contractor's staff residing within the camp (and their personal details) must be submitted to MRPML.

5.4 Contractor's Staff

- a) All contractors staff shall be required to register at the Estate gate and leave their National Identity Cards. The Identity cards shall be returned to the staff as they exit the Estate.
- b) The Contractor is responsible for the discipline of his members of staff and those of the contractor's agents, sub-contractors and suppliers.
- c) Staff movements shall be restricted to their designated places of work. Accessing unauthorized areas and trespass on other properties within or adjacent to Mhasibu Riverpark Estate is strictly prohibited.
- d) If any employee is found guilty of the following offences without reasonable justification the employee and/or the employer may be evicted from Mhasibu Riverpark Estate and denied any opportunity to undertake any further work on the site;
 - i) disturbing or endangering the animal, fish or bird life.
 - ii) stealing or removing material or goods off site without permission.
 - iii) involvement with any form of violence or other disturbance, or nuisance.



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- iv) undertaking or plotting to undertake any offence defined under the Penal Code (Cap. 63).
- e) Each contractor is responsible for his sub-contractors as well as the deliveries, and any damages caused by his own employees, sub-contractors employed by him or delivery vehicles delivering material to his site, and is liable to pay any damages that may occur on the site. These damages also include damages to kerbs, roads, irrigation and or damage to private property.

5.5 Compliance

All building work undertaken on the premises is governed by the National Construction Authority Act (Act No. 41 of 2011) (as amended from time to time) and accordingly, all Contractors, Contractor's employees and subcontractors are to observe the provisions thereof.

5.6 Entering unauthorized areas

A contractor shall only enter those parts of Mhasibu Riverpark Estate to which authorization has been obtained. It must be emphasized that building work may only take place inside individual plots.

5.7 Driving, parking and deliveries inside the premises

- a) Only recognized roads and aisles may be used, unless permission is obtained from the Mhasibu Riverpark Estate Management.
- b) The contractor shall ensure that drivers drive carefully, observe speed limits and obey traffic rules and signs when driving within Mhasibu Riverpark Estate. Failure to adhere to this will result in access to the premises being denied to the driver.
- c) Suppliers to the site must know the plot number for delivery or access will be denied.

5.8 Site house-keeping, tidiness and waste disposal

- a) The Contractor shall maintain the site in a clean and tidy condition as far as is practically possible.
- b) It is the contractor's responsibility to ensure that all scrap and building rubble originating from building work performed is removed from the premises to a suitable dump. No dumping.
- c) No concrete, cement or such may be temporarily stored, or mixed or prepared on any of the roadways, kerbs and pavements or Common Areas.
- d) Materials that are off loaded by a supplier of the Contractor may not encroach onto the adjacent site, the pavement or roadways. Where suppliers fail to adhere to this, the responsible Contractor shall move the material immediately.
- e) The Contractor is also responsible for removal of any sand or rubble that may have washed or moved into the road.
- f) Noise and dust reduction is essential, and the Contractor shall endeavor whenever possible to limit unnecessary noise, especially employee loud talking, shouting or whistling, radios, sirens or hooters, motor revving etc.
- g) The Contractor shall provide adequate facilities for temporary rubbish disposal on site and ensure that all rubbish is removed from site weekly or more regularly if required.



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5.9 Damage to the Estate's Installations, improvements and developments

If any vehicles or any building materials of the Contractor, Owner or their staff, agents or sub-contractors – or any other action by them – causes damage and/or dirties the surface of any area of the Estate's premises, installations, improvements or developments (including roads within Mhasibu Riverpark Estate), the Estate Board of management may at its discretion either:

- a) require the Contractor and/or Owner to repair the damage to the estate Board of management's satisfaction and, in such instance, the Contractor must comply within the prescribed time; or
- b) repair and clean any such area and/or road and shall be entitled to claim all costs of any such repairs and/or cleaning from the Contractor and/or owner.

5.10 General

- a) All plot owners and contractors shall use their best endeavors to maintain safety, security, and a clean and tidy environment at Mhasibu Riverpark Estate during the building works and shall at all times comply with the provisions of this Code of Conduct.
- b) If any provisions of these Building Guidelines are vague and/or incomplete in any respect and/or if any dispute arises with regard to the interpretation of these Building Guidelines, the matter shall be determined by the Mhasibu Riverpark Management Ltd or its designated appointees.
- c) The Plot Owner and Contractor may be held jointly and severally liable for ensuring compliance with this Building Code and Guidelines.
- d) In the event that a plot Owner replaces or adds the contractor(s) engaged to undertake any building or civil works on the Owner's premises, the Owner shall ensure the new contractor signs this Building code and guidelines, and the duly acknowledged copy delivered to the DCAC within seven (7) days from the date of appointment of the additional or replacement contractor.
- e) Mhasibu Riverpark Management Ltd / or DCAC may modify or supplement this Building Code and Guidelines at any time by issuance of written notice to that effect to Plot Owners and Contractors provided that such modifications or additional provisions shall not apply retrospectively.
- f) This Building Code and Guidelines shall be governed by the laws of the Republic of Kenya.

We the undersigned commit to abide by this Building Code and Guidelines during construction within Mhasibu Riverpark Estate.

Plot Owner



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Name:
Address:
Email Address :
Telephone :
Signature: Date:

Contractor

Name:
Address:
Email Address :
Telephone :
Signature: Date:

Project Manager/Owner's Representative

Name:
Address:
Email Address :
Telephone :
Signature: Date: