



The Republic of the Union of Myanmar

Yangon City Development Committee

Notification No. 9/1999

(22th December, 1999)

In exercising YCDC section-33 sub-section (a), YCDC promulgates the following rules with the consent of the Chairman of SLORC.

Chapter (1)

Title and Definition

1. These rules shall be called as YCDC rules Relating to Buildings and Structures.
2. The following expressions contained in these rules shall have the meanings given hereunder-
 - (a) City boundary means Yangon City Development Boundary.
 - (b) Building means house, concrete building, hut, lean-to, any building with roof or their parts, constructed temporarily or permanently with any construction materials. In this expression, building wall, retaining wall, partition, gate door, fence, gate wall, post support and bracing, rough building are included.
 - (c) Building construction works means new construction of any building, extension construction, major or minor repair or fencing walled by any material, dismantling. In this expression, ground preparing works for construction of building, excavation work for foundation and other required preparation for construction work are included.
 - (d) Construction of new building means new construction work for any building.



- (e) Extension work means extending again at the existing constructed building, raising, additional supplemented lean-to building at front-back and side left-right of the building.
- (f) Major repair means repair work without extension, raising, lowering the existing building, using with better quality materials without changing the existing form.
- (g) Minor repair means repair work at the existing building using with existing materials without changing the existing form or repair work inside the building with existing materials.
- (h) Owner means the owner of the building or plot of land in the city boundary. In this expression it consists of receiving person or person to be received rental fees of building or land for himself or representative or store keeper.
- (i) Tenant means permanent or temporary residing person or user at the land or building.
- (j) Hutment means building constructed with bamboo, dani, thatches for the roof and exterior wall or construct wholly or partly with other inflammable materials.

Chapter (2)

Application for Building Construction Permission, Issuance of Permit

- 3. Anyone who wants to do construction work in the city boundary shall apply to the committee with specified condition.
- 4. The committee shall inform to the applicant whether permission is granted or not within two months from the date of application received, after scrutinizing the application.
- 5. The committee shall-
 - (a) Fix the construction completed period in the order for construction work permit depending on type of the building.



- (b) Cancel the order for construction work permit, if the work is not started within one year from the issued date of the work permit.
- 6. The person who is granted to do the construction work-
 - (a) Shall hang the sign board at work site stating the name of the person granted, the name of the supervising engineer, the license number, period of work volume, period of permit.
 - (b) Shall construct according to the building design approved by the committee.
 - (c) Shall apply again to the committee with the require altered building design, if he wants to construct the building which is different with the committee approved building design.
 - (d) Shall apply to the committee to extend the life of the permit on submitting the sufficient sound reasons.
- 7. The committee shall
 - (a) scrutinize the application as per section-6, sub-section(c) and shall approve the modified building design, if it is in compliance with building construction regulation.
 - (b) Scrutinize the application as per section-6, sub-section (d) and shall extend the life of permit once and one year, if the reason is sound and sufficient.
- 8. The granted person shall prepare in advance according to the committee's instruction in order not to affect the safety of health of the passers-by, neighboring residents and buildings, materials.
- 9. In the event of damaging the neighboring building or any part of the building, while carrying out the construction work with the committee's permission, the sufferer shall protest to the committee.
- 10. In connection with the protest as per section-9, the committee shall make inquiry immediately. If it is found to be true, the committee shall fix and pay the compensation to the sufferer after liaising with the construction work permit holder.



11. The sufferer shall apply to the court of law concerned to get the compensation according to the existing law, if the compensation fixed by the committee as per section-10 is not accepted by both parties or the committee is unable to fix the compensation.
12. The person who is granted to construct the building-
 - (a) Shall be inspected by the committee's authorized building engineer whether the building foundation is pegged or not according to the permitted building design drawing, road boundary demarcation line, whether it is correct or not, whether it is in line with the building drawing or not.
 - (b) Shall construct the building according to the instruction of the committee in order that the building should be in compliance with the architect drawing and requirement or not to obstruct the vision of traffic and vehicle if constructed at junction of the road, central point area.
13. If a government department, organization wishes to construct building the construction work shall be supervised by a qualified building engineer.
14. The government department shall inform to the committee as per section-13 regarding the instruction.
15. Except minor repair and maintenance and building hut, other building work shall be supervised by the licensed architect engineer or licensed building engineer.
16. The building construction permit holder-
 - (a) Shall report the completion of the building to the committee by letter within 30 days from the date of completion work.
 - (b) Shall be inspected by the committee in connection with the completion of the building construction.
17. Upon receiving the building completion letter as per section-16, sub-section(a) the committee shall instruct the engineer (building) department to inspect the building within 30 days and the inspection report shall be submitted to the committee.
18. After scrutinizing the report, the committee shall-
 - (a) Allow to live in the building, if the building is completed in accordance with the permitted building design.



- (b) Instruct to reconstruct according to the permitted building design within a specified period, without allowing to living in the building, if it is found that the building is not constructed according to the permitted building design.
 - (c) Instruct to reconstruct according to the permitted building design within a specified period, if it is found not only to violate any rules and regulation relating to the building construction, but also it differs with the permitted building design.
19. The construction permit holder shall submit the application for the modified reconstruction work to the committee, within 30 days as per section-18, sub-section(c), after receiving the committee's instruction letter.
 20. The committee shall allow to continuing the construction work, if the application is found to be in compliance with the specified regulation after scrutinizing.
 21. If the construction permit holder follows the committee instruction as per section-18, sub-section(c) and the construction work is completed, he shall report to the committee by letter within 30 days from the date of completion of the construction work.
 22. After inspecting the building, the committee shall allow to live in the building, if it complies with the following points-
 - (a) The building is constructed according to the permitted building design.
 - (b) No violation is made to the rules and regulation relating to the building construction.
 23. If the construction permit holder fails to follow the committee's instruction as per section-18, sub-section (b) or (c) within the specific period, the committee shall ask for the explanation from him after fixing the period stating why the building should not be dismantled.

The committee has a right to dismantle the building with its own arrangement, if it does not accept the explanation of the construction permit holder.
 24. On receiving the information regarding a construction work is being carried out without the permission of the committee or construction work is being carried out without following the committee's instruction the committee has a right to suspend the construction work.



25. In connection with the committee permitted building under construction if it is not completed within five years, the committee shall ask and supervise the construction permit holder to continue construction of the building up to the completion, after liaising with him meeting to architectural design requirement of the building's location and city's standard.
26. The committee has the right to instruct the owner of the building to renovate or oil paint or lime coat or to dismantle the building and to reconstruct, if it presumes as necessary to do these works for the buildings architectural design requirement or to beautify the city scenery or standard.
27. The owner or the tenant shall comply with the committee's instruction so as to complete within the specified period as per section-26.
28. The committee shall-
 - (a) Instruct the land owner to construct the building on the vacant land according to the building design within the specified period, if it presumes that the said land requires to construct the building with regional architectural design or to beautify the city's scenery or standard.
 - (b) Although the committee instruct the land owner as per sub-section (a), if he cannot construct the building within the specified period, the committee shall arrange other suitable building to construct on the said land after negotiating with the land owner.
29. If the construction permit holder construct the building with delay time, the committee shall arrange to inspect the un-completed building and shall carry out as follow:-
 - (a) If the structure is firm, the committee shall instruct the owner of the land to complete the building within the specified time.
 - (b) Although he is instructed accordingly as per sub-section (a), if the owner does not construct within the specified time it shall negotiate with the owner to complete the building.
 - (c) If the building is not suitable to continue to construct, the committee shall instruct the owner to dismantle the building within the specified time.
 - (d) Although it instruct to dismantle as per sub-section(c), if the owner does not dismantle, the committee shall do as per sections-59, 60 and 61.
30. The committee shall –



- (a) Specify the type of the building region-wise, building design, foundation plan, height of the building, number of storey, building boundary demarcated line, distance from road demarcated line.
 - (b) Instruct necessary arrangement to prevent lives of people in the event of natural disaster.
31. The owner of the building or the tenants shall obey the committee's instruction as per section-30, sub-section (a) and sub-section (b).

Chapter (3)

Issuance of License

32. The committee
- (a) Shall issue the license to the specified qualified person who is registered as a building contractor after paying the deposit money.
 - (b) Shall fix the license validity and status upon issuing the license as per sub-section (a).
 - (c) Shall upgrade the license validity and status.
33. The committee shall-
- (a) Issue license to the architect engineer, building engineer or engineer, after registered and scrutinizing the specified qualified persons.
 - (b) Fix the license validity and grade upon issuing the license as per sub-section (a).
 - (c) Upgrade the license validity and status.
34. The committee shall-
- (a) Issue license to the specified, qualified persons as licensed engineer after registration.
 - (b) Fix the license validity as per sub-section (a).
 - (c) Renew the license validity.



35. Licensed contractor, licensed architect, licensed building engineer or licensed engineer shall apply to the committee (according to the regulation) at least 30 days in advance before expiry of validity, if they want to renew the license.
36. Specify duties, responsibilities, rules and regulation to be followed by the licensed contractor, licensed architect, licensed building engineer and licensed engineer.
37. The committee shall impose any managerial penalty as below, to the licensed building contractor, licensed architect, licensed building engineer or licensed engineer who fail to comply any discipline specified, as per section-36.
 - (a) Giving warning.
 - (b) Imposing fine.
 - (c) License revocation with limited period.
 - (d) License cancellation.
38. The person whose license is under revocation with limited period, shall apply to the committee to get back the license according to the prescribed condition, on the expiry of the period.
39. Upon inspecting the application as per section -38 the committee shall issue the license concerned if it is in compliance with the prescribed condition.

Chapter (4)

The Building Owned by the Committee

40. In connection with the construction, renovation, maintenance and dismantling matters of committee owned buildings, the committee shall do planning, priority listing, ear marking by fiscal year, building designing, foundation drawing, material listing and approving.
41. The committee shall-
 - (a) arrange the building construction, renovation, maintenance and dismantling works to be carried out by suitable system such as departmental work or contract system or land leasing or BOT system.



- (b) arrange with registered, licensed contractor, after selecting by Tender system, if construction work is to be carried out by contract system.

Chapter (5)

Building which are not Suitable for Living

- 42. If the committee presumes that due to the ground level of a building front portion is too low or too high, it is harmful to the health, making nuisance to the owner or the tenant, effecting the strength of the building, it shall instruct him to lower the ground level or to pile up with the selected kind of earth during the specified period.
- 43. The owner of the building or the tenant shall report to the committee with explanation on why it is not suitable to follow the committee's instruction as per section-42.
- 44. The committee shall inform to the owner or the tenant who is related with one of the following facts to pay the estimated cost for the removal of the earth or piling up within the specified day-
 - (a) The owner or the tenant fails to report why it is not suitable to follow the instruction within the specified day.
 - (b) Although the owner or the tenant put up the explanation within the specified day, it contains no sound reason.
 - (c) The owner or the tenant does not follow the committee instruction.
- 45. The committee shall-
 - (a) Arrange the work for removal of earth or piling up the earth within the suitable period with its own arrangement, if the owner or the tenant does not pay for the estimated cost within the specified day or if he fails to do these works.
 - (b) Ask for the expense of removal of earth or piling up the earth from the land owner or the tenant in carrying out these works as per sub-section (a).



46. The committee shall instruct the owner or the tenant to remove the earth or to pile up to the specified height, if the building is ablaze on the land which he presumes the owner or the tenant's health is affected, making nuisance to him or affecting the strength of the building due to the ground level is too low or too high.
47. The owner or the tenant shall obey the committee's instruction as per section-46.
48. The committee shall decide whether the permit for the construction of the building is suitable to issue or not, after removing the earth or piling up the earth on the land.
49. The committee shall notify the owner or the tenant if the building is not suitable for living due to the building or any part of the building is detrimental to health.
50. The owner or the tenant shall explain to the committee with the reason stating that it is not suitable to do according to the committee's notice as per section-49 within 15 days from the day of receiving the notice.
51. The committee shall instruct the owner or the tenant to remove from the building with their properties within 30 days, if the owner or the tenant doesn't submit his explanation or the explanation doesn't consist of sound reason as per section-50.
52. The committee shall hang the notice at the building for prohibition of living in the building, if the committee instruct to remove from the building as per section-51.
53. The committee shall allow to continue to live in the building without removing after fixing the required regulations, if he presume that building is suitable for habitation after renovation is made.
54. The committee shall instruct the owner or the tenant to renovate the building within six months from the day of receiving the notice, if he presumes that the building is suitable for habitation after renovation.
55. The owner or the tenant shall obey the committee's instruction as per section-54.
56. The committee shall allow the former residents to reside if he finds that the construction alteration or renovation work has been completed.
57. The committee shall instruct to dismantle the said building or the part there of within 30 days, if the owner or the tenant doesn't carry out construction alteration



- or renovation work up to the satisfaction although specified six months duration has been over or if he doesn't apply for the construction period to be extended.
58. The committee shall instruct the owner or the tenant to dismantle within 30 days from the day of receiving the notice if he presumes that it is not possible to reside although the building or the part thereof has been altered in construction or renovation.
59. The committee shall dismantle with its own arrangement, if the owner or the user doesn't dismantle the building or the part there of, if he doesn't apply for the construction work to be extended within specified 30 days as per section-57 or section-58.
60. In dismantling the building or the part there of with the committee's arrangement, the following works shall be done-
- (a) Asking the expenses from the owner or the tenant.
 - (b) If the owner or the user doesn't pay the expenses, to auction the dismantled construction materials and deducting the expense and paying the excess money to the owner.
 - (c) If the expense is more than the auctioned money, asking the required money from the owner or the tenant to pay again within the specified time.
 - (d) If the owner or the tenant doesn't pay the money asking according to the sub-section (c), this money can be asked as arrears on unsettled land tax.
61. The committee shall extend the appropriate time if the owner or the tenant applies for the time to be extended more than the specified 30 days to dismantle the building with sound reason.
62. The committee shall instruct the owner or the tenant to dismantle immediately for the safety of the public if he presumes that the whole building or its walls, or main parts or the connected part thereof is deteriorating.
63. The committee-
- (a) Shall dismantle with its own arrangement if he presumes that the building is deteriorating and harmful to the public or doesn't remove upon informing by the committee or becoming emergency state or removing by force the residents and their properties without notifying to dismantle the building.
 - (b) Shall allow with regulation, if the owner or the tenant applies to dismantle the building.



- (c) Shall ask the expense for the dismantling the building with its arrangement as per sub-section (a) from the owner or the tenant.
 - (d) Shall ask if the owner or the tenant doesn't pay the money within the specified period according to the sub-section (c), this money can be asked as arrears on unsettled land tax.
64. The committee shall instruct the owner or the tenant to clean the building or the compound, to repair the fence or the sanitation to be made if he presumes that the bushes are growing in the building or the compound, the bad smell coming out and harmful to the health of the neighbors, making disturbance to the neighbors.
65. The owner or the tenant shall obey the committee's instruction according to section 64.

Chapter-6

Collection of Trespassing Tax

66. The committee shall allow to exist after collecting the trespassing tax for the trespassed constructions on the public road, such as portico, sunshade, eave board, stairs, brick block, foundation, slopes, petro shop, petro pump, septic tank, over pass bridge, temporary pavilion.
67. The person who wants to construct any trespassed building on the public road, shall apply to the committee according to the specified regulation as per section 66.
68. The committee shall calculate the tax depending on the area or the volume of the trespassed constructed part on the public road.
69. The committee-
- (a) Shall allow to pile the construction materials on the committee's road temporarily with the specified regulation.
 - (b) Shall allow the measurement after inspecting the area of the public road without disturbing the passers-by as per sub-section (a).



- (c) Shall fix the permitted period as per sub-section (a).
 - (d) Shall extend the period with specified regulation for piling of the construction materials, if the construction works is not completed within the permitted period.
70. The permit holder shall hang the board stating the permitted period and permitted area at the construction materials piling location as per section 69, sub-section (a).
71. The committee-
- (a) Shall collect the trespassed tax for the trespassed construction materials piling on the committee's road depending on the area.
 - (b) Shall collect the increased trespassed tax depending on the time of construction material piling.

Chapter-7

Sign Boards and Advertisements

72. A person who wants to erect and fix signboard and advertisement, to stick Bill, to hang advertisement, or to draw advertisement on committee's roads, lamp posts, telephone posts, on the bridges or plots of land owned by government departments, organizations, private people or on the walls of the buildings, on the buses or circular trains, shall apply to the committee to get permission, attached with advertisement sign board or advertisement sample.
73. The committee-
- (a) Shall allow or reject the application as per section-72 after scrutinizing.
 - (b) Shall issue the permit, if it receives the advertisement tax from the applicant.
74. The committee shall exempt the advertisement tax for erection of sign board, fixing the sign board, sticking the bill, hanging the advertisement or drawing the advertisement, for the government department, organization or religious or social affairs.
75. The committee-



- (a) Shall inspect occasionally whether the sign boards and sign board frames are strong or affecting the beauty of the city.
- (b) Shall instruct the person concerned to maintain or to make it new if necessary.
- (c) Shall specify the sign board, advertisement prohibited area, building, tree, wall, post, etc, if necessary.

Chapter-8

Restrictions

- 76. No one is allowed to do construction work in the city boundary without the permission of the committee.
- 77. No one is allowed to construct the building, the design of which differs with the design approved by the committee.
- 78. No one is allowed to reside or use in the completed building or any part thereof, without the permission of the committee.
- 79. No one is allowed to do business activity which is not approved by the committee in the residential building situated in the township or road specified by the committee.
- 80. No one is allowed to reside in the ware house building without the permission of the committee.
- 81. No one is allowed to work as a contractor, architect engineer, building engineer or engineer for the construction works within the city boundary without holding the license issued by the committee.
- 82. No one is allowed to reside in the building or any part thereof bearing the sign of residing purpose prohibition as per section-52.
- 83. No one is allowed to reside in the dangerous building dismantled by the committee as per section-63 sub-section (a).
- 84. No one is allowed to construct portico, lean-to, eave board, sunshade, staircase steps, brick block, foundation, slopes, petro shop, petro pump, septic tank, over



pass bridge, temporary pavilion or others without the permission of the committee.

- 85. No one is allowed to pile up construction materials on the committee's road, more than the approved extent as per section-69.
- 86. No one is allowed to erect, fix, stick, hang or draw the sign board without the permission of the committee.
- 87. No one is allowed to fail in obeying any order, notification, issued by the committee as per these rules.
- 88. Anyone who violates any restriction as per these rules will be taken action according to YCDC Law.

Chapter-9

Miscellaneous

- 89. The committee shall revoke with limited period or cancel the license holder who violates any permitted regulation.
- 90. The license holder who is revoked with limited period shall apply the committee to get back the license.
- 91. The committee shall reissue the license if it is in compliance with the specification after scrutinizing the application as per section-90.
- 92. The development officer who is authorized by the committee to inspect the construction works, to survey or to supervise implementation of the works, shall enter the building concerned or worksite accompanied by two ward administrators.
- 93. The committee shall assign its duties and responsibilities to department, organization or an officer under its control to be carried out according to these rules.
- 94. The committee shall issue required order and notification to be carried out the matters relating to these rules.

*CONVENIENCE TRANSLATION – for further
information, contact info@pwplegal.com*



By order

Chairman

Yangon City Development Committee