

MINISTERIAL INSTRUCTIONS N° 06/co.b.m/014 of 09 DEC 2014 DETERMINING THE GUIDELINES FOR MANAGEMENT AND DEVELOPMENT OF INFRASTRUCTURE UTILITIES AND ROADS WORKS IN ROAD RESERVES AND PUBLIC BUILDINGS

The Minister of Infrastructure;

Pursuant to the Law N°55/2011 of 14/12/2011 Governing Roads in Rwanda especially in its article 25, 26

Pursuant to Law N°10/2012 of 02/05/2012 Governing Urban Planning and Building in Rwanda;

Pursuant to Law N° 20/2011 of 21/06/2011 Governing Human Habitation in Rwanda;

Pursuant to law N° 21/2011 of 23/06/2011 Governing Electricity in Rwanda;

Pursuant to Law N°62/2008 of 10/09/2008 putting in Place the Use, Conservation, protection and Management of Water Resources Regulations;

After consultations with institutions concerned;

HEREBY INSTRUCT:

Article One: Purpose of the instructions.

These instructions determine guidelines for management and development of road infrastructure and utilities in road reserves and public buildings

Article 2: Utilities Services that can be accommodated

Road reserves are generally suitable to accommodate services that are provided in the form of pipes or cables, either underground or overhead. Such services may include, for example, storm water, water, sewage system, electricity and communication cables.

Road reserves, however, are not suitable for accommodating structures that are not in the form of pipes or cables, except where such structures are very small (less than 0.5m wide) and where the structures can be installed directly adjacent to the road reserve boundary. Larger structures should not be allowed either above or underground and should be located outside the road reserve.

Alternatively, the road reserve could be widened locally to accommodate the structure.

Article 3: Guidelines on Provision

In order to meet demand for public utilities such as water and sewage pipes, electricity and gas underground and overhead lines, telecommunications facilities, and other underground facilities in all

developed area on time, should be considered in the planning and design of new road projects studies as well as upgrade of roads.

The above shall apply to all Public, Private, Commercial Buildings and Real Estates planning and development.

Article 4: Roads works

In the planning of new development areas, upgrading and maintenance of existing infrastructures, every roads planner, designer and developer as well as the roads contractors shall ensure utility provisions are provided for such as electricity and telecommunications facilities, gas and water and sewages pipes etc. At all times, dedicated utility ducts shall be installed along all road reserves.

Such arrangement would reduce possible disruption to vehicular traffic during maintenance periods. In general, utilities will not be permitted within the boundaries of an expressway, unless they are essential to its operation e.g. street lighting and emergency telephones etc. Other utilities may be permitted in exceptional circumstances with the agreement of the Authorities in charge of roads.

Article 5: Coordination

Utility Providers are expected to keep 'as-constructed' drawings for all new and modified utility services showing their location in the road reserve, their typical depth of cover or typical height above the roadside ground surface and their actual depth of cover or actual height above the roadway surface at the time of installation or modification.

Utilities and road authorities shall work together to coordinate the development of detailed plans for installation of new infrastructure or upgrading of existing infrastructure.

Each stakeholder shall keep record of his/her installations including cable markers, tapes and GIS Maps of all underground and surface installations and keep a copy of the same at the central coordination office of the infrastructure management.

Article 6: Relocation or protection of utility services affected by roadwork

The relocation or protections of utility services are project specifications and the impact to each individual project will need to be assessed on project by project basis. For example, a Metropolitan or urban intersection may require a much greater level of investigation with regards to utility services relocation or protection than an isolated Regional non-urban project.

Project Managers must be aware that project delivery targets may be affected if inadequate investigation is undertaken.

As relocations or protections are project specifications, Utility Providers and Main Roads need to consult as early as practicable during the project development stage to enable issues on relocation or protection of utility services to be resolved.

Article 7: Positioning and Spacing between underground utility infrastructure

Applicable legislation, guidelines and regulations shall be complied with when positioning utility infrastructure in road reserves. The works and infrastructure management principles shall also be considered when deciding on the

positioning of new utility infrastructure or when considering modifications to existing utility infrastructure within road reserves.

Underground utility infrastructure should be separated by distances that conform to existing the utility regulations and standards.

Wherever possible, different types of underground utility infrastructure should be adequately separated to minimize the risk of accidental damage when utilities are installing, upgrading or maintaining their infrastructures.

For fiber optic cables, installations shall respect the Rwanda Utilities Regulatory Authority (RURA)'s Guidelines for fiber optic cables underground installations.

Article 8: Factors determining the details of attaching utility infrastructure

When determining the details of attaching utility infrastructure to a road structure, the following factors should be considered:

- (a) attaching the utility infrastructure should not adversely affect the integrity of the road authority structure;
- (b) attaching the utility infrastructure should not interfere with the road authority's ability to physically inspect or maintain its structure;
- (c) Having the utility infrastructure attached to the road authority structure should not compromise the health and safety of road authority staff required to carry out maintenance work on the structure, or road users. In such cases, work procedures may need to be jointly developed by the utility and the road authority to ensure compliance with all relevant Operations Health & Safety requirements; and
- (d) The visual amenity of utility infrastructure, when attached to a road authority structure (including heritage listed bridges), should be jointly considered by the utility and the road authority.

Article 9: Depth of underground utility infrastructure

Underground utility infrastructure should be placed at depths that will minimize the risk of accidental damage when road authorities and others are carrying out work in road reserves.

Article 10: Damage or disruption to infrastructure

The guidelines recognize that road reserves are available for the installation and ongoing operation of both road and non-road infrastructure.

All local leaders shall ensure safety and sustainability of existing and yet to be installed utilities.

Article 11: Implementation

The Roads, Housing and Constructions authorities are respectively entrusted with implementation of these instructions.

Article 12: Repealing Provision

All prior provisions contrary to these instructions are hereby repealed.

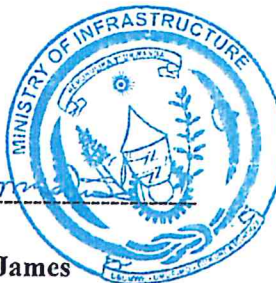

Article 13: Transitional Provision

In implementation of these instructions, the current ongoing roads and buildings studies shall consider the contents of these instructions.

Article 14: Commencement

These instructions shall come into force on the date of its signature.

Kigali, on 09-DEC 2014



MUSONI James
Minister of Infrastructure