

STATUTORY INSTRUMENTS SUPPLEMENT

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STATUTORY INSTRUMENTS

2022 No. 31.

THE PHYSICAL PLANNING (PLANNING CONDITIONS FOR  
LOCATION OF FUEL STATIONS) REGULATIONS, 2022

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S T A T U T O R Y I N S T R U M E N T S

2022 No. 31.

**The Physical Planning (Planning Conditions for Location of Fuel Stations) Regulations, 2022**

*(Under section 60 of the Physical Planning Act, 2010, Act No. 8 of 2010)*

IN EXERCISE of the powers conferred upon the Minister responsible for physical planning by section 60 of the Physical Planning Act, 2010, these Regulations are made this 2nd day of March, 2022.

PART I—PRELIMINARY

**1. Title**

These Regulations may be cited as the Physical Planning (Planning Conditions for Location of Fuel Stations) Regulations, 2022.

**2. Interpretation**

In these Regulations, unless the context otherwise requires—

“Act” means the Physical Planning Act, 2010, Act No.8 of 2010;

“community access road” means a road, path or track linking a community or village to a classified road and providing access to administrative, social and economic services;

“currency point” has the value assigned to it in the Schedule to these Regulations;

“density” means the measure of development on a specific site or within a specified geographic area usually expressed in terms of either the number of dwelling units or the number of people per unit of land area;

“high density residential area” means a settlement with a density equal to or higher than 80 persons per acre or an area zoned for high density residential use;

“national road” means a strategic road of national importance which—

- (a) is vital for facilitating trade, commercial activities, national integration and the provision of administrative and social services;
- (b) links district headquarters to each other; and
- (c) links ports, airports and border posts to each other and to the Capital City;

“physical planning committee” includes a district physical planning committee, urban physical planning committee or sub county physical planning committee;

“urban road” means a road within the boundaries of an urban council and which does not form part of a national road.

#### PART II—DEVELOPMENT PERMISSION FOR FUEL STATIONS

### 3. Development permission for fuel station

A person who wishes to construct a fuel station shall apply for development permission from the relevant physical planning committee in accordance with the Act.

### 4. Application for building permit and submission of building plans

(1) A person shall not commence a building operation for construction of a fuel station without a building permit issued in accordance with section 36 of the Building Control Act, 2013.

(2) The person referred to under subregulation (1) shall submit an application for a building permit to a Building Committee in accordance with section 35 of the Building Control Act, 2013 and the Building Control Regulations, 2020.

5. **Compliance with National Environment Act, 2019**  
A person who wishes to construct a fuel station shall conduct an environmental and social impact assessment in accordance with the National Environment Act, 2019.

### 6. Petroleum facility construction permit

A person who wishes to construct a fuel station shall, after obtaining a building permit under regulation 4, apply for a petroleum facility construction permit from the Ministry responsible for energy prior to commencing construction.

#### PART III—PLANNING CONDITIONS FOR LOCATION OF FUEL STATIONS

### 7. Planning conditions for location of fuel stations near facilities and sensitive ecosystem

(1) A fuel station shall not be located less than 200 meters from facilities such as a school, place of worship, public library, auditorium, hospital, market and public playground.

(2) A fuel station shall not be located in or close to a sensitive ecosystem such as national park, lake, forest, river, stream, historical site or major aquifer except as prescribed by the law relating to the management of the sensitive environmental area.

(3) Where the law relating to the sensitive environment area referred to in subregulation (2) is silent on the minimum distance, a distance of not less than 200 meters shall apply.

(4) A fuel station shall not be located less than 200 meters from a high density residential area.

(5) Where a fuel station adjoins the boundary of a residential area, the developer shall provide and maintain a physical barrier in form of a wall fence along the boundary.

(6) A fuel station shall not be located less than 100 meters from an industry or factory.

## 8. Planning conditions for location of fuel station at a road junction or intersection, etc

(1) The minimum distance from a fuel station to a road junction, round about or intersection along any road where a right turn is required shall not be less than 200 meters.

(2) The distance between a fuel station and an existing fuel station on the opposite side of the same road along any roadways shall not be less than 200 meters.

(3) A fuel station shall not be constructed along expressways, except at exit points.

(4) The location of a fuel station along a National Road class A shall not be less than 3km from an existing fuel station on the same side of the road.

(5) The location of a fuel station along an urban road shall not be less than 3km from another existing fuel station on the same side of the road.

(6) The location of a fuel station along a community access road shall observe a minimum interval of 2km from an existing fuel station on either side of the road.

(7) A fuel station shall not be sited or constructed at a road section that has vertical and horizontal curves or bends.

(8) The location of a fuel station shall be off busy access roads so that delivery and fueling vehicles do not unduly block traffic at forecourt and allow minimum maneuvering including ability to exit.

## 9. Land for development of fuel station

(1) The area of land to be developed for a fuel station shall be sufficient to allow maneuvering of vehicles and the location of auxiliary facilities in accordance with US EAS 976:2020, Petroleum Industry Storage and Distribution of Petroleum Products in Above Ground Bulk Installations Standard.

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(2) For the avoidance of doubt, the minimum area referred to in subregulation (1) shall not be less than 900 m<sup>2</sup> for filling stations and 1600 m<sup>2</sup> for service stations.

(3) The building coverage for a fuel station shall not exceed 60% with the minimum green of 10% of the plot area.

(4) Raised curbs of at least 400 mm in height, of which 100 mm is buried, shall be erected along street property lines except along driveway openings to prevent and discourage driving of motor vehicles on sidewalks and to define entrance or exit points of a fuel station.

## 10. General conditions

(1) A proposed developer shall obtain a letter of no objection from the Uganda National Roads Authority where the proposed fuel station is along a road managed by the Authority.

(2) A fuel station shall have at least three well-labeled litterbins for biodegradable, non-biodegradable and toxic waste accessible for all travelers and motorists.

## PART IV—OCCUPATION PERMIT AND COMPLETION CERTIFICATE

### 11. Occupation permit

Upon completion of construction of a fuel station, the developer shall apply for an occupation permit, in accordance with section 44 of the Building Control Act, 2013 and the Building Control Regulations, 2020.

### 12. Completion certificate

The developer shall prior to commencing operation of a fuel station, obtain a completion certificate and petroleum operating licence from the Ministry responsible for energy.

## PART V—GENERAL

### 13. Offences and penalties

A person who contravenes these Regulations commits an offence and is liable, on conviction, to a fine not exceeding forty eight currency points or imprisonment not exceeding two years or both.

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## **SCHEDULE**

### **CURRENCY POINT**

#### *Regulation 2*

A currency point is equivalent to twenty thousand shillings.

### **Cross Reference**

Building Control Act, 2013, Act No. 10 of 2013  
Building Control Regulations, 2020, S.I No. 3 of 2020  
National Environment Act, 2019, Act No. 5 of 2019

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