

○東京における緊急輸送道路沿道建築物の耐震化を推進する条例

○Tokyo Metropolitan Government Ordinance Promoting Seismic Retrofitting of Buildings
along Emergency Transportation Roads

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東京における緊急輸送道路沿道建築物の耐震化を推進する条例を公布する。

Tokyo Metropolitan Government Ordinance Promoting Seismic Retrofitting of Buildings along
Emergency Transportation Roads shall be promulgated.

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Tokyo Metropolitan Government Ordinance Promoting Seismic Retrofitting of Buildings
along Emergency Transportation Roads

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附則

Supplementary Provisions

阪神・淡路大震災では、建築物の倒壊や火災により多数の人々が尊い命を落とし、道路、
鉄道等の都市基盤も大きな損害を被るなど、甚大な被害と混乱が生じ、都市における大地

震の危険性が露呈し、我々都民にも多くの教訓を残した。

The Great Hanshin-Awaji Earthquake caused enormous damage and confusion such as making a lot of people lost their precious human lives due to collapse and fires of buildings and urban infrastructure including roads and railroads etc. having suffered great damage, which exposed danger of huge earthquake in urban areas and left many lessons to us.

建築物が地震により倒壊した場合、少なからず道路、隣地等の周囲に影響を及ぼす。倒壊した建築物が道路を閉塞すれば、震災時の避難、消火活動等を妨げることになりかねないが、特に、都市においては、建築物が密集していることにより倒壊時の影響は大きなものとなる。そのため、都市における建築物の所有者は、耐震性能を確保する社会的責務を有していることを自覚し、この責務を全うするためには、耐震性能が明らかでない建築物について耐震診断を行い、耐震性能が不十分な場合には耐震改修等を行うことが不可欠である。

In the case of collapse of buildings due to earthquake, such collapse would have no small impact on the surrounding environment such as roads and neighboring property etc. If the collapsed buildings block the roads could result in preventing evacuation and firefighting at the time of earthquake disaster. Especially in urban areas, the influence at the time of collapse is likely to become enormous due to high density of buildings. Therefore, the owners of buildings in urban areas should be aware that they have societal responsibility to ensure seismic performance. In order to fulfill such responsibility, it is essential to perform seismic diagnosis for the buildings of which seismic performance is unclear and to conduct seismic retrofitting etc. in the case of insufficient seismic performance.

とりわけ、幹線道路は、大地震の発生時に救急救命活動の生命線となり、緊急支援物資の輸送、復旧及び復興の大動脈となるため、東京都は主要な幹線道路を緊急輸送道路に指定して整備を進めてきたが、沿道の建築物が倒壊し、道路を閉塞してしまえば、その効果も無に帰しかねない。

In particular, as trunk roads are the lifeline of first aid emergency life-saving activities at the occurrence of earthquake, as they become important traffic roads for restoration and reconstruction, Tokyo Metropolitan Government has improved main trunk roads by designating as emergency transportation roads. However, if the buildings along emergency transportation roads collapse and block the roads, their effects could come to nothing.

東京は、日本の首都として政治、経済、文化等の中枢を占め、極めて重要な役割を果たしているが、首都直下地震の切迫性も指摘されている中、こうした緊急輸送道路沿道の建築物の耐震化が十分に進んできたとはいいいない状況にある。大地震の発生に対し、被害を最小限に抑え、迅速な復旧等を図るべく震災時における緊急輸送道路の機能を確保することが喫緊の課題となっている。

Tokyo takes on a central part of politics, economy and culture etc. as a capital of Japan and play

an extremely important role. Whereas it is pointed out that there is a high possibility of Tokyo near-field earthquake, it is hard to say that seismic retrofitting of the buildings along emergency transportation roads has been sufficiently advanced. It has been an urgent issue to ensure the functions of emergency transportation roads at the time of disaster in order to minimize the damage against occurrence of enormous earthquake and quick recovery.

東京都は、都民や東京に集う人々の生命と財産を守り、首都東京の機能を維持するという決意を表明するとともに、基礎的な地方公共団体である特別区及び市町村との役割分担の下、都民と連携して緊急輸送道路沿道の建築物の耐震化を推進するため、この条例を制定するTokyo Metropolitan Government shall not only express its decision to protect the lives and properties of citizens of Tokyo and people who assemble in Tokyo and maintain the functions of Tokyo as the capital of Japan but also establish this ordinance based on the division of roles with special wards and municipalities as basic local public authorities, in order to promote earthquake proof of buildings along emergency transportation roads in collaboration with citizens of Tokyo.

第一章 総則

Chapter 1. General Provisions

(目的)

(Purpose)

第一条 この条例は、震災時における避難、救急消火活動、緊急物資の輸送及び復旧復興活動を支える緊急輸送道路の機能を確保するため、沿道建築物が地震により倒壊して緊急輸送道路を閉塞することがないように、沿道建築物の耐震化を推進する措置を講ずることにより沿道建築物の地震に対する安全性の向上を図り、もって都民の生命、身体及び財産を保護することを目的とする。

Article 1. This ordinance shall seek to protect lives, bodies and properties of the citizens of Tokyo, by means of improvement of safety for the earthquake of the buildings along the roads by taking measures to promote earthquake proof of buildings along the roads, in order to ensure the functions of emergency transportation roads that support evacuation, first aid/firefighting activities, transportation of emergency supplies and recovery/reconstruction activities at the time of earthquake disaster, and to prevent the emergency transportation roads from being blocked due to collapse of buildings along the roads.

(定義)

(Definition of Terms)

第二条 この条例において、次の各号に掲げる用語の意義は、それぞれ当該各号に定めるところによる。

Article 2. The terms used in the following items of this ordinance shall be defined as prescribed respectively in the said items.

一 緊急輸送道路 建築物の耐震改修の促進に関する法律(平成七年法律第二百二十三

号)第五条第三項第三号の規定により緊急輸送道路として東京都耐震改修促進計画に記載された道路をいう。

- (i) An emergency transportation road refers to the road which is recorded in Tokyo Metropolitan Project to Promote Seismic Retrofitting and Rehabilitation Work as emergency transportation roads pursuant to provisions of item (iii), paragraph 3, Article 5 of Act for Promotion of the Earthquake proof retrofit of Buildings (Act of 1995, No. 123).

二 沿道建築物 建築物のいずれかの部分の高さが東京都規則(以下「規則」という。)で定める高さを超えるもの(昭和五十六年六月一日以後に新築の工事に着手したものを除く。)であって、その敷地が緊急輸送道路に接するものをいう。

- (ii) A building along road refers to the building in which a height of any part exceeds the one prescribed in Tokyo Rule (hereinafter referred to as “Rule”.) (excluding the one whose construction work was newly started after June 1 of 1981.) and whose site borders emergency transportation road(s).

三 耐震診断 第六条第一項の指針に定める方法により地震に対する安全性を評価することをいう。

- (iii) Seismic diagnosis refers to evaluate safety against earthquake by the method specified by the guideline of paragraph 1, Article 6.

四 耐震改修 第六条第一項の指針に定める地震に対する安全性の基準に適合させることを目的として、増築、改築、修繕若しくは模様替又は敷地の整備をすることをいう。

- (iv) Seismic retrofitting refers to extension, rebuilding, repairing, or remodeling or preparation of sites for the purpose of conforming to standard for safety against earthquake specified by the guideline of paragraph 1, Article 6.

五 耐震改修等 耐震改修を行い、又は全部を除却し、若しくは一部を除却し、若しくは全部若しくは一部を移転して建築物のいずれの部分の高さも規則で定める高さ以下のものとするをいう。

- (v) Seismic retrofitting etc. refers to make the heights of all the parts of the building higher or more specified by the Rule by seismic retrofitting, or retirement of all or part thereof, or relocation of all or part thereof.

六 耐震化 耐震診断を実施して第六条第一項の指針に定める地震に対する安全性の基準に適合することを明らかにすること又は耐震改修等を実施することをいう。

- (vi) Earthquake proof refers to clarifying that conforming to standard for safety against earthquake specified by the guideline of paragraph 1, Article 6 is conformed to through seismic diagnosis and implementation of seismic retrofitting etc.

(平二六条例四三・一部改正)

(Ordinance No. 43 of 2014, partially revised).

(都の責務)

(Responsibilities of Tokyo Metropolis)

第三条 東京都(以下「都」という。)は、震災時における緊急輸送道路の機能を確保するため、広域的な観点から、緊急輸送道路の機能及び重要性並びに沿道建築物の耐震化の公共性に関する啓発及び知識の普及に努め、沿道建築物の耐震化を促進する施策を総合的に推進するものとする。

Article 3. Tokyo Metropolis Government (hereinafter referred to as “Tokyo” .) shall make efforts for enlightenment related to functions and importance of emergency transportation roads and public nature of earthquake proof of buildings along roads and dissemination of knowledge, and comprehensively advance the measures to promote earthquake proof of buildings along roads, in order to ensure the functions of emergency transportation roads at the time of earthquake disaster, from broad standpoints.

(平二六条例四三・一部改正)

(Ordinance No. 43 of 2014, partially revised).

(区市町村との連携)

(Collaboration with municipalities)

第四条 都は、この条例の施行に当たっては、特別区及び市町村(以下「区市町村」という。)と緊密な連携を保ち、その理解と協力を得るよう努めるとともに、区市町村の実施する沿道建築物の耐震化の促進に関する施策を支援するものとする。

Article 4. Tokyo shall, upon implementation of this ordinance, support the measures relating to promotion of earthquake proof of the buildings along roads implemented by municipalities, as well as to maintain close collaboration with special wards and municipalities (hereinafter referred to as “Municipalities” .) and make efforts to gain their understanding and cooperation.

(所有者の責務)

(Responsibilities of Owners of Buildings)

Article 5. Owners of buildings along roads shall recognize their social responsibilities, and make efforts for earthquake residence of the said buildings along roads in light of broad impact of damage in the case where the said buildings along roads collapse and emergency transportation roads are blocked.

第五条 沿道建築物の所有者は、地震により当該沿道建築物が倒壊し、緊急輸送道路を閉塞した場合における被害の影響の広範さに鑑み、自らの社会的責任を認識して当該沿道建築物の耐震化に努めるものとする。

(占有者の責務)

(Responsibilities of Occupants)

第五条の二 沿道建築物の占有者は、地震により当該沿道建築物が倒壊し、緊急輸送道路を閉塞した場合における被害の影響の広範さに鑑み、当該沿道建築物の所有者が行う当該沿道建築物の耐震化の実現に向けて協力するよう努めるものとする。

Article 5-2. Occupants of buildings along roads shall make efforts to cooperate toward achieving earthquake proof of the said buildings along roads implemented by the owners of the said buildings along roads, in light of broad impact of damage in the case where the said buildings along roads collapse and emergency transportation roads are blocked.

(平三一条例三一・追加)

(Ordinance No.31 of 2019, added)

第二章 耐震化指針及び特定緊急輸送道路の指定

Chapter 2. Guideline for Earthquake Proof and Designation of Specified Emergency Transportation Roads

(沿道建築物の耐震化指針)

(Guideline for Earthquake Proof of Buildings along Roads)

第六条 知事は、沿道建築物の耐震化の実施について技術的な指針(以下「耐震化指針」という。)を定めなければならない。

Article 6. Governor of Tokyo shall provide for technological guideline for implementation of earthquake proof of buildings along roads (hereinafter referred to as “Guidance for Earthquake Proof”).

2 耐震化指針においては、次に掲げる事項を定めるものとする。

2. The Guideline for Earthquake Proof shall prescribe the following matters.

一 地震に対する安全性を評価する方法

(i) Method to evaluate safety against earthquakes

二 地震に対する安全性の基準

(ii) Safety standard for earthquakes

三 その他地震に対する安全性に関すること。

(iii) Other matters related to safety against earthquakes

3 知事は、耐震化指針を定め、又はこれを変更したときは、速やかに、これを告示しなければならない。

3. Governor of Tokyo shall, when having established or changed Guideline for Earthquake Proof, give a public notice thereon.

(特定緊急輸送道路の指定)

(Designation of specified Emergency Transportation Roads)

第七条 知事は、緊急輸送道路のうち特に沿道建築物の耐震化を図る必要があると認めるもの(以下「特定緊急輸送道路」という。)を指定することができる。

Article 7. Among emergency transportation roads, Governor of Tokyo shall be able to designate the ones whose buildings along roads are deemed to especially require earthquake proof (hereinafter referred to as “Specified Emergency Transportation Roads”).

2 知事は、特定緊急輸送道路を指定しようとするときは、規則で定めるところにより、あらかじめ当該特定緊急輸送道路の存する区市町村の長の意見を聴かなければならない。

2. Governor of Tokyo shall, when intending to designate Specified Emergency Transportation Roads, shall, pursuant to the provisions of the Rule, previously hear opinions of the heads of municipalities where the said Specified Emergency Transportation Roads locate.

3 知事は、特定緊急輸送道路を指定したときは、これを告示しなければならない。この場合において、当該特定緊急輸送道路に係る第十二条第一項第一号に規定する日についても、併せてこれを告示しなければならない。

3. Governor of Tokyo shall publicly notify designation of Specified Emergency Transportation Roads. In this case, he/she shall also jointly notify the date prescribed in item (i), paragraph 1, Article 12 concerning the said Specified Emergency Transportation Roads.

4 前三項の規定は、特定緊急輸送道路の指定の解除について準用する。

4. The provisions of the preceding three paragraphs shall apply mutatis mutandis to cancellations for designation of Specified Emergency Transportation Roads.

第三章 耐震化に係る施策の推進

Chapter 3. Promotion of Measures concerning Earthquake Proof

(耐震化状況の報告)

(Report on the Status of Earthquake Proof)

第八条 前条第一項の規定に基づく特定緊急輸送道路の指定の効力が生じる日における当該特定緊急輸送道路に係る沿道建築物(以下「特定沿道建築物」という。)の所有者(所有者と管理者とが異なる場合においては、管理者。次項並びに第十条第二項及び第六項において同じ。)は、同日から三箇月以内に、当該特定沿道建築物について、耐震診断又は耐震改修の実施状況その他の地震に対する安全性に関する事項を、規則で定める報告書により知事に報告しなければならない。ただし、第十条第二項又は第六項の規定に基づく報告をする場合は、この限りでない。

Article 8. The owners (in the case of a building managed by a person other than the owner, the manager of the building. The same shall apply to the following paragraph and paragraph 2 and 6 of Article 10.) of buildings along roads concerning the Specified Emergency Transportation Roads (hereinafter referred to as “Specified Buildings along Roads”) on the date when designation of the said Specified Emergency

Transportation Roads becomes effective based on the provisions of paragraph 1 of the preceding Article shall report the matters related to implementation status of seismic diagnosis or seismic retrofitting and other ones related to safety against earthquake in the form of the written report prescribed in the Rule to Governor of Tokyo, within three months from the said date; provided, however, this shall not apply to the report based on the provisions of paragraph 2 or 6 of Article 10.

2 前項の報告書に記載した事項に変更が生じた場合は、所有者は、変更が生じた日から三十日以内に、規則で定める報告書により、その旨を知事に報告しなければならない。ただし、第十条第二項又は第六項の規定に基づく報告をする場合は、この限りでない。

2. In the case where modifications occur to the matters reported in the report of the preceding paragraph, owners shall report thereon by the report prescribed in the Rule, within 30 days from the date of such modifications; provided, however, this shall not apply in the case of reporting based on the provisions of paragraph 2 or 6 of Article 10.

(平三一条例三一・一部改正)

(Ordinance No. 31 of 2019, partially revised).

(耐震化状況報告に関する指導等)

(Guidance for Report on Status of Earthquake Proof etc.)

第九条 知事は、特定沿道建築物の所有者又は管理者(以下「所有者等」という。)に対し、前条各項の規定による報告について必要な指導及び助言をすることができる。

Article 9. Governor of Tokyo may offer guidance and advice necessary for the report pursuant to the provisions of the items of the preceding Article to the owners or managers of Specified Emergency Transportation Roads (hereinafter referred to as “Owners etc.”).

(特定沿道建築物の耐震化)

(Earthquake Proof of Specified Emergency Transportation Roads)

第十条 特定沿道建築物の所有者は、当該特定沿道建築物について次に掲げる者のうちいずれかの者が行う耐震診断を実施しなければならない。ただし、当該特定沿道建築物について、既に次に掲げる者が行う耐震診断を実施している場合又は耐震改修を実施している場合は、この限りでない。

Article 10. Owners of Specified Buildings along Roads shall implement seismic diagnosis for the said Specified Buildings along Roads performed by any of the following persons; provided, however, this shall not apply to the case where the following persons have already performed seismic diagnosis or they have already performed seismic retrofitting.

一 建築基準法(昭和二十五年法律第二百一号)第七十七条の二十一第一項に規定する指

定確認検査機関

- (i) Designated confirmation and inspection body prescribed in paragraph 1, Article 77-21 of Building Standards Act (Act No. 201 of 1950).

二 建築士法(昭和二十五年法律第二百二号)第三条から第三条の三までの規定に基づき当該特定沿道建築物と同種同等の建築物を設計することができる一級建築士、二級建築士又は木造建築士

- (ii) Class-1 architects, class-2 architects or registered architects for wooden building who can design the buildings of the same kind and equal to the said Specified Buildings along Roads base on the provisions of Article 3 to 3-2 of the Architect Act (Act No. 202 of 1950).

三 住宅の品質確保の促進等に関する法律(平成十一年法律第八十一号)第五条第一項に規定する登録住宅性能評価機関

- (iii) Registered organization for evaluating residential performance prescribed in paragraph 1, Article 5 of Housing Quality Assurance Act (Act No. 81 of 1999).

四 地方自治法(昭和二十二年法律第六十七号)第一条の三第一項に規定する地方公共団体

- (iv) Local governments prescribed in paragraph 1, Article 1-3 of Local Government Act (Act No. 67 of 1947).

五 前各号に掲げる者のほか、耐震診断を行う能力がある者として規則で定めるもの

In addition to the persons listed in the preceding items, persons prescribed in the Rule as the one with ability to perform seismic diagnosis.

2 特定沿道建築物の所有者は、当該特定沿道建築物について前項に規定する耐震診断を実施した場合は、耐震診断の実施が完了した日として規則で定める日から三十日以内に、規則で定める報告書により、その旨を知事に報告しなければならない。

2. Owners of Specified Buildings along Roads shall, in the case of performing seismic diagnosis prescribed in the preceding paragraph concerning the said Specified Buildings along Roads, notify Governor of Tokyo thereof in the form of the written report prescribed in the Rule within 30 days from the date prescribed in the Rule as the date when implementation of seismic diagnosis is completed.

3 耐震化指針に定める地震に対する安全性の基準に適合しない特定沿道建築物の所有者は、当該特定沿道建築物について耐震改修等を実施するよう努めなければならない。

3. Owners of Specified Buildings along Roads which do not comply with safety standard against earthquakes specified in earthquake proof guideline shall make efforts to implement seismic retrofitting etc. for the said Specified Buildings along Roads.

4 前項に規定する特定沿道建築物の所有者は、当該特定沿道建築物の占有者に対し、当該特定沿道建築物が耐震化指針に定める地震に対する安全性の基準に適合しない旨を通知

するよう努めなければならない。

4. Owners of Specified Buildings along Roads prescribed in the preceding paragraph shall endeavor to notify the occupants of the said Specified Buildings along Roads of the fact that the said Specified Buildings along Roads do not comply with the safety standard against earthquakes prescribed in Guideline for Earthquake Proof.
- 5 第三項に規定する特定沿道建築物の所有者は、当該特定沿道建築物の占有者に対し、当該特定沿道建築物の耐震改修等の実現に向けた協力を求めるよう努めなければならない。
5. The owners of Specified Buildings along Roads prescribed in paragraph 3 shall endeavor to require cooperation toward achieving seismic retrofitting etc. of the said Specified Buildings along Roads.
- 6 特定沿道建築物の所有者は、当該特定沿道建築物について耐震改修等を実施した場合又は当該特定沿道建築物が火災、震災、水災、風災その他の災害により滅失し、若しくは損壊して建築物のいずれの部分の高さも規則で定める高さ以下のものとなった場合は、耐震改修等の実施が完了した日として規則で定める日又は当該特定沿道建築物が滅失し、若しくは損壊した日から三十日以内に、規則で定める報告書により、その旨を知事に報告しなければならない。
6. The Owner of Specified Buildings along Roads shall, in the case where seismic retrofitting etc. is performed for the said Specified Buildings along Roads or in the case where any height of the buildings became no more than the one specified by the Rule due to destruction or damage of the said Specified Buildings along Roads as a result of fire, earthquake disaster, water disaster, wind disaster or other disasters, notify Governor of Tokyo thereof in the form of the written report prescribed in the Rule within 30 days from the date specified as completion of implementation of seismic retrofitting etc. or the date of destruction or damage of the said Specified Buildings along Roads.

(平三一条例三一・一部改正)

(Ordinance No. 31 of 2019, partially revised)

(沿道建築物の耐震化に関する指導及び指示)

(Guidance and Instruction concerning Earthquake Proof of Buildings along Roads)

第十一条 知事は、震災時における救急消火活動、緊急物資の輸送及び復旧復興活動を支える緊急輸送道路の機能を確保するため、沿道建築物の耐震化の適確な実施を確保する上で必要があると認めるときは、当該沿道建築物の所有者等に対し、当該沿道建築物の耐震化について必要な指導及び助言をすることができる。

Article 11. Governor of Tokyo shall, if it is found to be necessary in order to ensure the functions of emergency transportation roads that support first aid/firefighting activities, transportation of emergency supplies and recovery/reconstruction activities at the time of

earthquake disaster, may provide owners of the said Specified Buildings along Roads with necessary guidance and advice.

- 2 知事は、震災時における救急消火活動、緊急物資の輸送及び復旧復興活動を支える緊急輸送道路の機能を確保する上で、沿道建築物について必要な耐震診断が実施されていないと認めるときは、当該沿道建築物の所有者に対し、期限を定めて、耐震診断を実施するよう必要な指示をすることができる。

2. Governor of Tokyo shall, if it is found that necessary seismic diagnosis is not implemented for the buildings along roads upon ensuring the functions of emergency transportation roads that support first aid/firefighting activities, transportation of emergency supplies and recovery/reconstruction activities at the time of earthquake disaster, may give necessary instructions to the owners of the said Specified Buildings along Roads.

(平二六条例四三・一部改正)

(Ordinance 43 of 2014, partially revised)

(耐震診断を実施しない場合の公表)

(Publication in the case of no implementation of seismic diagnosis)

第十二条 知事は、震災時における救急消火活動、緊急物資の輸送及び復旧復興活動を支える緊急輸送道路の機能を確保するため、次の各号のいずれかに該当するときは、当該特定沿道建築物について必要な耐震診断が実施されていない旨及び当該特定沿道建築物の所在地その他の当該特定沿道建築物を表示するために必要なものとして規則で定める事項を公表することができる。

Article 12. Governor of Tokyo shall, in order to ensure the functions of emergency transportation roads that support first aid/firefighting activities, transportation of emergency supplies and recovery/reconstruction activities at the time of earthquake disaster, when falling under any of the following items, make public the fact that necessary seismic diagnosis is not implemented for the said Specified Buildings along Roads and the location of the said Specified Buildings along Roads and other matters specified in the Rule that are deemed as necessary to represent the said Specified Buildings along Roads.

一 特定緊急輸送道路ごとに知事が別に定める日までに、正当な理由がなく必要な耐震診断を実施しないとき。

(i) In the case where no necessary seismic diagnosis is implemented without justifiable grounds by the date specified separately by Governor of Tokyo for each Specified Emergency Transportation Road.

二 前条第二項の規定に基づく指示を受けた特定沿道建築物の所有者が、当該指示に係る期限経過後も、正当な理由がなく必要な耐震診断を実施しないとき。

- (ii) In the case where no necessary seismic diagnosis is implemented by the owner of Specified Building along roads who receives instructions pursuant to the provisions of paragraph 2 of the preceding Article without justifiable grounds even after the expiry of the time limit concerning the said instructions.

2 知事は、前項の規定による公表をしようとするときは、規則で定めるところにより事前に当該特定沿道建築物の所有者に意見書の提出その他の方法により意見を述べる機会を与えるものとする。

2. Governor of Tokyo shall, when intending to publicize the matters pursuant to the provisions of the preceding paragraph, shall give the owner of the said Specified Building of Road opportunities in advance to present his/her opinion by submitting written opinions or by other means, pursuant to the provisions of the Rule.

(平二六条例四三・一部改正)

(Ordinance No. 43 of 2014, partially revised).

(特定沿道建築物の耐震診断実施命令)

(Order for implementation of Seismic Diagnosis of Specified Buildings along Roads)

第十三条 知事は、第十一条第二項に規定する指示を受けた特定沿道建築物の所有者が、当該指示に係る期限経過後も、なお正当な理由がなく必要な耐震診断を実施しない場合であって、震災時における救急消火活動、緊急物資の輸送及び復旧復興活動を支える緊急輸送道路の機能を確保するため特に必要と認めるときは、当該所有者に対し、期限を定めて、当該指示に係る耐震診断を実施すべきことを命ずることができる。

Article 13. Governor of Tokyo shall, in the case where no necessary seismic diagnosis is implemented by the Owner of Specified Building along roads without justifiable grounds even after the expiry of the time limit concerning the said instructions and it is found to be especially necessary to ensure the functions of emergency transportation roads that support first aid/firefighting activities, transportation of emergency supplies and recovery/reconstruction activities at the time of earthquake disaster, order to the said owner that seismic diagnosis concerning the said instruction should be implemented by deciding the time limit.

(平二六条例四三・一部改正)

(Ordinance No. 43 of 2014, partially revised).

(特定沿道建築物の耐震診断実施命令)

(Instruction for Implementation of Seismic Diagnosis of Specified Buildings along Roads)

第十四条 知事は、特定沿道建築物が耐震化指針に定める地震に対する安全性の基準に適合していないと認める場合であって、震災時における救急消火活動、緊急物資の輸送及び復旧復興活動を支える緊急輸送道路の機能を確保するため特に必要と認めるときは、

当該特定沿道建築物の所有者に対し、当該特定沿道建築物について耐震改修等を実施するよう指示することができる。

Article 14. Governor of Tokyo may, in the case where it is found that the Specified Buildings along Roads do not comply with the safety standard against earthquakes specified in guideline for earthquake proof and that such compliance is especially necessary to ensure the functions of emergency transportation roads that support first aid/firefighting activities, transportation of emergency supplies and recovery/reconstruction activities at the time of earthquake disaster, instruct implementation of seismic retrofitting etc. concerning the said Specified Buildings along Roads to the owners of the said Specified Buildings along Roads.

2 知事は、前項の規定による指示を受けた特定沿道建築物の所有者が、正当な理由がなく、当該指示に従わなかったときは、規則で定める事項を公表することができる。

2. Governor of Tokyo may, in the case where the owners of the said Specified Buildings along Roads that receive instruction pursuant to the provisions of the preceding paragraph disobey the said instruction without justifiable grounds, publicize the matters pursuant to the provisions of the Rule.

(平二六条例四三・一部改正)

(Ordinance No. 43 of 2014, partially revised).

(占有者への助言等)

(Advice to the Occupants)

第十四条の二 知事は、第十一条第一項に規定する指導又は助言の対象となった沿道建築物の占有者に対し、当該沿道建築物の耐震化に関する情報を提供する等必要な助言をすることができる。

Article 14-2 Governor of Tokyo may provide necessary advice such as provision of information relating to earthquake proof of the Buildings along Roads to the occupants of the said Buildings along Roads subject to instructions and advice prescribed in paragraph 1, Article 11.

2 前条第一項の規定による指示の対象となった特定沿道建築物の占有者は、当該特定沿道建築物の所有者が行う当該特定沿道建築物の耐震改修等の実現に向けて協力するよう努めなければならない。

2. The occupants of Specified Buildings along Roads subject to the instructions pursuant to the provisions of paragraph 1 of the preceding Article shall make efforts to cooperate toward achieving earthquake proof of the said Buildings along Roads implemented by the owners of the said Buildings along Roads.

3 知事は、前条第一項の規定による指示の対象となった特定沿道建築物の占有者に対し、当該特定沿道建築物の所有者が行う当該特定沿道建築物の耐震改修等の実現に向けた協

力について必要な指導及び助言をすることができる。

3. Governor of Tokyo may provide necessary instructions and advice for cooperation toward achieving earthquake proof etc. of the said Specified Buildings along Roads implemented by the owners of the said Specified Buildings along Roads to the occupants of the said Specified Buildings along Roads subject to the instructions pursuant to the provisions of paragraph 1 of the preceding Article.

(平三一条例三一・追加)

(Ordinance No.31 of 2019, added)

(立入検査等)

(On-Site Inspection etc.)

第十五条 知事は、第八条各項並びに第十条第二項及び第六項に定めるもののほか、第十一条第二項及び第十二条から第十四条までの規定の施行に必要な限度において、沿道建築物の所有者等に対し、沿道建築物の地震に対する安全性に係る事項に関し報告させ、又はその職員に、沿道建築物、沿道建築物の敷地若しくは沿道建築物の工事現場に立ち入り、沿道建築物、沿道建築物の敷地、建築設備、建築材料、書類その他の物件を検査させることができる。

Article 15. In addition to the matters prescribed in the items of Article 8 and paragraph 2 and 6 of Article 10, to the extent necessary for the enforcement of the provisions of Article 11 and Article 12 to 14, Governor of Tokyo may cause the Owners etc. of Buildings along Roads to report the matters concerning safety against earthquakes of the Buildings along Roads, or their officials to enter the Buildings along Roads, the sites of the Buildings along Roads or the construction site of the Buildings along Roads and to inspect the Buildings along Roads, the site of the Buildings along Roads, building equipment, building materials, documents and other objects.

- 2 知事は、前条第三項の規定の施行に必要な限度において、特定沿道建築物の占有者に対し、当該特定沿道建築物の耐震改修等の実現に向けた協力に係る事項に関し報告させることができる。

2. Governor of Tokyo may, to the extent necessary for the enforcement of the provisions of paragraph 3 of the preceding Article, cause the occupants of the Specified Buildings along Roads to report the matters concerning cooperation toward achieving seismic retrofitting etc. of the said Specified Buildings along Roads.

- 3 第一項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者の求めに応じて提示しなければならない。

3. The official who conducts on-site inspections pursuant to the provisions of paragraph 1 shall carry a certificate for his/her identification with him/her and present it upon request from the relevant persons.

4 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

4. The power and authority for on-site inspection under the provisions of paragraph 1 shall not be interpreted as extending to criminal investigation.

(Ordinance No. 31 of 2019, partially revised)

(助成)

(Aid and Assistance)

第十六条 知事は、沿道建築物の所有者に対し、当該沿道建築物の耐震化に要する費用について、必要な助成を行うことができる。

Article 16. Governor of Tokyo may provide the owners of the Buildings along Roads with aid and assistance necessary for the expenses required for earthquake proof retrofit of the said Building along Roads.

(耐震化状況の公表等)

(Publication of the Status of Earthquake Proof etc.)

第十七条 知事は、第八条各項並びに第十条第二項及び第六項の規定による報告並びに第十五条第一項の規定による報告及び検査に基づき、特定沿道建築物の耐震化の状況を、規則で定めるところにより公表するものとする。

Article 17. Governor of Tokyo shall publicize the status of earthquake proof of the Specified Buildings along Roads, based on the reports and inspection pursuant to the provisions of the items of Article 8 and paragraph 2 and 6 of Article 10, and reports and inspection pursuant to the provisions of paragraph 1, Article 15.

2 知事は、沿道建築物の耐震化を促進させるために必要があると認めるときは、沿道建築物の耐震診断又は耐震改修等の実施状況その他の当該沿道建築物に関する情報を、建築物の耐震改修の促進に関する法律第二条第三項に定める所管行政庁に提供することができる。

2. Governor of Tokyo may, when it is found to be necessary to promote earthquake proof of the buildings along roads, provide the implementation status of seismic diagnosis or seismic retrofitting etc. of the building along roads and other the information relating to the said buildings along roads to competent administrative agencies prescribed in paragraph 3, Article 2 of Act for Promotion of the Earthquake Proof Retrofit of Buildings.

(平三一条例三一・一部改正)

(Ordinance No. 31 of 2019, partially revised)

第四章 雑則

Chapter 4. Miscellaneous Provisions

(委任)

(Mandate)

第十八条 この条例に定めるもののほか、この条例の施行について必要な事項は、規則で定める。

Article 18. In addition to what is prescribed in this ordinance, the matters necessary for enforcement of this ordinance shall be prescribed in the Rule.

第五章 罰則

Chapter 5. Penal Provisions

(罰金)

(Fine)

第十九条 次の各号のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 19. A person coming under any of the following items shall be punished by a fine not exceeding five hundred thousand yen.

一 第八条各項又は第十条第二項若しくは第六項の規定による報告書に虚偽の記載をした者

(i) A person who has made false statements in the report pursuant to the provisions of the items of Article 8 or Article 10, paragraph 2 or paragraph 6 of the same Article.

二 第十三条の規定による耐震診断の実施命令に違反した者

(ii) A person who has violated order for implementation of seismic diagnosis pursuant to the provisions of Article 13.

三 第十五条第一項の規定による報告について虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した者

(iii) A person who has made false statements in the report pursuant to the provisions of paragraph 1, Article 15 or refused, interfered with or avoided the inspection pursuant to the provisions of the same paragraph.

(iv) (平三一条例三一・一部改正)

(Ordinance No. 31 of 2019, partially revised)

(両罰規定)

(Double Punishment)

第二十条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても同条の罰金刑を科する。

Article 20. When a representative of a juridical person, or proxy, employee or any other person in the employment of a juridical or natural person has committed the violation referred to in the preceding Article in connection with the business activities of the juridical or natural person shall, in addition to the punishment of the offender, be

punishable and liable to the fine stipulated in the same Article.

(過料)

(Non-Penal Fine)

第二十一条 第八条第一項、第十条第二項又は第十五条第一項の規定に基づく報告をしなかった者は、五万円以下の過料に処する。

Article 21. A person who fails to submit reports pursuant to the provisions of paragraph 1 of Article 8, paragraph 2 of Article 10, or paragraph 1 of Article 15 shall be punished by fine not exceeding fifty thousand yen.

附 則

Supplementary Provisions.

この条例は、平成二十三年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

This ordinance shall come into effect as from April 1 of 2011; provided, however, the provisions listed in the following items shall come into effect as from the date specified in the said items.

一 第八条、第十九条第一号(第八条各項に係るものに限る。)、第二十条及び第二十一条(第八条第一項に係るものに限る。)の規定 平成二十三年十月一日

(i) Provisions of Article 8, item (i) of Article 19, (limited to the ones concerning to the items of Article 8.), Article 20 and 21 (limited to the ones concerning to Article 8, paragraph 1.) October 1 of 2011.

二 第十条、第十一条第二項、第十二条から第十五条まで、第十七条、第十九条第一号(第八条各項に係るものを除く。)、第二号及び第三号並びに第二十一条(第八条第一項に係るものを除く。)の規定 平成二十四年四月一日

(ii) Provisions of Article 10, paragraph 2 of Article 11, Article 12 to 15, Article 17, item (i) (excluding the ones concerning the paragraphs of Article 8.), (ii) and (iii) of Article 19, and Article 21 (excluding the ones concerning item (i), Article 8.). April 1 of 2012.

附 則(平成二六年条例第四三号)

Supplementary Provisions (Ordinance No. 43 of 2014)

この条例は、平成二十六年四月一日から施行する。

This ordinance shall come into effect as from April 1 of 2014.

附 則(平成三一年条例第三一号)

Supplementary Provisions (Ordinance No. 31 of 2019)

この条例は、平成三十一年七月一日から施行する。

This ordinance shall come into effect as from July 1 of 2019.