



BELIZE

**BELMOPAN CITY COUNCIL ACT
CHAPTER 86**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



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	Page
This edition contains a consolidation of the following laws-	
1. BELMOPAN CITY COUNCIL ACT (COMMENCEMENT) ORDER	4-5
2. CITY OF BELMOPAN (DECLARATION OF BOUNDARIES) ORDER	6-8
3. BELMOPAN (REMOVAL OF REFUSE) BY-LAWS	9-13
4. BELMOPAN (MARKET) BY-LAWS	14-20

	Page
5. BELMOPAN (LIVESTOCK) BY-LAWS	21-23
6. BELMOPAN (ZONING AND CONTROL OVER BUILDING CONSTRUCTION) BY-LAWS	24-39

CHAPTER 86**BELMOPAN CITY COUNCIL ACT
(COMMENCEMENT) ORDER****ARRANGEMENT OF PARAGRAPHS**

1. Short title.
2. Commencement.

CHAPTER 86

**BELMOPAN CITY COUNCIL ACT
(COMMENCEMENT) ORDER**

12 of 2000.

[10th February, 2000]

1. This Order may be cited as the

Short title.

**BELMOPAN CITY COUNCIL ACT
(COMMENCEMENT) ORDER.**

2. In exercise of the powers conferred upon me by section 64 of the Belmopan City Council Act Act (No. 4 of 2000) and all other powers thereunto me enabling, I, **VALDEMAR CASTILLO**, Minister of Sugar Industry, Local Government and Labour, do hereby appoint the 10th day of February, 2000 as the day on which the said Act shall come into force.

Commencement
of Act No.4 of
2000.

MADE this 10th day of February, 2000.

.....
(VALDEMAR CASTILLO)
*Minister of Sugar Industry,
Local Government and Labour*

CHAPTER 86**CITY OF BELMOPAN
(DECLARATION OF BOUNDARIES) ORDER****ARRANGEMENT OF PARAGRAPHS**

1. Short title.
2. Boundaries of the City.
3. Repeal.

CHAPTER 86

**CITY OF BELMOPAN
(DECLARATION OF BOUNDARIES) ORDER**

110 of 2000.

[28th October, 2000]

1. This Order may be cited as the

Short title.

**CITY OF BELMOPAN (DECLARATION OF
BOUNDARIES) ORDER.**

2. The area set out in the Schedule hereto shall constitute the City of Belmopan.

Boundaries of the
City of Belmopan.
Schedule.

3. The City of Belmopan (Boundaries) Declaration, 1973, (dated 7th December, 1973) published in the *Gazette* dated 15th December, 1973, is hereby repealed.

Repeal of City of
Belmopan
Boundaries
Declaration 1973.
G.655/1973.
G.N. 1408/1973.

4. This Order shall come into force on the 31st day of August, 2000.

MADE by the Minister responsible for Local Government, after consultation with the Belmopan City Council, this 31st day of August, 2000.

.....
(VALDEMAR CASTILLO)

*Minister responsible for
Local Government*

SCHEDULE**(Paragraph 2)**

ALL THAT piece or parcel of land situate in the Cayo District and comprising the City of Belmopan and its environs. Commencing at a point on the south boundary of the Western Highway which point has Universal Traverse Mercator (UTM) Zone 16 Grid co-ordinates of 315,037 meters easting and 1,910.982 meters northings thence in a south westerly direction to a point having UTM co-ordinated of 314,709 meters eastings and 1,904,244 meters northings, thence in a north westerly direction to a point on the east bank of Roaring Creek to its intersection with the south boundary of the Western Highway, then first in a north easterly then easterly direction along the south boundary of the Western Highway, back to the point of commencement. This said piece or parcel of land contains 8100 acres approximate.

CHAPTER 86

BELMOPAN (REMOVAL OF REFUSE) BY-LAWS

ARRANGEMENT OF BY-LAWS

1. Short title.
2. Interpretation.
3. Receptacle.
4. Collection of refuse.
5. Payment for collection of refuse.
6. Removal of waste by occupier.
7. Penalty and recovery of arrears.
8. Amounts owing to the Corporation.

CHAPTER 86

88 of 1985.

BELMOPAN (REMOVAL OF REFUSE) BY-LAWS

[26th October, 1985]

- Title. 1. These By-Laws may be cited as the Belmopan (Removal of Refuse) By-Laws.
- Interpretation. 2. In these By-Laws-
- CAP. 156. “Corporation” means the Reconstruction and Development Corporation established under the provisions of the Reconstruction and Development Corporation Act;
- “occupier” means a tenant, landlord or other person for the time being in occupation of any premises;
- “refuse” shall include all domestic, commercial, medical, industrial and other waste or discarded products or substances produced in and by activities carried on in the city, but shall not include anything contained in the Schedule to these By-Laws.
- Receptacle. 3. The occupier of every premises within the city of Belmopan shall provide himself with a suitable receptacle for containing household refuse.
- Collection of refuse. 4. The Corporation shall cause such refuse to be collected regularly between such hours and on such days as may be notified in advance to the occupier of the premises; such advance notice to be made by any medium which in the opinion of the Corporation is the most convenient.
- Payment for the collection of refuse. 5. Payment for the collection of refuse shall be made on or before the tenth day of each succeeding month by the occupier of the premises to the

Corporation, on the following basis:

- (i) In respect of premises, other than commercial or industrial business premises, where the amount of rent/hire-purchase for the premises-
 - (a) does not exceed \$50.00 per month, \$2.00 per month;
 - (b) exceeds \$50.00 but does not exceed \$100.00 per month, \$3.00 per month;
 - (c) exceeds \$100.00 per month, \$5.00 per month.
- (ii) In respect of commercial or industrial business premises-\$5.00 per month.

6. (1) The occupier of any premises in the city of Belmopan who deposits any of the materials mentioned in the Schedule to these By-Laws, or of a like nature shall within seven days of such depositing remove such materials to a place outside the limits of the city at his own expense. Removal of waste by occupier.

(2) Where it has been brought to the notice of the Corporation that any material mentioned in the Schedule has been deposited in front of any premises, the Corporation shall in writing require the occupier of the premises concerned to remove that material therefrom as required by the preceding provisions of this by-law within such time as may be given therein.

(3) If the occupier fails or neglects to carry out the direction of the Corporation as given herein the Corporation shall have the power to remove such material and require the occupier to pay within fourteen days from the date of the certificate such amount incurred in the removal as may be embodied in a certificate under the hand of the General Manager or any officer authorised by him. If the occupier fails to make good the amount so incurred by the

Corporation within the time allowed therefor the Corporation may recover the amount in a court of competent jurisdiction.

(4) A certificate purported to be signed by the General Manager of the Corporation or any officer authorised by him stating the cost of removal shall be *prima facie* evidence of the cost incurred by the Corporation in removing the material so deposited by the occupier.

Penalty and
recovery of
arrears.

7. Any occupier who contravenes the provisions of these By-Laws shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding \$100.00 and in addition, in the case of a failure to pay any sum due to the Corporation under by-law 5, such sum shall be ordered by the Court to be paid to the Corporation by the person so found guilty within such time or extended time as the Court may allow.

Amounts owing to
the Corporation.
S.I. 43/82.

8. Notwithstanding the revocation of the Removal of Refuse (Belmopan) Regulations 1982, any amount payable to the Corporation under those Regulations shall be paid to the Corporation and in case of default may be sued for and payment enforced in any court of competent jurisdiction, as if those amounts were monies due to the Corporation under these By-Laws.

SCHEDULE

1. Limbs of trees.
 2. Soil.
 3. Lumber.
 4. Packaging materials.
 5. Chemical by-products.
-

CHAPTER 86**BELMOPAN (MARKET) BY-LAWS****ARRANGEMENT OF BY-LAWS**

1. Short title.

PART I
PRELIMINARY

2. Interpretation.

PART II
BELMOPAN MARKET BY-LAWS

3. Belmopan Market.

PART III
BELMOPAN MARKET KITCHEN BY-LAWS

4. Belmopan Kitchen.
5. Penalty.

CHAPTER 86

BELMOPAN (MARKET) BY-LAWS

26 of 1987.

[21st March, 1987]

1. These By-Laws may be cited as the

Short title.

BELMOPAN (MARKET) BY-LAWS.

PART I
PRELIMINARY

2. In these By-Laws-

Interpretation.

“Belmopan” means such area as the Minister may from time to time by notice in the *Gazette* declare to constitute the City of Belmopan;

“Corporation” means the Reconstruction and Development Corporation established by section 3 of the Reconstruction and Development Corporation Act;

CAP. 156.

“General Manager” means the General Manager of the Corporation;

“Market” includes the building known as the Belmopan Market and includes the land on which the same is situated and the adjacent streets and parking spaces, and any other structure or premises in Belmopan designated a Market by the Corporation;

“Market Keeper” means the person appointed by the Corporation to be Keeper of the Market and any person or persons assisting him or deputising for him.

PART II
BELMOPAN MARKET BY-LAWS

Belmopan
Market.

3. (1) No person shall expose, exhibit, sell or offer for sale the flesh of any animal other than a wild animal taken in the bush, in any place within, or within one mile beyond the limits of the City of Belmopan otherwise than in the Market or such place or places the Corporation may appoint.

(2) No person shall expose or exhibit for sale, or deposit for sale or sell or offer for sale any meat or any article whatever in the Market, or in any part thereof, other than in, at or upon a stall, table, standing-place, or space which at the time of such sale, offer, or exposure for sale, or of such depositing, is let and allotted to such person by the Corporation; except that the Corporation may at its discretion and upon application being made to it permit a person to expose or exhibit, deposit for sale, sell or offer for sale, meat or other products at a place or on or in a fixture or fitting not let to him by the Corporation.

(3) No person shall except by permission granted by the Corporation, directly or indirectly hold more than one stall in the Market or sublet the same to another person. Stalls shall be rented only to those who occupy them personally or by agents on their behalf who do not rent or manage any other stall in the Market.

(4) Persons renting or occupying any stall shall keep the same together with the fixtures, fittings and appurtenances thereto clean and in proper order and shall be responsible for any damage to the same, other than by fair wear and tear and shall not without permission in writing from the Corporation affix extra fixtures or lights and shall not leave any food material in or on it in any way whatever.

(5) All rents shall be payable daily by 10.00 a.m..

(6) No person shall sell any article whatsoever on the Market premises without first obtaining the permission of the Corporation and paying the agreed rent.

(7) The Market shall be open between the hours of 5.00 a.m. and 6.00 p.m., from Mondays to Fridays and on Saturdays from 5.00 a.m. to 2.00 p.m. The Market shall not be opened on Sundays and on any *public holidays*:

Provided that in any special circumstances the above hours may be altered at the request of the stall holders:

Provided however that such stall holders shall pay a fee equal to the hourly rate of pay of the Market Keeper or part of an hour to the Market Keeper during such times as he is engaged or that the Market is kept open for that purpose.

(8) On Christmas Day, Good Friday, 10th September and 21st September in every year the Market shall be closed for all purposes whatsoever.

(9) No livestock except poultry shall be brought into the Market.

(10) No person shall expose for sale, offer for sale, sell or have in his or her possession in the Market any bad or unwholesome meat, fish, fruit, vegetable or other product or commodity which is normally used for human consumption.

(11) No dogs shall be brought into the Market. If any dog is found the owner thereof shall be deemed to have committed an offence against these By-Laws.

(12) No rubbish or refuse shall be thrown or deposited in the Market elsewhere than in receptacles provided by the Corporation.

(13) Any lessee or stall holder soiling the Market shall immediately thereafter thoroughly wash and clean the part so soiled.

(14) No quarrelsome or riotous conduct, swearing, obscene language, indecency or impropriety of any kind shall be committed or used in the Market.

(15) The Market Keeper shall not directly or indirectly without the written permission of the Corporation be concerned in the buying (except for his own use or that of his household) or selling of any article exposed for sale in the Market. The Market Keeper shall attend at the Market as required by the Corporation and be responsible for the maintenance of order and the general management of the same.

(16) No person shall loiter about, sit or lie on any of the stalls in or about the Market and any person so doing besides rendering himself liable to the penalty provided by this by-law may be ejected by the Market Keeper or any member of the police force.

(17) No stall-holder or person in the employ of a stall-holder either directly or indirectly at any place within the Market beyond the limits of his or his employer's stall shall solicit any person to make any purchase.

(18) Any vendor in the Market who retails any article by weight shall himself supply the necessary scales and weights of a type approved by the appropriate authority and he shall keep all such scales and weights and other appliances used by him free from rust and verdigris and in a thoroughly clean condition to the satisfaction of the Market Keeper.

(19) Every article retailed by weight shall be properly weighed and in case of dispute in respect of weight, the vendor shall, if required so to do by the purchaser or intended purchaser cause the article about which the dispute arises to be weighed in the presence of the Market Keeper.

(20) No vendor or his assistant shall have in his possession or under his control in the Market any false or inaccurate weighing machine, scale or weight.

(21) No person shall sell or deliver any article in the Market of less weight, measure or number than has been bargained for.

(22) No person shall by any contrivance or device or in any manner whatever, tamper with any scale balance beam or weight in the Market whether such scale beam or weight be the property of, or in the possession of or under the control of such person or not.

(23) Any person who engages himself in the Market as a butcher or seller of beef, pork, mutton or meat, or as an assistant or servant to any such butcher or seller shall at all times while engaged in the Market-

(a) be decently and neatly dressed and shall besides wear a clean white overall and cap; and

(b) be in possession of a valid health certificate issued by the appropriate health authority in conformity with the Public Health Act. CAP. 31.

(24) The Market Keeper may at any time require any seller of the flesh of any animal to produce a valid Health Certificate and any such seller who fails or refuses to produce a valid Health Certificate when so required shall be guilty of an offence against this by-law.

PART III
BELMOPAN MARKET KITCHEN BY-LAWS

4. (1) There shall be reserved in the Market an area for a kitchen. Belmopan kitchen.

(2) The kitchen shall be screened to prevent flies and other insects from entering therein and shall at the expense of the Corporation be maintained.

(3) The Corporation shall provide the following facilities for each stall holder in the kitchen and shall maintain them-

(a) counter;

(b) kitchen sink;

(c) adequate lighting.

(4) Any stall holder who engages in the Market as a cook or seller of cooked food or as an assistant or servant to any such cook or seller of cooked food, shall at all times while engaged in the Market-

(a) be decently and neatly dressed,

(b) be in possession of a valid health certificate issued by a qualified Medical Officer in conformity with the Public Health Act.

CAP. 31.

(5) The Market Keeper may at any time require any cook, seller of cooked food their assistant or servant to produce a valid health certificate and any such seller who fails or refuses to produce a valid health certificate when so required shall be guilty of an offence against this by-law.

Penalty.

5. Every person who offends against any provision of the foregoing by-laws shall be liable on summary conviction for every such offence to a penalty, in addition to the cost incurred by the Corporation as a result of such offence, of fifty dollars, and for every continuing offence to a further penalty not exceeding ten dollars for each day on which the offence continues after written notice thereof shall have been given to the said person by the Corporation.

CHAPTER 86

BELMOPAN (LIVESTOCK) BY-LAWS

ARRANGEMENT OF BY-LAWS

1. Short title.
2. Interpretation.
3. Livestock in Belmopan.
4. Offence.
5. Penalty.

CHAPTER 86

42 of 1987.

BELMOPAN (LIVESTOCK) BY-LAWS

[9th May, 1987]

Title. 1. These By-Laws may be cited as the

BELMOPAN (LIVESTOCK) BY-LAWS.

Interpretation. 2. In these By-Laws:

“Belmopan” means such areas as the Minister may from time to time by notice in the *Gazette* declare to constitute the City of Belmopan;

“Cattle” means any domestic quadrupeds and shall include goats, swine and sheep;

CAP. 156. “Corporation” means the Reconstruction and Development Corporation established by section 3 of the Reconstruction and Development Corporation Act;

“General Manager” means the General Manager of the Corporation;

“Minister” means the Minister for the time being charged with the responsibility for Finance.

Livestock in Belmopan. 3. No person shall-

- (a) drive or lead cattle or cause or permit cattle to be driven or led through any public street, parks or playground within Belmopan

without the written permission of the Corporation;

- (b) keep cattle within the limits of Belmopan save and except suchcattle secured in any slaughter house for the purpose of slaughter or secured at any veterinary clinic for treatment or at a holding pen approved by the Corporation for keeping of such cattle.

4. Any person committing a breach of this by-law shall be guilty of an offence and on summary conviction be liable to a fine not exceeding two hundred dollars plus all expenses incurred by the Corporation or to imprisonment for a period not exceeding one month. Offence.

5. The court shall order the offender to remove his cattle from within the city limits within a period to be specified in the order; such grace period not to exceed seven days. Thereafter, the court may inflict a penalty not exceeding twenty dollars for each day the offence continues after the expiry of the grace period. Such penalty, however, shall not exceed one hundred and forty dollars and the maximum alternative imprisonment, shall not exceed one month. Penalty.

CHAPTER 86

**BELMOPAN (ZONING AND CONTROL OVER BUILDING
CONSTRUCTION) BY-LAWS**

ARRANGEMENT OF BY-LAWS

**PART I
PRELIMINARY**

1. Short title.
2. Interpretation.

**PART II
ZONING**

3. Zoning areas.
4. Zoning map to be in a conspicuous place.
5. General provisions for construction in zones.

**PART III
CONTROL OVER BUILDING CONSTRUCTION
ALTERATION AND ADDITION TO BUILDINGS**

6. Addition to or alteration of, buildings.
7. New buildings to conform to by-laws.
8. "Development" further defined.
9. Verandas, balconies, and sunshades.
10. Encroachment onto public highway.
11. Minimum distances to be observed when making developments.
12. Maximum plot coverage.
13. Materials.
14. Provision of on-site car parking.
15. Temporary structures.

16. Recondev may suspend operation of By-laws.
17. Determination of applications.
18. Notices to be served by applicant.
19. Inspection.
20. Duration of consents.
21. Enforcement against non-compliance with Regulations.
22. Liabilities.
23. Notices, service of.
24. Public buildings.
25. Inspections in respect of public buildings.
26. Use, etc. of public buildings.
27. Conversion of private building to public building.
28. Prohibition on use of buildings as public building.
29. Dangerous buildings.
30. Notice of intention to remove buildings.
31. Penalties and authority for prosecutions.
32. Copy of Regulations.
33. Repeals.

CHAPTER 86

39 of 1987.

**BELMOPAN (ZONING AND CONTROL
OVER BUILDING CONSTRUCTION) BY-LAWS**

**PART I
PRELIMINARY**

Short title. 1. These By-laws may be cited as the

**BELMOPAN (ZONING AND CONTROL OVER
BUILDING CONSTRUCTION) BY-LAWS**

Interpretation. 2. In these By-laws, unless the context otherwise requires: -

“builder” means the person who is employed to build, or to execute any works on a building;

“building” includes any structure whatsoever of any material for any purpose constructed, and any part of a building;

“commercial building” means any building where trade or business is carried out;

“commercial zone” means any area designated by the Corporation on the zoning map, for the construction of commercial buildings;

“development” means the carrying out of building, engineering, mining, or other operations in, on, or under land, or the making of any material change of use of any buildings or other land, and includes the various operations specified in Regulation 8 below;

“industrial building” means any area designated by the Corporation on the zoning

map, for the construction of industrial buildings;

“Minister” means the Minister of Finance;

“owner” includes the person for the time being receiving the rent of the land or building in connection with which the word is used whether on his own account or as an agent or trustee for any other person, or who would so receive that rent if the land or buildings were let, or the person in occupation of the land or buildings, but does not include a tenant at will;

“parking standards” refers to the adopted parking guidelines of the Corporation, copies of which shall be available from the offices of Recondev from time to time;

“Recondev” or “Corporation” means the Reconstruction and Development Corporation established under the Reconstruction and Development Act; CAP. 156.

“residential building” means any building which is used, or intended to be used, solely for residential purposes;

“residential zone” means any area designated by the Corporation on the zoning map, for the construction of residential building;

“zoning map” means the zoning map displayed in a prominent place at the Corporation’s offices.

PART II **ZONING**

3. Belmopan shall be divided into the following zones to be determined by the Corporation by notice published in the *Gazette*:- Zoning Areas.

- (a) residential zone;
- (b) commercial and institutional zone;
- (c) industrial zone; and
- (d) other zones, as deemed appropriate by the Corporation.

Zoning map to be in conspicuous place. 4. Recondem shall keep in a conspicuous place at its office a plan showing the designated zones.

General provisions for construction in zones. 5. (1) Subject to the provisions of this by-law:-

- (a) no residential building shall be constructed other than in a residential zone;
- (b) no commercial or institutional building shall be constructed other than in a commercial/institutional zone; and
- (c) no industrial building shall be constructed other than in an industrial zone;

(2) Notwithstanding the provisions of sub by-law (1) above, the Corporation may, if it deems fit; grant permission for the construction of any kind of building in any of the aforesaid zones.

PART III
CONTROL OVER BUILDING CONSTRUCTION

Alteration and Addition to Buildings

6. (1) Every addition to, or alteration of, any building and any other work done for any purpose in or upon any building (except that of necessary repairs not affecting the construction of any external or party-wall), shall so far as regards such alterations or additions or such other work, be subject to these By-laws. Addition to or alteration of buildings.

(2) No person shall, except with the written permission of the Corporation, make any alterations, additions or material changes of use to any building. This includes the alteration of an existing residential building to form another residential self contained unit.

(3) Every person who applies to the Corporation for permission to undertake any form of development shall submit to the Corporation, along with the application form, plans and other information as may be deemed necessary by the Corporation. Any application submitted must clearly state the proposed use to which the building shall be put. Any material change of use from that specified in the application will require the further written consent of the Corporation.

7. No person shall, except with the written permission of the Corporation, construct any new building in any part of Belmopan otherwise than in accordance with these by-laws. New buildings to conform to By-laws.

8. For the purpose of these By-laws, each of the following operations, namely; "Development" further defined.

(a) the re-erection, wholly, or partially, of any building of which an outer wall is pulled down or burnt down to

within ten feet of the surface of the ground adjoining the lowest storey of the building and of any frame building so far pulled down or burnt down as to leave only the frame of the lowest storey;

- (b) the conversion into a dwelling house of any building which has been discontinued as, or appropriated for, any purpose other than a dwelling house;
- (c) the re-conversion into a dwelling house of any building which has been discontinued as, or appropriated for, any purpose other than a dwelling house;
- (d) the making of any addition to an existing building by raising any part of the roof, by altering a wall, or making any projection from the building but so far as regards the addition only;
- (e) the roofing or covering over of an open space between walls or buildings; and
- (f) the construction of any fence or wall around the boundaries of any lot;

shall be deemed to be “development”.

Verandas,
balconies, and
sunshades.

9. No person shall erect any veranda, balcony, sunshade, weather-frame, or other similar structure, so as to project over any street, public-footpath or public open space, except with the permission of the Corporation, and if permission is granted, then under and subject to such terms and conditions as balconies etc., as prescribed therein:

Provided that in no case shall any such erection be supported on pillars

resting on the street or public highway.

10. (1) No person shall make any door, window or gate in such manner as to open over a public thoroughfare, or project any doorstep or landing across any public footpath, or extend or affix any sun-shade, signboard, lamp, grating, gutter, or other unauthorized projection from any building in such a manner as to cause obstruction, danger or annoyance in any street, or to passengers thereon, or so as to cause encroachment on or over any street or footpath. Encroachment on to public highway.

(2) With respect to all buildings, the moldings, cornices, or other architectural embellishments and eave gutters may project over a street or footpath above ground floor level to an extent not exceeding eighteen inches.

(3) The storage of building materials, waste, or other materials on the public highway requires the consent of the Corporation, in the interest of public safety and amenity.

11. (1) For residential developments, no part of the building, except the roof or part thereof, shall be less than six feet from any boundary. The roof may be a minimum distance of four feet from the boundary. Minimum distances to be observed when making developments.

(2) For commercial/institutional developments, no part of the building, except the roof, or part thereof, shall be less than ten feet from any boundary. The roof may be a minimum distance of eight feet from such boundary.

(3) For industrial developments, no part of the building, other than the roof, shall be less than twelve feet from any boundary. The roof may be a minimum distance of ten feet from such boundary.

12. Any residential development which would result in more than two-thirds of a total site area being developed shall not be allowed, in the interests of amenity. Maximum plot coverage.

13. The construction of any development using wood as the primary material Materials.

shall not be allowed, unless the building is fire proofed to the satisfaction of Recondv. This is in the interest of safety against fires.

Provision of on-site car parking. 14. On site car parking must be provided for on any new development, in accordance with the published parking standards of the Corporation.

Temporary structures. 15. (1) The erection of any temporary structure for a period exceeding seven days shall only be allowed in certain circumstances, and for a limited period. When a temporary consent is issued, it shall be on the basis that the structure is removed on a date prior, but not exceeding, the expiry date of the consent.

(2) Following the completion of any permanent structure, any temporary structure on the same site must be removed within twenty-eight days of the completion date.

(3) Temporary boardings to ensure greater safety of buildings during works of development shall be only allowed during the period of construction.

Recondv may suspend operation of by-laws. 16. On the application of any building owner, the Corporation, where it thinks it is expedient to do so, may dispense with the observance of any of the provisions of these By-laws on such terms and conditions as it may consider fit.

Determination of applications. 17. The Corporation shall, within twenty-eight days of the submission of a complete application, as required under these By-laws, signify in writing its approval, or disapproval of the intended work, to the applicant.

Notices to be served by applicant. 18. (1) Every person intending to undertake any works of development shall, following the approval of submitted plans, provide a written notice to the Corporation, specifying the date upon which the works will commence. Notice must also be given of the date when the pouring of concrete will take place to allow inspection of the foundations.

(2) Prior to the commencement of works, the person responsible for such works shall advise, in writing, those who will be affected, by such works, including adjoining occupiers, and relevant public utilities.

19. Following the completion of the works, a notice shall be delivered to the Corporation, within seven days, and the authorized representatives of the Corporation shall be provided free access to the building or works, for the purpose of inspection. During any point in the construction process access for inspections shall be provided if or when requested by the Corporation. Inspection.

20. Every consent for development granted shall be granted by the Corporation subject to the condition that the development to which it relates must begin not later than the expiration of - Duration of consents.

(a) two years beginning with the date on which the consent is granted; or

(b) such other period beginning with the date specified in the terms of the consent;

and following the expiry of any consent, the applicant must reapply for a renewal of that consent.

21. (a) If any work on any building is commenced or completed, or any work to which the provisions of these By-laws is commenced or takes place in contravention of such provisions, the Corporation may serve a notice in writing against the person(s) responsible, requiring them, on or before the date specified in the notice, to justify why the development should not be removed, altered or pulled down. The justification should be in writing, and should be presented to the Corporation. Enforcement against non-compliance with Regulations.

(b) If any such person(s) fail to show sufficient cause as to why the

development should remain, the Corporation may remove, alter or pull it down. The expenses incurred by the Corporation for undertaking the necessary works to rectify the breach shall be a debt due to the Corporation by the owner, and, until repayment, shall be a charge on the premises on which the building was commenced or completed, or such works executed, in contravention of these By-laws.

- Liabilities. 22. The owner, as well as the builder, shall be liable for any act, matter, or thing done or omitted to be done in contravention of any of the provisions of these By-laws.
- Notices, service of. 23. All notices served by the Corporation shall be on the owner, with a copy to the builder, both of whom shall be liable for any works in contravention of these By-laws.
- Public buildings. 24. Every person who erects, or owns a public building shall cause it to be examined at least once a year, in the case of a wooden building, and once every five years in the case of a masonry building, by a competent engineer. The purpose of the inspection is to ascertain whether it is safe for the purpose to which it is, or will be, put to. The report of the engineer as to the condition of the building shall be submitted to the Corporation at least once a year, or once every five years, according to the above requirement from the time when it was first used as such. The report must be submitted within two weeks of the date of inspection.
- Inspections in respect of public buildings. 25. Any person employed by the Corporation may, at all reasonable times after the completing of any public building, and at all times during which the building is used as a public building, enter or inspect it for the purposes of determining whether such building is in accordance with the provisions of these By-laws.
- Use, etc. of public building. 26. (a) No person shall use any public building, or let it, or allow it to

be used as such, unless the Corporation have approved in writing the construction, and the suitability of the building for that purpose. The maximum number of people to be accommodated in that building shall be stated by the applicant, and approved by the Corporation.

- (b) After the Corporation has declared its approval, no person shall do or allow to be done, any work affecting, or likely to affect such building, without the approval of the Corporation.

27. Where it is proposed to convert or alter any building, erected for a private purpose into a public building, such conversion or alteration shall be carried out, and such building shall be constructed, in such a manner as is approved by the Corporation, and the provisions of these By-laws shall apply to such alteration or construction as if it were the construction of a public building.

Conversion of private building to public building.

28. (a) Whenever it appears to the Corporation that any building in Belmopan used as a public building is not constructed or maintained so as to afford safety to those persons using it, the Corporation may, by notice in writing, require the owner of such building, within a reasonable time specified in the notice, to make such alterations therein or thereto as shall be approved by the Corporation.

Prohibition on use of buildings as public building.

- (b) The Corporation may, in *lieu* of such notice, or concurrently therewith, or at any time thereafter, and without prejudice to the recovery of penalties for the non-compliance therewith, by notice in writing served upon the owner of such building, require such owner, on or before the date specified in the notice, by written statement to the Corporation, to show cause why the

building should not cease to be used as a public building.

Dangerous buildings.

29.

- (a) Whenever any structure abutting on any street or public footpath in Belmopan is considered dangerous to the passengers along such street or public footpath, the Corporation shall give notice in writing to the owner of that structure requiring him forthwith to take it down, or to repair it, as the case may be, within a time specified in such notice.
- (b) Where any structure within Belmopan is considered by the Corporation to be ruinous or, so far dilapidated as to have become unfit for use or occupation, or to be from any cause whatever a structural danger to the inhabitants of the neighbourhood, a notice may be served by the Corporation, on the owner of the dangerous structure requiring that person, within fourteen days of the service of the notice, to take down, repair, or to rebuild it or any part thereof, or to fence-in the ground on which the structure stands, or otherwise to put it into a state of good repair as the case may be, to the satisfaction of the Corporation, within a time specified in the notice.
- (c) Whenever it is made known to the Corporation that any part of a building, including any wall, partition or ceiling of any such building, is in such state of dangerous dilapidation prejudicial to any occupier of such building, or to any neighbouring building, the Corporation shall survey and examine the building, and upon the completion of such survey and examination, if it is satisfied that the structure is dangerous or prejudicial to any occupier, a notice

shall be served in writing on the owner of the structure requiring that person forthwith to have it shored up, taken down, or rebuilt, as the case may require, to the satisfaction of the Corporation, within a time to be specified in the notice.

- (d) If the owner fails, within the time specified in any such notice served upon him under this By-law to comply with the requirements of the notice, the Corporation may make complaint thereof before a magistrate, and the magistrate may order the owner to carry out the requirements of the notice within a time to be affixed by him in such order.
- (e) When the order directs the taking down of a neglected structure or any part thereof, the Corporation, in executing the order, may remove the materials to a convenient place. The expenses incurred by the Corporation under this By-law in relation to such removal of materials shall be paid within fourteen days by the owner of the building.
- (f) For any purposes of these By-laws, the expression “structure” includes any building; or part thereof, and any wall or fence, or other structure whatever, or anything affixed to or projecting from, any building or any wall or other structure, and the expressions “public street, road or highway” has the meaning assigned to them in any law for the time being governing public roads.

30. No person shall pull down or remove any building from the site on which it stands unless that person, not more than fourteen days and not less than two days before such removal, has given to the Corporation notice in Notice of intention to remove buildings.

writing of his intention to pull down or remove such building. Notice must also be given to the adjoining occupiers, and to any public utilities to be affected.

Penalties and authority for prosecutions.

31. (1) Any person who fails to comply, or acts in contravention of any of these By-laws shall be guilty of an offence and shall be liable on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding six months, or to both, and in the case of a continuing offence, to a further fine not exceeding fifty dollars for each day after the giving of three days written notice to cease forthwith such contravention.

(2) No proceedings shall be commenced for any offence or penalty under these By-laws, except by the leave of the Director of Public Prosecutions or of the Corporation.

(3) The Corporation may direct the Secretary or such other person as it may think fit to commence and prosecute the proceedings for such offence or penalty.

Copy of Regulations.

32. A copy of these Regulations shall be readily available to any person wishing to view such Regulations from the offices of the Corporation.

Repeals 67/1990 47/1992.

33. The Belmopan (Zoning and Control Over Building Construction) By-laws, 1990, as amended, are hereby repealed.

MADE by the Reconstruction and Development Corporation this 22nd day of April, 1997.

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(JOHN SALDIVAR)

Chairman

Reconstruction and Development Corporation

CONFIRMED by the Minister of Finance this 22nd day of April, 1997.

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(MANUEL ESQUIVEL)
Minister of Finance
