

**BELIZE:**

**BELIZE CITY COUNCIL (PALM GROVE ESTATE)  
ZONING BY-LAWS 2016**

**No. 53 of 2016**

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BELIZE:

STATUTORY INSTRUMENT

No. 53 of 2016

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*BY-LAWS made by the Belize City Council in exercise of the powers conferred upon it by section 49 of the Belize City Council Act, Chapter 85 of the Substantive Laws of Belize, Revised Edition, 2011 and all other powers thereunto it enabling,*

*(Gazetted 28th May, 2016.)*

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**WHEREAS:** The Belize City Council is desirous of regulating and zoning areas for urban development and elevating the standard and quality of life of residents, as well as systematically zoning areas in Belize City

**AND WHEREAS** it is desirable that residential land use and residential building occupancy be controlled in the area of Palm Grove Estate,

**AND WHEREAS** it is necessary to regulate all aspects of construction, development, land use and building occupancy, and to control public spaces in Palm Grove Estate,

**NOW THEREFORE** it is provided as follows

1. These By-laws may be cited as the

Citation.

**BELIZE CITY COUNCIL (PALM GROVE ESTATE)  
ZONING BY-LAWS, 2016**

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

Interpretation.

“authorized officer” means an officer appointed by name or by office by the Council to carry out provisions of these By-laws;

“boundary line” means a line or feature, which divides one lot from another or from any street in Belize City;

“building” includes a tent or any structure constructed of any material and for any purpose and any part of a building, of whatever kind or nature, whether temporary or permanent, and every part thereof or ancillary to:

- (a) any road, whether public or private, including, in case of a public road, any bridge or culvert on which the road is carried,
- (b) any sewer or water main which is, or is to be vested in a public authority,
- (c) any telephone line and its supports
- (d) any electricity supply line and its supports which is or is to be vested in a public authority;

“building house” means a building used, constructed or adapted to be used wholly or principally for human habitation;

“building setback” means any unobstructed unoccupied areas of a lot;

“City Council Engineer” means an officer appointed as such by the Council;

“Council” means the Belize City Council constituted under the Belize City Council Act.

CAP. 85.  
19/2008

“commercial zone” means an area classified as such under by-law 4 and to which the requirements of these by-laws shall apply;

“develop” means to carry out the act of planning or construction involving substantial property, building or structural improvements or the act of using land for the erection of any building;

“drain” means any channel, conduit, pipe, excavation or installation on a public or private street used to convey or carry storm water runoff;

“fill” means the placement of material such as soil or rock to replace existing material or to create an elevated embankment;

“livestock” includes cattle, donkey, goat, horse, mule, rabbit, sheep and chicken.

CAP. 194.  
CAP. 190.

“lot” means any parcel of land described by a number or a letter duly registered under the Lands and Survey Department of the Ministry responsible for lands, under the Registered Land Act;

“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 agent or trustee for any other person, or who would so receive that rent if the land or building were let, or the person in occupation of the land or building, but does not include a tenant from year to year or for any less term, or a tenant at will;

“Palm Grove Estate” means the area consisting of all that piece of land being a part of and lying in the Caribbean Shores Registration section, situated west of the Phillip Goldson Highway, near mile 5, bounded on the north by parcel no. 1366, on the south by parcels nos. 24773, 2465 and 2435, on the east by a ten feet buffer along the Phillip Goldson Highway, on the west by a fifty feet wide road contained therein as delineated in the First Schedule to these By-laws;

“permit” means a document issued under these By-laws granting absolute or conditional permission to carry out the activities to which it relates;

“person” means a natural person or a body corporate or unincorporated or a partnership;

“personal boat” means a vessel used for leisure activities and not for profit or gain;

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

“residential zone” means an area classified as such under Bylaw 4 and to which the requirements of these Bylaws shall apply’

“septic tank and soak away” means a water tight tank which is designed and constructed to separate solids from liquids and to digest organic matter through a period of detention together with an absorption field;

“street setback” means the measurement between the furthestmost projection of a structure and that of the property line of the side and rear of the lot on which such structure is located;

“side setback” and “rear setback” mean the measurement between the furthestmost projection of a structure and that of the property line of the respectively side and rear of the lot on which such structure is located;

First Schedule.

“zone” means a certain specified, reserved area properly defined within Palm Grove Estate for residential or commercial buildings and structures, with limitations such as height, lot coverage, building occupancy, construction volume, and other stipulated restrictions;

3. These Bylaws shall apply to Palm Grove Estate in the Belize District.

Extent of Application.

4. Unless otherwise approved by the Council, the development of Palm Grove Estate and the development of the individual lots in Palm Grove Estate shall be classified hereunder, respectively into a residential zone and a commercial zone.

Zoning.

5. The following shall apply to the residential zone:

Requirements for Residential zone.

- (a) no building other than a residential building shall be constructed in this zone;
- (b) the area of construction shall not exceed fifty percent of the total area of the lot; provided that the total coverage including verandahs, bay windows, and covered garage shall not exceed seventy-five percent of the area of the lot;
- (c) building setback in respect of any lot shall not be less than:
  - (i) 15 feet from street setback
  - (ii) 8 feet from side setback
  - (iii) 15 feet from rear setback
- (d) building height shall not exceed three stories or thirty-six-feet;
- (e) building form shall consist of detached family dwelling only;
- (f) septic tank and soak away sewer disposal shall be approved by the Public Health Department or Council and shall be at least eight feet or more from any boundary line;

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(g) no lot shall contain more than one residential building.

(h) no land use except that for residential use shall be permitted in this zone.

(i) an owner or tenant in this zone shall not engage in any trade, residential or commercial business activity unless such activity is approved for the zone under the Trade Licensing Act;

CAP 66.

(j) there shall be a minimum of two parking spaces for every residential building;

S.I. 54/1996.

(k) the owner, agent or tenant of any building house shall ensure compliance with the Environmental Protection (Pollution) Regulations with respect to noise emission from such premises.

Requirements  
for Commercial  
Zone.

6. The following shall apply to the commercial zone:

(a) a building setback in respect of any lot shall not be less than:

(i) 12 feet from the street setback,

(ii) 12 feet from the side setback,

(iii) 12 feet from the rear setback;

(b) garbage disposal shall be sanitary and be approved by the Council and the Public Health Department;

(c) the area of construction shall not exceed sixty percent of the total area of the lot;

(d) parking space shall be allotted in accordance with the size of the building;



- (e) building height shall not exceed 36 feet.
- (f) requirements for commercial zone: septic tank and soak away sewer disposal shall be approved by the Public Health Department or Council and shall be at least eight feet or more from any boundary line.
- (g) building access for entrance/exit shall only be via Phillip Goldson Highway.
- (h) commercial buildings shall only be constructed adjacent to the Phillip Goldson Highway.

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|--|---|
| 7. No lot in Palm Grove Estate shall be subdivided or combined without the prior written approval of the Council and the Ministry responsible for lands.   | Requirements for Subdivision.                 |
| 8. A resident of Palm Grove Estate shall be allowed to give routine mechanical maintenance service to his personal vehicle or vessel in the Palm Grove Estate zone but this shall exclude the changing of motor or transmission oil.                           | Servicing of Private Motor Vehicles\ Vessels. |
| 9. No temporary building shall be erected or used on any part of a lot which, in the opinion of the Council is a nuisance, danger or disturbance to the owners of the adjoining lots or which will cause the lot to suffer a depreciation in the market value. | Temporary Buildings.                          |
| 10. No person shall be allowed to encamp upon any part of a lot.   | Encampment Prohibited.                        |
| 11. No material shall be deposited or mixed on any part of a street except in accordance with a permit from the Council.   | No mixing, etc. of material on street.        |
| 12. No building erected in any zone shall be of value of less than one hundred thousand dollars.   | Value of building erected.                    |

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- Livestock, pets. 13. (1) No livestock shall be allowed in Palm Grove Estate.  
(2) all domesticated pets shall be kept in safe custody at all times and shall not be allowed to roam in public places.
- Development Permit Second Schedule. 14. (1) Before any land is developed in Palm Grove Estate, the owner of the lot shall apply to the Council to request permission for same in the form specified in the Second Schedule to these By-laws.
- Third Schedule (2) Where permission is granted under paragraph (1) above, it shall be in the form specified in the Third Schedule to these By-laws.
- (3) An owner of a lot shall inform the Council in writing not less than 30 days prior to the proposed date of the commencement of any works.
- Fourth Schedule. (4) Any person who intends to commence construction of any structure in Palm Grove Estate shall give notice to the council in the form specified in the Fourth Schedule to these By-laws and shall submit plans for same to the City Council Town Planner specifying the commencement date for such construction.
- Responsibility of owner filling lot. 15. (1) Where an owner of a lot fills his lot he shall be liable for any damage caused to streets or public property resulting from the use of heavy duty equipment in carrying out such filing.
- (2) The owner of a lot shall ensure that all spills and debris caused by filling activity done on the lot are removed within 30 days of completion of the filling activity.
- Requirements for septic tanks, etc. 16. (1) All building plans for any proposed building within the Palm Grove Estate which is being submitted for approval, shall be accompanied by a plan for the septic tank and soak away.

(2) The owner of a lot shall ensure that every septic tank and soak away is inspected and approved by the City Council Engineer and Public Health Department or any authorized officer during its construction, after its completion, and before it is sealed.

(3) Every septic tank and soak away shall be constructed to enable the overflow from the effluent pipe not to discharge or overflow into any gutter or open drain, but into a properly constructed soak-away pit which is shall be approved by the City Council Engineer.

17. No person shall demolish any building unless:

Demolition of buildings.

- (a) the owner receives the written approval of the council; and
- (b) the owner notifies the Council at least fourteen days prior to the demolition; and
- (c) all property fees in respect of the building are paid and a written certificate of property fees clearance obtained from the valuations department of the Council.

18. (1) No person shall occupy any building in whole or part unless a certificate of occupancy in the form specified in the Fifth Schedule to these Bylaws has been issued by the Council

Occupancy certificates.  
Fifth Schedule.

(2) The City Council Engineer shall issue a certificate of occupancy to the owner of a building that complies with all specifications and safety requirements as stated in any building codes.

CAP. 131  
Act 7 of 2003  
Act 2 of 2005.

19. The owner of a lot shall not fill his lot any higher than three feet above the mean level of the sea.

Fill Restrictions

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- General Cleanliness. 20. The owner of a lot shall ensure that his lot is maintained free of high grass, weeds and litter in a timely manner and to the satisfaction of the Public Health Department or the Council.
- Designation of New Zones. 21. The Council may from time to time designate new zones or alter existing zones by:
- (a) resolution of the Council after consultation with the residents of Palm Grove Estate.
  - (b) publication in the Gazette and a national newspaper of the designation.
- Notice. 22. The City Council Engineer may in the first instance, issue a notice to any person who does not comply with any of these By-laws requesting compliance with same within a specified time.
- Penalty. 23. Any person who contravenes any of these Bylaws after notice has been given in By-law 22 above, commits an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months, or both such fine and imprisonment.
- Compliance Period. 24. The owner, agent, or tenant of a lot or building shall comply with the provisions of these By-laws within one month of its commencement date.
- (a) notwithstanding anything contained in this regulation existing developers and residents are exempt from the application of these regulations.
- Commencement 25. These By-laws shall come into force on the 30th day of May, 2016.

**First Schedule**

**Bye-law 2**

**Description of a parcel of land in the Caribbean Shores area,  
known as Palm Grove Estate**

All that piece of land being a part of and lying in the Caribbean Shores Registration section, situated west of the Phillip Goldson Highway, near mile 5, bounded on the north by parcel no. 1366, on the south by parcels nos. 24773, 2465 and 2435, on the east by a ten feet buffer along the Phillip Goldson Highway, on the west by a fifty feet wide road and being more particularly described as follows:

Commencing at a wooden post labelled E having a U.T.M coordinate value 368256.793 easting and 1938468.504 northing being the northwestern corner of the herin described [parcel: thence on a grid bearing 69°54'39" for a total distance of 376.39 feet to another wooden post; thence on a grid bearing 162°05'19" along a ten feet buffer for the Phillip Goldson Highway for a total distance of 430.71 feet to another wooden post; thence on a grid bearing 154°20'26" along the said buffer for a total distance of 320.46 feet to another wooden post; thence on a grid bearing 244°20'26" for a distance of 89.98 feet to another wooden post; thence in a southwesterly direction across a road reserve for an approximate distance of 34.80 feet to another wooden post; thence on a grid bearing 270°22'33" for a total distance of 517.89 feet to another wooden post; thence on a grid bearing 00°22'33" for a total distance of 631.82 feet back to the point of commencement.

The said parcel of land contains 7.962 acres of land approximately and is shown on plans at the Entry No. 1510 Register No. 2, and Entry No. 1698 Register No. 2 lodged at the office of the Commissioner of Lands and Surveys, Belmopan.



SECOND SCHEDULE

(BY-LAW 14)

REQUEST FOR PERMIT TO CARRY OUT DEVELOPMENT

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_

PURPOSE OF PERMIT \_\_\_\_\_

STREET TO BE AFFECTED \_\_\_\_\_

COMMENCEMENT OF WORKS \_\_\_\_\_

TERMINATION OF WORKS \_\_\_\_\_

LOCATION TO BE DEVELOPED \_\_\_\_\_

SIZE OF LOCATION \_\_\_\_\_

TYPE OF DEVELOPMENT TO BE CARRIED OUT \_\_\_\_\_

DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_

**THIRD SCHEDULE**

**(BY-LAW 14)**

**PERMIT TO CARRY OUT DEVELOPMENT**

Permission is hereby granted to \_\_\_\_\_

to carry out the following development/works \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In \_\_\_\_\_

*(Give location of works)*

(This permit may be subject to conditions which may be attached herewith).

Date of Issue \_\_\_\_\_

Valid until \_\_\_\_\_

\_\_\_\_\_  
*City Engineer*



**FOURTH SCHEDULE**

(BY-LAW 14)

**NOTICE OF INTENTION TO COMMENCE WORKS**

NAME OF APPLICANT \_\_\_\_\_

ADDRESS OF APPLICANT \_\_\_\_\_

DATE OF COMMENCEMENT OF WORKS \_\_\_\_\_

Total cost (at 10 cents per linear feet) \_\_\_\_\_

Type of material(s) to be utilized \_\_\_\_\_

Specific location of construction \_\_\_\_\_

Recommendation of City Engineer/Sr. Town Planner

Approved \_\_\_\_\_

Not Approved \_\_\_\_\_

Official notaitons \_\_\_\_\_

Street and infrastructure to be affected \_\_\_\_\_

Site Clearance and intersection of street \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

FIFTH SCHEDULE

(BY-LAW 18)

CERTIFICATE OF OCCUPANCY

Location of building \_\_\_\_\_

Type of building \_\_\_\_\_

No. of rooms \_\_\_\_\_

Intended number of persons residing in building \_\_\_\_\_

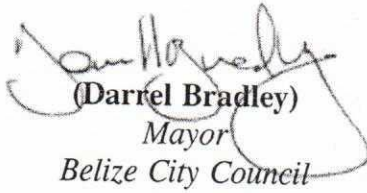
I \_\_\_\_\_ hereby certify that the above mentioned building complies with all specifications and safety requirements and conforms to all public health and other requirements under the applicable laws

\_\_\_\_\_  
(City Engineer)

Date \_\_\_\_\_

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MADE by the Belize City Council, this 29th day of April, 2016.

  
(Darrel Bradley)  
Mayor  
Belize City Council