

**BELIZE:**

**BELIZE CITY COUNCIL (WEST LANDIVAR)**  
**ZONING BY-LAWS**

**ARRANGEMENT OF BY-LAWS, 2010**

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## **FIRST SCHEDULE**

**BELIZE**

**STATUTORY INSTRUMENT**

**No. 20 of 2010**

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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, 2000-2003 and all other powers thereunto it enabling.*

*(Gazetted 27<sup>th</sup> March, 2010.)*

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- (1) **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;
- (2) **AND WHEREAS** it is desirable that residential land use and residential building occupancy be regulated and that Dolphin Park be preserved as a national public reserve in West Landivar as gazetted on 16 October 2007;
- (3) **AND WHEREAS** it is necessary to regulate all aspects of construction, development, land use and building occupancy, and to control public spaces in West Landivar;

**NOW THEREFORE** it is provided **AS FOLLOWS**

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1. These By-laws may be cited as the

Short title.

**BELIZE CITY COUNCIL (WEST LANDIVAR)**  
**ZONING BY-LAWS, 2010.**

**Interpretation.**

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

“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, construed or adapted to be used wholly or principally for human habitation;

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

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

“Council” means the Belize City Council constituted under the Belize City Council Act, as amended;

“commercial vessel or boat” means any sea vessel which is used for the carriage of goods, people or freight by water and for payment of a fee, or that which is licensed as such by the Port Authority;

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

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

“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.

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

CAP. 194.  
CAP. 190.

“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 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, and any person who has proof of legal interest or ownership, but does not include a tenant from year to year or for any less term, or a tenant at will;

“permit” means a document issued under these By-laws granting absolute or conditional permission;

“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” means an area suitable for and occupied by private houses for dwelling purposes solely with the exclusion of any trade, business or commercial activity;

“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;

“side setback” or rear 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;

“street setback” means the measurement between the furthestmost projection of a structure and the street’s right of way line or the property line abutting the street;

**First  
Schedule.**

“West Landivar Zone” means all that piece of parcel of land approximately forty-two acres known as the West Landivar Area, situate West of Saint John’s College, Belize City, Belize District, being more particularly described in the First Schedule to these By-laws;

**Extent of  
application.**

3. These By-laws shall apply to the West Landivar Zone in the Belize District.

**Zoning.**

4. (1) Unless otherwise approved by the Council, the development of the West Landivar zone shall be classified as residential.

**Requirements  
for residential  
zone.**

5. (1) Every person desiring to build within the West Landivar Zone shall submit an application to the Council in accordance with these bylaws and subject to the Belize Building Act.

(2) The following shall apply to the West Landivar zone

- (a) no building other than a residential building shall be constructed in this West Landivar zone;
- (b) building height shall be controlled as per the Belize Building Act;
- (c) building form shall consist of detached family dwelling only;
- (d) septic tank and soak away sewer disposal (if no connection is made with the relevant authority) shall be approved by the Public Health Department or by the Council and shall be at least four feet or more from any boundary line;
- (e) no land use except that for residential use shall be permitted in this zone;
- (f) an owner or tenant in this zone shall not engage in any trade, or commercial business activity;
- (g) the owner, agent, or tenant of any building, or house shall ensure compliance with the Environmental Protection (Pollution) Regulations with respect to noise emission from such premises.
- (h) no sea front lot shall be used or classified as a convenience establishment or for general commercial activity;
- (i) no commercial marinas shall be permitted on sea front lots nor adjacent to Dolphin Park;
- (j) no dispensing of gasoline or other flammable liquid or material shall be allowed in West Landivar Zone;

S.I. 56/1996.

- (k) no bar, club, disco or other similar related activity shall be carried on in West Landivar Zone.

**Requirements for subdivisions.**

6. No lot in the West Landivar Zone shall be subdivided or combined without the prior written approval of the Council and the Ministry of Natural Resources.

Provided further that the required sixty six feet land reserve shall be maintained on all sea front lots within the West Landivar Zone.

**Servicing of private motor vehicles.**

7. A resident of West Landivar zone is allowed to give routine mechanical maintenance service to his personal vehicle or vessel in the West Landivar Zone.

**Temporary buildings.**

8. No temporary building shall be erected or used on any part of a lot which, in the opinion of the Council and of the Local Building Authority is a nuisance, is abandoned, dangerous, neglected or presents a disturbance to the owners of adjoining lots or which will cause the lot to suffer a depreciation in its market value.

**Encampment Prohibited.**

9. No person is allowed to encamp upon any part of a lot in the West Landivar Zone.

**No mixing, etc. of material on street.**

10. No material shall be deposited or mixed on any part of a street except in accordance with a permit from the Council.

**Livestock, pets.**

11. (1) No livestock shall be allowed in West Landivar Zone.

(2) All domesticated pets shall be kept in safe custody at all times and shall not be allowed to roam freely and unleashed in public places.

**Mangrove protection.**

12. (1) Residents shall nurture and preserve the mangroves and existing ecosystem along the sea.



(2) A person who destroys mangroves or interferes in any way with the natural ecosystem whether directly or indirectly commits an offence and shall be liable in accordance with the Forest (Mangrove Protection) Regulations, as amended, or in accordance with any other law having effect as part of the laws of Belize whether now or hereinafter in force, in respect of mangrove protection.

S.I. 52/1989.  
86/1992.

13. (1) Where an owner of a lot fills his lot he becomes liable for any damage caused to the streets or public property which may result from the use of heavy duty equipment or any other action taken in carrying out the filling of the lot.

Responsibility  
of owner  
filling lot.

(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.

14. (1) A building plan for a proposed building within the West Landivar Zone, which is being submitted for approval, shall be accompanied by a plan for the septic tank and soak away.

Requirements  
for septic  
tanks, etc.

(2) The owner of a lot shall ensure that every septic tank and soak away is inspected and approved by the City Engineer, the City Planner, the Public Health Department or any other authorized officer, during its construction, setting, and after its completion and prior to the sealing of the tank.

(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 instead to discharge or overflow into a properly constructed soak-pit which shall be approved by the City Engineer.

15. No person shall demolish or pull down any building unless

Pulling down  
of buildings.

- (a) the owner receives a written approval of the Council or the Local Building Authority;
- (b) the owner notifies the Council or the Local Building Authority fourteen days prior to the intended date of demolition or pulling down;
- (c) all arrears of property fees with respect to the building have been paid up and a statement to this effect is issued by the Council.

Occupancy  
certificates.

16. No person shall enter into occupation of a new building or a newly refurbished building without a certificate of occupancy, issued by the Local Building Authority and in accordance with the provisions of the Belize Building Act, as amended.<sup>1</sup>

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

Use of water  
way.

17. No commercial vessel shall be moored or docked in any water way within the West Landivar Zone.

General  
cleanlines.

18. The owner of a lot shall ensure that his lot is maintained free of weeds and garbage.

Regulations of  
shorelines.

19. The Council shall work closely with the Residents and the Ministry of Natural Resources to ensure that all canals, waterways and the shoreline within the West Landivar Zone are protected from environmental and coastline damage.

Notice.

20. The City 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 any of the provisions of these By-laws within a minimum of 14 days or as may reasonably be prescribed by the City Engineer.

Penalty.

21. A person who contravenes any of these By-laws after notice has been issued under By-law 20 above, commits

an offence and is liable on summary conviction to a fine not exceeding five hundred dollars and thereafter a fine of one hundred dollars for every day that the offence continues.

22. A lawful non-confirming use of any lot, land, building or structure in the West Landivar Zone existing prior to the commencement of these By-laws shall be deemed not to be in contravention of these By-laws.

Non-confirming use.

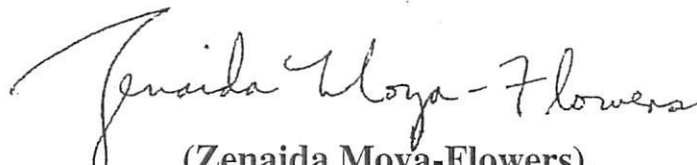
23. These By-laws shall not prejudice any other relevant and applicable laws as the case may be.

Application of other laws.

24. These By-laws shall come into force upon publication in the *Gazette*.

Commencement.

**MADE** by the Belize City Council this 7<sup>th</sup> day of January, 2010.

  
(Zenaida Moya-Flowers)  
MAYOR  
Belize City Council

**APPROVED** by the House of Representatives this 15<sup>th</sup> day of March, 2010.

  
(CLARITA PECH)  
Ag. Clerk to the National Assembly

**FIRST SCHEDULE****[By-law 2]****WEST LANDIVAR ZONE**

**ALL THAT** parcel of land approximately forty-two acres known as the West Landivar Area, situate West of Saint John's College, Belize City, Belize District, bounded on the north by the Caribbean Sea; on the south by Teachers Street; on the east by University Drive and on the west by the University of Belize, Belize Institute of Management and Blue Marlin Avenue. And includes all the parcels of land contained herein as delineated within the red markings as indicated on the map below

MAP

