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**CHAPTER 85**

120 of 2003.

**BELIZE CITY COUNCIL (BELLA VISTA ZONING) BY-LAWS***(Section 49)**[9th August, 2003.]***WHEREAS:**

- (1) 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) it is desirable that residential land use and residential building occupancy be controlled in the area of Bella Vista;
- (3) it is necessary to regulate all aspects of construction, development, land use and building occupancy, and to control public spaces in Bella Vista;

**NOW THEREFORE** it is hereby provided as follows:

Short title.

1. These Regulations may be cited as the

**BELIZE CITY COUNCIL (BELLA VISTA ZONING)  
BY-LAWS.**

Interpretation.

2. In these Bylaws, unless the context otherwise requires:

“authorised officer” means an officer appointed by name or by office by the Council to carry out the provisions of these Bylaws;

“Bella Vista” means the area situated at 3 ¼ miles on the Northern Highway and which is bounded on the north and east by the Caribbean Sea, to the west by a man-made canal, to the southeast by a man-made canal and to the south

by the Northern Highway and includes all the parcels of land contained therein as delineated in the First Schedule to these Bylaws;

First Schedule.

“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 a person appointed as such by the Council;

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

CAP. 85.

“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;

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

“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;

CAP. 65.

“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;

“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;

“permit” means a document issued under these Bylaws 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 building” means a building which is used or intended to be used, solely for residential purpose;

“residential zone” means an are a 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 further most projection of a structure and the street’s right of way line or the property line abutting the street;

“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;

“zone” means a certain specified, reserved area properly defined within Bella Vista 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 Bella Vista in the Belize District. Extent of application.

4. Unless otherwise approved by the Council, the development of Bella Vista and the development of individual lots in Bella Vista shall be classified 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;
- (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;

(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.

S.I. 54 of 1996.

6. The following shall apply to the commercial zone:

Requirements for Commercial Zone.

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

(i) 12 feet from street setback,

(ii) 12 feet from side setback,

(iii) 12 feet from 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.

7. No lot in Bella Vista shall be subdivided or combined without the prior written approval of the Council and the Ministry of Natural Resources.

Subdivision.

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|---|---|
| Servicing of private vehicles/ vessels. | 8. A resident of Bella Vista shall be allowed to give routine mechanical maintenance service to his personal vehicle or vessel in a zone but this shall exclude the changing of motor or transmission oil.  |
| Temporary buildings.                    | 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 adjoining lots or which will cause the lot to suffer a depreciation in the market value.                    |
| Encampment prohibited.                  | 10. No person shall be allowed to encamp upon any part of a lot.  |
| No mixing, etc., of material on street. | 11. No material shall be deposited or mixed on any part of a street except in accordance with a permit from the Council.  |
| Value of building erected.              | 12. No building erected in any zone shall be of a value of less than one hundred thousand dollars (BZ\$ 100,000.00).  |
| Livestock, pets.                        | 13. (1) No livestock shall be allowed in a commercial or residential zone.<br><br>(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.<br>Second Schedule. | 14. (1) Before any land is developed in Bella Vista, 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 Bylaws  |
| Third Schedule.                         | (2) Where permission is granted under paragraph (1) above, it shall be in the form of the Third Schedule to these Bylaws.<br><br>(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. |

(4) Any person who intends to commence construction of any structure in Bella Vista shall give notice to the Council in the form of the Fourth Schedule to these Bylaws and shall submit plans for same to the City Council Town Planner specifying the commencement date for such construction. Fourth Schedule.

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 fill. Responsibility of owner filling lot.

(2) The owner of a lot shall ensure the removal of fill material deposited on any street or highway as a direct result of the filling of his lot.

16. (1) All building plans shall be accompanied by a plan for the septic tank and soak away for same. Requirement for septic tanks.

(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 the 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-pit which 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.

Occupancy certificate.  
Fifth Schedule.

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

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

Use of canal, water way and mooring of boats.

19. The owners of personal boats shall be allowed to use the canal system for transit way and no commercial vessel or boat shall be stored or allowed to enter, moor or dock in the canal waterways at any time.

Hurricane safety.

20. No person shall allow his personal boat in the canal, water way or on land after the declaration of a Phase I Stage of an approaching hurricane.

Fill restrictions.

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

General cleanliness.

22. The owner of a lot shall ensure that his lot is maintained free of grass, weeds and litter in a timely manner and to the satisfaction of the Public Health Department or the Council.

Regulation of canal/water ways.

23. The Council shall regulate the use of all canals, water ways and shoreline bound by or included in Bella Vista to mitigate disasters and to ensure public health and safety.

Designation of new zones.

24. The Council may from time to time designate new zones or alter existing zones by:

(a) resolution of the Council after consultation with the

- (b) residents of Bella Vista; and  
publication in the *Gazette* and a national newspaper  
of the designation.

25. The City Council Engineer may in the first instance, issue a notice to any person who does not comply with any of these Bylaws requesting compliance with same within a specified time. Notice.
26. Any person who contravenes any of these Bylaws after notice has been given in bylaw 25 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 to both such fine and imprisonment. Penalty.
27. The owner, agent, or tenant of a lot or building shall comply with the provisions of these Bylaws within one month of its commencement date. Compliance period.
28. These Bylaws shall come into force upon signature. Commencement.

**MADE** by the Belize City Council, this 11th day of July, 2003.

**(DAVID FONSECA)**  
*Mayor*  
*Belize City Council*

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**SECOND SCHEDULE (BYLAW 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 \_\_\_\_\_

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**THIRD SCHEDULE (BYLAW 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 (BYLAW 14)**

**NOTICE OF INTENTION TO COMMENCE WORKS**

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

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

\_\_\_\_\_

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

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

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

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

Recommendation of City Engineer/Sr. Town Planner

Approved \_\_\_\_\_

Not approved \_\_\_\_\_

Official notations \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

Site clearance at intersection of street \_\_\_\_\_

\_\_\_\_\_

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

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**FIFTH SCHEDULE (BYLAW 18)**

**OCCUPANCY CERTIFICATE**

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

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

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

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

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

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

Date \_\_\_\_\_