

STATUTORY INSTRUMENT

NO. OF 2009

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Belize City Council King's Park Zoning Bylaws 2009

BELIZE:

STATUTORY INSTRUMENT

NO _____ OF 2009

BYLAWS 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 _____ December, 2009)

WHEREAS The Belize City Council is desirous of regulating and zoning areas for suburban development, and elevating the standard and quality of life of residents, as well as systemically zoning areas in Belize City;

AND WHEREAS it is desirable that residential land use and residential building occupancy be controlled and preserved within the King's Park Zoning Bylaws;

AND WHEREAS it is necessary to regulate all aspects of construction, development, land use and building occupancy, and to control public spaces within the King's Park Zoning Area;

NOW THEREFORE it is hereby provided as follows:

1. These Regulations may be cited as the:

BELIZE CITY COUNCIL KING'S PARK ZONING BYLAWS, 2009

Short Title

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

Interpretation

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

"building" includes any permanent tent in excess of 10ft at its highest point 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 shoreline or any road, whether public or private, including in case of any 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 electrical supply line and its supports which is or is to be vested in a public authority.

"building setback" means any unobstructed unoccupied areas of a lot as demarcated from the boundary line;

"City Council Engineer" means a registered engineer appointed as such by the Council;

"City Planner" means an officer appointed as such by the Council;

"CBA" means Central Building Authority which includes the Local Building Authority

"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 which is licensed as such by the Port Authority;

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

“develop” means any planning or construction work involving construction, or any building or structural improvements to building or any works involving the use of land for the erection of any building or operation of any business or trade;

“fill” means the placement of material including but not limited to soil or rock to replace existing material or to create an elevated embankment;

“King’s Park Zoning Area” means any area or property that falls within the demarcation line defined by the King’s Park Zoning Bylaws Map – **First Schedule**; North bound by the Caribbean Sea to its East boundary of Baymen Avenue and all properties fronting Baymen Avenue, to the South boundaries of 7th, 15th, 11th and 19th Streets, to its West boundary of St. Thomas Street and St Matthew Street back to the Caribbean Sea.

First Schedule

“livestock” includes cattle, donkeys, mules horses, goat, sheep, geese and chicken;

“lot” means any parcel of land described by a number or a letter or otherwise duly registered or recorded under the Registered Land Act or the Law of Property Act whether updated or not; **CAP 190 / CAP 194**

“owner” includes an occupier or the person for the time being receiving the rent of the land or building in connection with which the work 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 Bylaws granting absolute or conditional permission for carrying out any development;

“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 use” means an use 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 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;

- | | |
|--|---|
| <p>3. These Bylaws shall apply to the King's Park Zoning Area as contained in the First Schedule.</p> | <p>Extent of Application</p> |
| <p>4. Unless otherwise approved in writing by the Council, the development of the King's Park Zoning Area and the development of individual lots or public spaces in the King's Park Zoning Area shall be classified as residential use.</p> | <p>Allowable Uses</p> |
| <p>5. The following shall apply to the King's Park Zoning Area:</p> <ul style="list-style-type: none"> (a) no building other than a residential building shall be constructed within this King's Park Zoning Area; (b) the area of construction shall not exceed seventy 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 set back in respect of any lot shall not be less than: <ul style="list-style-type: none"> (i) 4 feet from street setback, (ii) 4 feet from side setback, (iii) 4 feet from rear setback (iv) 8 feet from high tension lines (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 (if no connection is made with the public sewage disposal system under all regulations of Bylaw 15) shall be approved by the Public Health Department or by the Council and shall be at least ten feet or more from any property line; (g) Residential parking of a minimum of two cars shall be provided within each residential lot and all other parking shall be in accordance with the National Belize Subdivision Guidelines (h) 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. S.I.54/96 | <p>Requirement for residential use (Second Schedule)</p> |
| <p>6. The following shall apply to the King's Park Zoning Area:</p> <ul style="list-style-type: none"> (a) Existing commercial or professional business property owners shall ensure that garbage storage, collection and disposal shall be conducted in a sanitary manner and to the approval of the Council and the Public Health Department and in accordance with the Council's Regulations. (b) No sea front lot shall be used for convenience establishments or for general commercial activity; (c) No commercial or private marinas shall be permitted on sea front lots within this Area; Private docks must be in accordance with all existing permits and guidelines for private docking with no more than two boats at dock at any time; (d) No commercial use of gasoline or other flammable liquid material or pump shall be allowed within this King's Park Zoning Area; (e) No bar, club, disco or other similar related activity shall be allowed within the King's Park Zoning Area; (f) No professional services, retail services, commercial services or manufacturing activity shall be allowed within the King's Park Zoning Area; (g) No business or trade can operate on public property within the King's Park Zoning Area; (h) No hotels, guesthouses, restaurant businesses and gambling houses shall be allowed within the King's Park Zoning Area; (i) Mobile vendors and peddlers of a non-permanent nature are allowed within the King's Park Zoning Area; (j) Should an existing business or current trade occurring on any existing property in the area be closed, removed or terminated for any reason after these bylaws take effect, the existing lot shall revert back to residential use. | <p>Existing Commercial Use</p> |

<p>7. No lot in the King's Park Zoning Area shall be subdivided or combined with other lots without the prior written approval of the Ministry of Natural Resources and these provisions shall run with the land and bind all successors in title.</p>	<p>Requirements for subdivision or transfer</p>
<p>8. A resident of the King's Park Zoning Area shall be allowed to do routine maintenance to his personal vehicle or vessel but shall ensure proper disposal of used oils and other waste produced as a result of vehicle maintenance. Disposal of used oils and waste in public drains is an offence.</p>	<p>Servicing of private motor vehicles</p>
<p>9. No person shall enter into occupation of a new building or newly refurbished building without a certificate of occupancy signed by the Central Building Authority.</p>	<p>Building occupancy and activities</p>
<p>The Central Building Authority shall issue a certificate of occupancy to the owner of a building which meets the requirements of the provisions of the Belize Building Act, 2003.</p>	
<p>No activity, whether temporary or not, shall be undertaken or used on any part of a lot which, in the opinion of a minimum of 51% of the residents within a 400 ft radius of the located activity, is of an ongoing nuisance, or presents a disturbance to the owners of adjoining lots or which is or which will cause the lot to suffer a depreciation in its market value; including abandoned, dangerous or neglected.</p>	
<p>10. No person shall be allowed to encamp upon any part of a lot in the King's Park Zoning Area without owner's written approval.</p>	<p>Encampment Prohibited</p>
<p>11. No material shall be deposited or mixed on any part of a street except in accordance with a permit from the Council.</p>	<p>No mixing, etc. of material on street</p>
<p>12. (1) No livestock as defined above shall be allowed in the King's Park Zoning Area.</p> <p>(2) All domesticated pets shall be kept in safe custody at all times and shall not be allowed to roam in public places.</p>	<p>Livestock, pets</p>
<p>13. All Property Taxes must be regularly paid by the occupier or owner of any property within the King's Park Zoning Area.</p>	<p>Property Taxes</p>
<p>14. (1) Where an owner of a lot fills, performs any construction or any development at his lot, he shall be liable for any damage caused to the streets, drains or public property which may result from the use of heavy duty equipment in carrying out such filling.</p> <p>(2) The owner of a lot shall ensure that all spills and debris are removed from street without undue delay, if such spills and debris are caused by his filling activity.</p>	<p>Responsibility of owner filling lot</p>
<p>15. (1) All buildings shall be connected to the city sewer for waste disposal. Septic tank and soak away use will not be permitted within the King's Park Zoning Area unless local sewer connection cannot be made with written reason from the local water and sewage authority or the utility company providing this service.</p> <p>(2) The owner of a lot shall ensure that every septic tank and soak away is inspected and approved by the City Council Engineer, the City Planner, the Public Health Department and any other authorized officer during its construction, setting, and after its completion and prior to its sealing.</p> <p>(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 or leach field which shall be approved by the Public Health Department.</p>	<p>Requirements for Sewage</p>
<p>16. No commercial vessel shall be moored or docked in any water way or shoreline within the King's Park Zoning Area.</p>	<p>Use of water way</p>

- 17.** The owner of a lot shall ensure that his lot is maintained with a cut lawn, no weeds or garbage. No garbage shall be allowed to remain in front of or adjacent to any boundary line over a 24 hour period. Any empty lots must be maintained by owner by cutting the lawn and removing excess foliage, weeds and debris on a monthly basis. Penalties for non-compliance are as stated in Bylaw 23. **General Cleanliness**
- 18.** The council shall work closely with the Committee and the Ministry of Natural Resources to ensure that all shoreline within the King's Park Zoning Area are protected from environmental and coastline damage. **Regulation of shoreline**
- 19.** Any new wires, conductors, cables and unguarded rigid live parts adjacent but not attached to buildings shall comply with the requirements of the Public Utilities Commission. **Requirements for Electrical Code**
- 20.** Parking in front of vehicular gates of a property without consent of the property owner is an offence. **Parking in front of private gates without consent**
- 21.** The establishment of driveways and walkways into a lot must be approved in writing by the Central Building Authority before construction commences. **Approval of Driveways and Walkways**
- 22.** The City Council Engineer and / or the City Planner may immediately issue a notice to any person who does not comply with any of these Bylaws requesting compliance with the same within seven days. **Notice**
- 23.** Any person who contravenes any of these Bylaws after notice has been issued under Bylaw 20 above, commits an offence and shall on summary conviction be liable to a fine of not less than 1% and not more than 5% of the estimated construction value, and in the case of a continuing offence to a further fine not exceeding one hundred dollars for every day during which the offence is continued after a date set by the Court for the contravention to be corrected and to an additional term of imprisonment not exceeding three months. Penalty Fees in accordance with the Belize Building Act 2003, Part III, Section 21. In the case such offense is not of construction, as of Bylaw 17 or other of similar nature, the minimum initial fine shall be no less than one hundred dollars and no greater than one thousand dollars, with continuing offence fines as noted here within. **Penalty**
- 24.** Any lawful non-conforming use of any lot, land, building or structures in the King's Park Zoning Area existing and completed prior to the commencement of these Bylaws shall be deemed not to be in contravention of these Bylaws. Any business operating under a current and legally owned trade license before these Bylaws come into effects shall be deemed not to be in contravention of these Bylaws. Provided that all land use projects, activities, buildings or other structures under current construction shall comply within sixty days of the coming into force of these Bylaws. **Non-Conforming Use**
- 25.** These Bylaws shall not prejudice any other relevant and applicable laws or by laws.
- 26.** These Bylaws shall come into force on _____ and upon publication in the **Gazette**.

MADE by the Belize City Council this _____, 2009

 Zenaida Moya
 Mayor
 Belize City Council

APPROVED by the House of Representatives this _____ day of _____ 2009.

(HERBERT PANTON, LLB)
 Clerk
 National Assembly

FIRST SCHEDULE
Residential District Zone Map
Boundary of The King's Park Zoning Area Map



SECOND SCHEDULE

First Page



Central Building Authority
3 rd Fl. Coastal Zone Management Bldg
Princess Margaret's Drive, Belize City
Ph: 223-2616, Fax: 223-5738
centralbuildingauthority@yahoo.com



APPLICATION FOR REVIEW

I / We hereby apply for permission to *erect / alter / add / change* the use of a *building / pool / property* in accordance with the following information and as shown on the accompanying drawings. (Cross out the works in italics that do not apply).

1. Legal description (street address or similar description that will readily identify, and definitively locate the proposed building or work):
.....
.....
.....
2. Legal owner of property:
.....
3. Registered address of owner:
.....
4. Size of lot:
5. Number of existing building(s) on lot:
6. Size of existing building(s) on lot:
7. Zoning:
 - i. Building use:
 - ii. Number of individual/separate buildings:
 - iii. Number of individual/separate units within each building:
.....
 - iv. Total estimated number of occupants:
 - a) Residents:
 - b) Staff:
 - c) Patrons:
 - d) Visitors:
 - v. Primary use of neighboring buildings/lots:
 - vi. Total percentage of property (lot) covered:

SECOND SCHEDULE
Second Page



- vii. The following number of parking spaces are provided within property boundaries (To Be Indicated On Drawings Also):
 - a) Residents:
 - b) Staff:
 - c) Patrons:
 - d) Visitors:
- viii. Setbacks:
 - a) Front:
 - b) Side:
 - c) Side:
 - d) Back:
 - e) Public access / waterfront:
 - f) Road easement:
- 8. Building description:
 - i. Dimensions of building(s):
 - ii. Number of floors:
 - iii. Maximum height of building(s):
- 9. Building construction type:
 - i. Foundation:
 - ii. Structural framework:
 - iii. Exterior walls & openings:
 - iv. Floors:
 - v. Stairways:
 - vi. Roofs:
- 10. Proposed use of the building:
 - i. Foundation or below grade level:
 - ii. Ground floor:
 - iii. First floor:
 - iv. Second floor:
 - v. Additional floors:
 - vi. Roof:



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11. Valuation of any new building or structure or any addition, remodeling or alteration to an existing building:

12. Change in the use of land and/or existing buildings (complete only where there is a proposed change of use other than new construction).
 - i. Current use of Land:
 - ii. Proposed use of Land:
 - iii. Current use of Building:
 - iv. Proposed use of building:
13. The sanitary fittings will consist of the following number of:
 - i. Wash Hand Basins.....
 - ii. Showers.....
 - iii. Bathtubs.....
 - iv. Water Closets (Toilet Bowls)
 - v. Urinals:
 - vi. Bidets:
 - vii. Kitchen sinks:
 - viii. Pools:
 - ix. Hot tubs or spas:
 - x. Sauna:
 - xi. Utility Sinks
 - xii. (Other)
14. The water supply will be by:
15. The daily water consumption is estimated to be: Gals
16. The sewage will be disposed by:
17. Method of storm & waste water discharge:
18. Method of solid waste storage & disposal:
19. The Electrical Load Demand is Estimated To Be.....kVA
20. Electricity supply will be provided by:
21. Back-up electricity supply will be provided by:



22. The Air Conditioning Load Demand Is Estimated to be Tons
23. The building *will / will not* be fitted with the following type and quantity of air conditioning fixtures.
 - i. Central air conditioning:
 - ii. Split units:
 - iii. Window units:
24. Requirements for signature of Technicians, Architects and/or Engineers:

(In Accordance with 24 i to 24 iii, The Professional(s) of Record MUST be indicated in 24 iv to 24 ix, As Applicable)

 - i. Buildings less than one thousand (1,000) sq.ft and not more than one (1) storey do not need the signature of an architect or engineer.
 EXCEPTION: Depending on the complexity and use of the building, the CBA reserves the right to require that plans and specifications for certain building less than one thousand (1,000) sq.ft. be prepared, designed, stamped and signed by an architect who is a corporate member of the Association of Professional Architects of Belize (APAB), and / or a civil or structural engineer who is a corporate member of the Association of Professional Engineers of Belize (APEB).
 - ii. For buildings between one thousand (1,000) sq.ft. – three thousand (3,000) sq.ft and up to two (2) storeys; the CBA requires that plans and specifications should be prepared, designed, stamped and signed by either an architect who is a corporate member of the Association of Professional Architects of Belize (APAB), or a civil or structural engineer who is a corporate member of the Association of Professional Engineers of Belize (APEB).
 - iii. For buildings over three thousand (3,000) sq.ft and more than two (2) storeys, the CBA requires that plans and specifications should be prepared, designed, stamped and signed by both an architect who is a corporate member of the Association of Professional Architects of Belize (APAB), and a civil or structural engineer who is a corporate member of the Association of Professional Engineers of Belize (APEB)



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- iv. The Technician of Record is
 - v. Address of Tech.Of Record
 - vi. The architect of record is:
 - vii. Address of the architect of record:
 - viii. The Engineer of record is:
 - ix. Address of the engineer of record:
25. The following drawings must be included in the submission:
- i. A site plan to scale showing the plot boundaries in relation to adjoining roads, alleys and footpaths, the position and nature (HV/LV) of all power supply lines, the location and size of all water supply and waste disposal lines, the position of any proposed building or buildings and parking area on the same lot.
 - ii. A floor plan to scale for each floor of the building(s) including basement or foundation, mezzanines, and roof.
 - iii. Scaled elevations for each face of the building(s) showing relative heights.
 - iv. Scaled cross sections (2 minimum) through the building(s) including foundation. Cross sections should indicate building materials and relative heights throughout the building including roof.
 - v. Electrical (PUC Approved) and plumbing schematic drawings and basic specifications including septic tank, soak-a-way, etc.
 - vi. Structural engineering drawings and basic specifications of building(s) and water retaining structures where applicable.



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I accept responsibility for applying to the Director of Building Control of the CBA for the following inspections/permits:

Permits/Inspection	Building less than 1,000 sq.ft. and not more than 1 storey.	Buildings 1,000 - 3,000 sq.ft. and up to 2 storeys.	Building over 3,0000 sq.ft. and over 2 storeys.
1. Notice of intention to commence building works;	X	X	X
2. Inspection a: Setting out;	X	X	X
3. Inspection b: Foundation, excavation and foundation placing;			X
4. Inspection c: Floor slab(s);			X
5. Inspection d: Plumbing & electrical rough-in;	X	X	X
6. Inspection e: Walls, columns & beams;			X
7. Inspection f: Roof structure;			X
8. Fire safety inspection;			X
9. Public health inspection;			X
10. Application for permit to occupy and use a building.	X	X	X



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I certify that this application has the consent of the owner of the property:

Name of permittee or his authorized agent:

.....

Address of permittee or his authorized agent:

.....

Phone number:

Fax number:

Cellular number:

Email address:

Signature of permittee or his authorized agent:

Date:

Notes:

1. Application fees are charged by area (square feet) as per fee schedule.
2. Plans, diagrams and other data shall be submitted in four (4) complete sets with each application for a permit. If the CBA has no objections;
 - (1) One set will be retained by the CBA;
 - (2) one set will be returned to the owner;
 - (3) One set will be returned to the architect/engineer; and
 - (4) One set is to be kept at all times at the construction site.
3. Architects and/or Engineers are required to stamp AND sign each page of the documents submitted.
4. Technicians are required to CLEARLY write their names, AND sign each page of the documents submitted.