BELIZE BUILDING ACT
CHAPTER 131

REVISED EDITION 2003
SHOWING THE SUBSTANTIVE LAWS AS AT 31ST MAY, 2003

This is a revised edition of the Substantive 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.

This edition contains a consolidation of the following laws:

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BELIZE

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BELIZE BUILDING

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CHAPTER 131

BELIZE BUILDING

PART I

Preliminary and Interpretation

1. This Act may be cited as the Belize Building Act.

2. (1) For the purposes of this Act, unless the context otherwise requires, the following expressions shall have the meaning hereby assigned to them -

“addition” means an extension to the structure of a building;

“architect” means a person registered under the Professional Architects (Registration) Act;

“Authority” means the organisation established under section 4 with responsibility for the administration of the Act;

“builder” means a person engaged as a contractor or otherwise in the erection, construction, alteration, improvement, maintenance or repair of buildings or works incidental to any of the foregoing;

“building” means any structure or erection of whatever kind or nature whatsoever, whether temporary or permanent, and every part thereof, including any fixture thereto, not being a structure or erection consisting of, or ancillary to:

(a) any road, whether public or private, including in the case of a public road (but not in the case of a private
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 aerodrome runway;

(d) any railway line;

(e) any telegraph line and its supports;

(f) any electricity supply line and its supports which is or is to be vested in a public authority;

(g) any reservoir which is or is to be vested in a public authority;

“Building Inspector” means an engineering or architectural technician appointed under section 11 to assist the Director of Building Control in the performance of his duties;

“Court” means the Magistrates Court;

“dangerous building” means a building rendered unfit for human or other habitation or which constitutes a danger to public safety by reason of the building, or anything attached to the building, being in such a state as to cause risk or injury either to the occupier or owner of such building or to any neighbouring building or to the public;

“Director” means the Director of Building Control appointed under section 9 and charged with the administration of the affairs of the Authority;
“engineer” means a person registered under the Professional Engineers (Registration) Act;

“fence” means an enclosure or wall, not exceeding six feet, that surrounds a plot of land;

“existing building” means a building erected or in the course of erection at the time when the building regulations comes into force in the area in which the building stands, or a building the plans of which have been approved by the Local Building Authority at that time;

“habitable room” means a room used or intended to be used for living, eating or sleeping, and “habitation” shall be construed accordingly;

“hazardous materials” means any material scheduled by the Authority as a hazardous material and includes all substances for the storage or use of which special legislation exists such as explosives, petroleum and other highly flammable liquids;

“hazardous process” means any process scheduled by the Authority as being a hazardous process and includes processes involving hazardous materials;

“house” includes any part of a building, being a part which is occupied or intended to be occupied as a separate dwelling, and in particular includes a flat;

“local authority” means -

(a) in respect of Belize City, the Belize City Council constituted under the Belize City Council Act;

(b) in respect of the City of Belmopan, the Belmopan City Council constituted under the Belmopan City Council Act;
in respect of any other town, the Town Council of that town as constituted under the Town Councils Act;

“Local Building Authority” means the Building Authority reporting to the local authorities and charged with the responsibility of approving building developments and issuing building and occupancy permits on behalf of the Authority;

“Minister” means the Minister responsible for Housing;

“new building” means a building other than an existing building;

“occupier” of a building means the person in temporary or subordinate possession of the building in respect of which the word is used or of any part of such building;

“operations” includes operations carried out in relation to the enclosure and preparation of the site of a building;

“owner” of a building includes the person for the time being receiving the rent of the building in connection with which the word is used, whether on his own account or as agent or trustee for any other person or persons, or who would receive the same if such building were let to a tenant;

“person” includes a corporation or incorporated body;

“plot” means all that piece of land which belongs or will belong exclusively to the building;

“public building” means a building that is occupied by, or accessible to, the general public;

“street” includes any public road, bridge, lane, alley or footway and any drain
in connection therewith, and any land reserved for a future public road or footway and any drain in connection therewith.

“structure” includes any building, or any part thereof, and any wall or fence or any other structure whatever, and everything fixed to or projecting from any building or any wall or fence or other structure.

(2) Any reference in this Act to a building shall unless the context otherwise requires be construed to include a reference to a prospective building; and in relation to the extension, alteration or change in use of a building, the expression “building” in this Act shall, unless the context otherwise requires, be construed as a reference only to so much of the building as is comprised in the extension or in the subject of the alteration or change in use, as the case may be.

3. (1) The provisions of this Act shall apply to the construction of any building in Belize.

(2) Any addition to, rebuilding or substantial refurbishing of the structure of a building must comply with the provisions of this Act, even if the building was erected before the Act became operative.

(3) Where additions are made to an existing building that would not comply with the provisions of this Act, the owner or applicant must state what steps are to be taken to improve compliance, or the Building Inspector for the district may impose conditions to ensure that the additions comply with the provisions of this Act.

PART II

Administration

4. (1) Subject to the provisions of this Act, the Central Building Authority is hereby established to administer this Act.
The Authority shall consist of the following nine members -

(a) a representative of the Ministry responsible for Housing;

(b) a representative of the Ministry responsible for Works;

(c) a representative of the Ministry responsible for the Environment;

(d) a representative of the Ministry responsible for public health;

(e) a representative of the National Fire Service;

(f) a representative of the Public Utilities Commission;

(g) a representative of the Ministry responsible for Lands and Surveys;

(h) two representatives of the private sector.

The Minister shall appoint, by notice published in the Gazette, a Chairman and a Vice Chairman of the Authority from among the members of the Authority, and the Chairman and Vice Chairman shall hold office for a term of two years.

A member of the Authority referred to in subsection (2)(h) shall be appointed by the Minister, by notice published in the Gazette, for a term of two years and may be reappointed as a member upon expiration of the term of his appointment.

A member of the Authority referred to in subsection (2)(h)
may resign his office upon giving written notice to the Minister; the Minister may revoke the appointment of such member of the Authority upon giving written notice to that member.

(6) The Chairman shall have an original and casting vote on any matter or question before the Authority.

(7) The Authority shall be entitled to the same protection under the Public Authorities Protection Act as if it were included in the definition of “Public Authority” given in section 2 of that Act, and the place at which the Authority shall hold its meetings shall be deemed to be the “abode” of the Authority within the meaning of that Act.

5. (1) A meeting of the Authority shall be convened by the Chairman, or in his absence from Belize or his inability for any reason to act, by the Vice Chairman:

Provided that the Chairman (or Vice Chairman as the case may be) shall convene a meeting at any time upon being requested in writing so to do by not less than four members:

Provided further that the Minister may direct the Secretary that a meeting shall be convened and the Secretary, within fourteen days of such direction, shall convene a meeting accordingly.

(2) Five members shall constitute a quorum of the Authority.

(3) If at any meeting both the Chairman and the Vice Chairman are absent for any reason, the members present shall elect one of their number to preside at the meeting.

(4) The Director shall be entitled to attend at any meeting and to advise the members on the performance of any of their functions under this Act, but shall not be entitled to vote on any matter before the meeting.
6. (1) The Minister shall appoint a person to be Secretary to the Authority.

(2) The Secretary, or in his absence any officer instructed for the purpose by the Director, shall attend all meetings of the Authority, but may not vote on any matter or question before the Authority, and shall be responsible for preparing and maintaining all records and minutes of the proceedings of the Authority and of applications made to the Authority.

(3) The Secretary shall perform such duties as are or may be conferred upon him by this Act and such other duties as may be required by the Director.

7. The Authority shall meet at such times and places in Belize, as it shall nominate and the Minister shall approve.

8. (1) Any member of the Authority who has personal interest in any matter which comes before the authority for discussion at any meeting of the Authority, during any time when he is present at that meeting, shall forthwith declare that interest and shall withdraw from the meeting and remain absent whilst the matter is under discussion.

(2) The Secretary shall maintain a book or register in such form as is approved by the Minister acting in his discretion in which he shall record particulars of any declaration of interest pursuant to subsection (1) and that register shall be open to inspection by the public.

(3) Any member of the Authority who-

(a) knowingly fails to declare any interest he is obliged by subsection (1) to declare;

(b) having declared such interest in accordance with subsection (1) fails to withdraw from the meeting;
or

(c) having withdrawn from the meeting in accordance with subsection (1), returns to that meeting during a time he is required by subsection (1) to absent himself from the meeting,

commits an offence and shall be liable on conviction to a fine of ten thousand dollars and to imprisonment for a term not exceeding two years.

9. (1) The members of the Authority shall appoint a professional engineer or architect to be the Director of Building Control, to exercise and perform the powers and duties specified in subsection (4).

(2) Subject to the provisions of this Act, the Director shall be responsible to the Authority for the administration and operation of this Act.

(3) The Director shall sign and issue all building permits, refusals of building permits, enforcement notices and other documents authorized by the Authority to be issued under the provisions of this Act.

(4) The Director shall have such powers as are conferred upon him by this Act and such duties as he is required by this Act or by the direction of the Authority to perform.

10. (1) Any functions assigned to the Director by or under the provisions of this Act, other than those mentioned in subsection (3) of section 9, may be exercised by any building officer authorised, either generally or specially, in that behalf by the Director.

(2) Any person exercising any function assigned to a building officer by or under the provisions of this Act shall be deemed, for the purpose of the exercise of such function, to be the proper officer for the exercise of such function, if authorized for the purpose by the Director, and shall be deemed to have the
powers of a building officer for the purpose of that function.

11. (1) The Authority may appoint Building Inspectors to review plans and other documentation submitted in support of an application for a building permit, and inspect construction to determine compliance with the terms of the building permit.

(2) At least one Building Inspector will be appointed for each local authority in Belize; these Building Inspectors will report to their respective local authorities which will act as Local Building Authorities.

12. No civil proceedings in any court shall lie against the Minister, any member of the Authority, the Director or any other public officer in their respective private capacities for or in respect of any act or matter done, or omitted to be done, in good faith, in the exercise or purported exercise of any function under, or power conferred by, this Act.

PART III

Building Control

Building Permits

13. (1) Any person who proposes to construct or demolish a building as defined in section 2 shall send or cause to be sent to the Authority an application for a permit to build or demolish.

(2) Every application for a permit to build shall be made in writing and shall be accompanied by such drawings, descriptions, calculations and specifications as the Authority or the Director may require. All such drawings, descriptions, calculations and specifications shall be prepared and signed by an architect or engineer.
14. (1) Where plans of any proposed work are, in accordance with building regulations deposited with the Director, the Director shall approve the plans, unless-

(a) they are defective;

(b) they contravene any provision of the building regulations; or

(c) there is a failure to comply with the provisions of this Part,

in which case, he shall refer those plans to the Authority together with his advice thereon.

(2) On receipt of any plans on a referral by the Director under subsection (1), the Authority may reject those plans, or pass them subject to either or both of the conditions set out in subsection (3).

(3) The conditions mentioned in subsection (2) are-

(a) that such modifications as the Authority may specify shall be made in the deposited plans; or

(b) that such further plans as they may specify shall be deposited,

in order to bring the plans into conformity with the building regulations.

(4) A person by whom, or on whose behalf, plans have been deposited shall, within sixty days or such extended time as may at any time be
agreed by him, be notified by the Director whether those plans are passed or rejected.

(5) A notice of rejection of plans shall state the defects on account of which, or the building regulation or section of this Act for non-conformity with which, or under the authority of which, the plans have been rejected.

(6) A notice that plans have been passed shall-

(a) if the plans have been passed by the Authority in exercise of any power to relax or dispense with any requirement of the building regulations, or this Part, state the requirements of the building regulations or this Part relaxed or dispensed with;

(b) in any case state that the notice of approval operates as an approval thereof only for the purposes of the requirements of the building regulations and this Part, and does not constitute development permission.

(7) Any question arising between the Authority or the Director and the person by whom or on whose behalf plans are deposited as to whether-

(a) the plans are defective; or

(b) the work would contravene the building regulations or this Part,

may on application of that person be determined by the Court, but no such application may be made unless it is made before the proposed work has been substantially commenced; if the question arising under this subsection is a failure on the part of the Director or the Authority or the Building Inspector, to decide whether the plans deposited are defective, the Court may make an order requiring the Authority to pass or reject the plans within a time to be
15. (1) If on the advice of the Director, or of the Building Inspector for the local authority, and on application by a developer, the Authority deems it expedient to dispense with the observation of any condition of the Act, or the building regulations, in relation to a particular application, the Authority shall advertise the full details of the application in a local newspaper for one week, including the conditions that the applicant would wish to be waived and indicating the intent of the Authority to agree to the waiver of the conditions for the supportive reasons; the Authority shall also be notified if the decision is being taken by a local authority.

(2) If no objection is made to the request for a waiver of the specific conditions, then the application shall be reviewed at the following meeting of the Authority.

(3) Should objections be made, then the matter shall be reviewed at the following meeting of the Authority.

(4) Compliance with the provisions of this Act shall not prevent the applicant or builder from compliance with any other Act which refers to the construction or use of special classes of buildings or to the storage or use of hazardous materials.

16. (1) If so required by the Director by written notice, an applicant for development permission shall-

(a) furnish the Director, within such reasonable time as may be prescribed by notice, with such further information relevant to the application as may be specified in the notice;

(b) at his own expense, cause an environmental impact assessment or economic feasibility study to be made
of the proposed development by a suitably experienced person approved by the Department of the Environment;

(c) permit the Authority, to enter upon and inspect the land to which the application relates:

Provided that if the applicant, at the time of the application does not have an interest in the land to which the application relates as would enable him to permit the Authority to enter upon the land, he shall use his best endeavours to obtain the development permission.

(2) The Authority may defer a decision on an application for development permission until it is satisfied on the matters in respect of which further information is or has been required under the provisions of this section.

17. (1) The Director shall consult with any public officer or other person who appears to him to be likely to provide information relevant to an application for building permission to enable the Director to advise the Minister or the Authority, as appropriate, with regard to the application.

(2) Any public officer or other person such as is mentioned in subsection (1), or his representative, may be invited by the Authority to attend and speak at any meeting called to consider the relevant application.

18. (1) A permit shall be granted in the case of a permit for the construction of a building, if, the Director is satisfied that the operations involved will be conducted in accordance with the building regulations, and that nothing in any plan, specification or other information submitted with the application shows that the building when constructed will fail to conform to the building regulations.

(2) In the event of the Director refusing a permit, the Director shall list the regulations which would be contravened by the proposed building.
(3) The Authority shall consider the application and reasons given for refusal and approve or reject the application for a building permit.

(4) In the case of a permit for demolition, a permit shall be granted, if the Authority is satisfied that the operations involved will be conducted in accordance with due diligence and in accordance with the building regulations.

(5) Approval of drawings conveys no title to land or waiver to any term in a lease or licence.

19. A fee shall be paid for each application for a building permit to the Authority, the appropriate fee to be paid shall be determined by the Authority and approved by the Minister, by regulations made from time to time and published in the Gazette.

20. If any person carries out any work without a permit or in contravention of any other provision of this Act and receives notice in writing from the Director requiring him to pull down such work or to alter or amend it so as to bring it into conformity with the provisions of this Act, he shall within such period as is specified in the notice comply with the requirements thereof; should he fail to comply with the requirements of the notice within the specified period, the Authority may execute the operations which the person has failed to execute and all expenses so incurred by the Authority shall be a debt due to the Authority by the owner of the building.

21. Any person who contravenes any of the provisions of this Act, other than those relating to the conduct of building operations, 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.

22. Any person aggrieved, by reason of delay, maladministration or by any decision made under this Act, may within fourteen days after the receipt of the decision, appeal-

(a) against the Director’s decision on any matter to the Authority;

(b) against a decision of the Authority to the Court.

23. (1) If any work to which the building regulations are applicable, contravenes any provision of those regulations or of this Part, the Authority without prejudice to any prosecution under this Part may by notice require the owner either to pull down or remove the work or, if he so elects, to effect such alteration therein as may be necessary to make it comply with the building regulations or this Part.

(2) If, in a case where the Authority is by any provision of this Part expressly required or authorized to reject plans, any work to which the regulations are applicable is executed either without plans having been deposited, or notwithstanding the rejection of the plans, or otherwise than in accordance with any requirement subject to which the plans were passed, the Authority, or the Director with the consent of the Authority, may by notice to the owner require him to pull down or remove the work, or, if he so elects, to comply with any other requirements specified in the notice, including requirements which might have been made as a condition of passing plans.

(3) If a person to whom a notice has been given under the foregoing provisions of this section fails to comply with the notice before the expiration of twenty-eight days, or such longer period as the Court may on his application allow, the Authority or any department or officer of the Government or any
contractor engaged by any of them may pull down the work, or effect such alterations therein, and the Authority may recover from him the expenses reasonably incurred in so doing.

(4) No notice under subsection (1) or (2) of this section shall be given after the expiration of six years from the date of the completion of the work, and, in any case where plans were deposited, no such notice shall be served on the ground that the work contravenes the building regulations or does not comply with any provision of this Part, if either the plans were passed or notice of their rejection was not given within sixty days of their deposit or such greater period as may be agreed and the work has been executed in accordance with those plans and in accordance with any requirement made as a condition of passing the plans.

(5) Nothing in this section shall affect the right of the Authority or of the Attorney General or any other person to apply for an injunction for the removal or alteration of any work on the grounds that it contravenes the building regulations or any provision of this Part.

24. Where plans of any proposed work have been deposited in accordance with the building regulations or this Part, and either the plans have been passed or notice of rejection of them has not been given in accordance with this Part, and the work to which the plans relate has not been completed within five years of the deposit of those plans, the deposit of the plans shall be of no effect.

25. (1) Within seven days after any person has completed the construction of any building he shall send or cause to be sent to the Director, notice in writing stating the date of completion of the operations and applying for permission to occupy and use the building.

(2) No person, other than a maximum of two watchmen, shall occupy a new, altered or rebuilt building or use any work in connection therewith unless and until the Director, after inspection of the building and the work in connection therewith, has certified the building and the work in connection
therewith, be in conformity with the provisions of this Act and the building to be fit for occupation; such inspection and the issue of a permit to occupy and use a building or work, or of instructions to amend the building, shall be issued within two weeks of the receipt of the application.

Other Control Matters

26. (1) A moveable dwelling shall include any tent, any van or other conveyance whether on wheels or not and any shed or similar structure, which is used only temporarily or intermittently for human habitation; or to any building or part of a building which is erected for experiment upon or research into the behaviour of any material, method of construction or design technique, provided that such experiment or research has been approved in writing by the Director or by the Head of one of the organisations involved in the research activity.

(2) No moveable building shall be erected without the approval of the Authority; the Authority shall determine the conditions which shall apply to the construction or installation of moveable buildings and such buildings shall be considered to be temporary and the Authority shall on application of the owner, consider and decide on the period during which the building shall be used and the conditions of its use.

27. (1) Where a building is divided into parts which are occupied by different persons, the separating walls and floors between the parts shall conform with the provisions of this Act or the building regulations.

(2) Where a building or a part of a building occupied by one person is divided into compartments, each compartment shall conform with the provisions of this Act or the building regulations relating to the class to which it belongs.

28. (1) If the use of a building is changed so that the building enters into a different class, the whole building shall be made to comply with the
provisions of this Act or the building regulations for the new class. A written notice shall be forwarded by the owner of the building to the local authority.

(2) If a building is divided to form two or more occupancies each of which is or is intended to be of the same use as the whole building was before the division, then each occupancy so formed and the separation between them shall comply with the provisions of this Act or the building regulations as if the whole building was being newly erected.

29. Every person who erects or owns a public building shall cause it to be examined at least once every four years by a civil engineer or architect, for the purpose of ascertaining whether it is safe for the purpose for which it was erected, and he shall deposit with the Authority a report of that competent engineer upon the condition of the building at least once every four years from the time when it was first used as a public building.

30. The Director and any other person authorised in writing by him on behalf of the Authority, may at all reasonable times after the completion of any public building, and at all times during which any building is used as a public building, enter and inspect it for the purpose of ascertaining whether such building is in conformity with the provisions of this Act or any regulations made by the Authority with regard to public buildings.

31. (1) No person shall use any public building or let or allow it to be used as such unless and until the Authority, by notice in writing addressed to the owner thereof, has declared its approval of the construction thereof, and of its suitability for the purpose for which it is proposed to be used.

(2) After the Authority 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 Authority.

(3) Any person who contravenes this section commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars.
32. Where it is proposed to convert or alter any building, erected for a purpose other than a public purpose, into a public building, such conversion or alteration shall be carried out, and such building shall be constructed, in such manner as is approved by the Director and the provisions of this Act and of any regulations made by the Authority applicable to public buildings shall apply to such alteration or construction, as if it were the construction of a public building.

33. (1) Whenever it appears to the Authority that any building in Belize used as a public building is not so constructed or maintained as to afford necessary protection to all persons who use the building, the Authority may, by notice in writing require the owner of such building, within a reasonable time to be specified in the notice, to make such alterations to the building as shall be approved by the Authority.

(2) If the owner fails to comply with the requirements of the notice within the prescribed time, he commits an offence and on summary conviction shall be liable to a fine of five hundred dollars, and to a further fine of one hundred dollars for every day after the first day, after the expiration of such reasonable time as may be specified under subsection (1), during which such default continues.

(3) The Authority 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 the owner, on or before a date to be specified in the notice, by statement in writing under his hand addressed to the Authority, to show cause why the building should not cease to be used as a public building, or require such person, on such date and at such time and place as is specified in such notice, to attend personally, or by an agent duly authorised in writing in that behalf, before the Authority, and show sufficient cause why such building should not cease to be used as a public building.
(4) If the owner fails to show sufficient cause why the building should not cease to be used as a public building, the Authority may, by order addressed to the owner thereof, prohibit the use of such building as a public building.

(5) Every person who, after notice of a prohibition order issued by the Authority under this section, uses or allows or suffers such building to be used as a public building, commits an offence and on summary conviction shall be liable to a fine of one thousand dollars for every day during which he allows or suffers it to be so used, or during which he so uses it, as the case may be, after the notice of prohibition.

34. (1) Where a structure is considered by the Authority to be unable to withstand a hurricane, to be ruinous or so far dilapidated as to have become unfit for use or occupation, or to be from any cause whatever in a structural condition dangerous or prejudicial to the property in, or inhabitants of, the neighbourhood, the Director may advise the Authority to serve a notice in writing to the owner of such structure requiring him within fourteen days of the service of the notice, to take down, secure, repair or rebuild it, or any part thereof, or otherwise to put it in a state of good repair, as the case may require, to the satisfaction of the Director, within a time to be specified in the notice.

(2) Whenever it is made known to the Authority that any internal part of any building, including any wall, partition, or ceiling of any building, is in a state dangerous or prejudicial to any occupier of such building or of any neighbouring building, the Authority shall cause it to be surveyed by the Director, and if the Director is satisfied, upon such survey and examination that the structure is in a state dangerous or prejudicial to any such occupier, he shall serve a notice in writing on the owner of the structure requiring him forthwith to have it shored up, taken down, secured, repaired, or rebuilt, as the case may require, to the satisfaction of the Director, within a time to be specified in the notice.

(3) If the owner fails, within the time specified in any such notice served upon him under subsections (1) or (2), to comply with the requirements
of the notice, the Authority, or any person authorised by it in writing, may make a complaint thereof before the Court, and the Court may order the owner to carry out the requirements of the notice within a time to be fixed by him in such order.

(4) If the order is not complied with within the time therein prescribed, the person on whom such order is made commits an offence and is liable on summary conviction to a fine of five hundred dollars, and to a further fine of one hundred dollars for every day during the continuance of such non-compliance, and the Authority may, without prejudice to their right to recover such fines, with all convenient speed enter upon the structure and the ground upon which it stands and execute the order.

(5) When the order directs the taking down of a neglected structure or any part thereof, the Authority, in executing the order, may remove the materials to a convenient place, and (unless the expenses incurred by the Authority under this section in relation to such structure are paid to them within fourteen days after such removal) sell it or any part thereof as in their discretion think fit.

(6) All expenses incurred by the Authority under this section in relation to a structure may be deducted by the Authority out of the proceeds of the sale, and the surplus, if any, shall be paid by the Authority to the owner of the structure on demand and upon proof of title, or the Authority may, if they think fit, pay such surplus into the Court to an account to be entitled “in the matter of the Belize Building Act, and of the premises the materials of which were sold under the provisions of the Belize Building Act”.

(7) Where the Fire Chief is satisfied that an existing building does not comply with the requirements of this Act with respect to fire safety, and constitutes a grave danger to the safety of the public or of persons using or occupying the building—

(a) he shall send to the Director a written certificate to
(b) the Director shall, within fourteen days of receiving such a certificate from the Fire Chief, cause a notice to be served on the owner of the building if he be known or the occupier if any, requiring such owner or occupier to take such action as may be specified in the notice and stating the period within which such action shall be taken.

35. (1) Where an owner or occupier on whom a notice is served fails to comply with the terms of the notice within the prescribed period, where neither the owner nor the occupier can be found, the Director may, in addition to other proceedings, apply to the Court for a Closure Order.

(2) A Closure Order made under this section shall-

(a) specify the building to be closed;

(b) order the closure thereof under the direction of a police officer; and

(c) order that the building remain closed until the Director shall have certified in writing that the order is no longer required.

(3) Seven days notice of intention to apply for a Closure Order shall be given by the person making such application, by posting a copy of such notice upon a conspicuous part of the building to be affected, and upon being so posted the notice shall be deemed to be notice to all persons of such intention, provided that in the case of an emergency such notice of intention shall be given as is practicable.
(4) No person shall occupy any building during the continuance in force of a Closure Order made in respect thereof.

36. During such periods of time as are designated by the Government as being a hurricane watch, the owner, occupant or user of a property shall take precautions for the securing of buildings and equipment, fabric awnings and swing signs shall be lashed to the ground, and such other precautions shall be taken for the securing of buildings, structures, material or equipment as may be reasonably required.

PART IV

Building Regulations

37. (1) The Minister may from time to time make regulations, after consulting with the Authority, prescribing all matters-

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without limiting the generality of subsection (1), the regulations may make provision for or with respect to the following matters-

(a) requiring a matter affected by the regulations to be in accordance with a specified standard for a specified requirement, or approved by or to the satisfaction of, a specified person or body, or a person or body of a specified class of persons or bodies;
(b) conferring a discretionary authority on a specified person or body, or on a person or body of a specified class of persons or bodies;

(c) providing, in a specified case or class of cases, for the exemption of persons or things from the application of the building regulations, whether unconditionally or on specified conditions or conditions additionally imposed, and either wholly or to such an extent as is specified or otherwise determined;

(d) providing for the registration of builders and the qualifications required for such registration;

(e) the establishment of committees composed of engineers who are members of the Association of Professional Engineers of Belize and architects who are members of the Association of Professional Architects of Belize, charged with the responsibility of advising the Authority on the development, modification or amendment of Regulations relating to the building industry in Belize;

(f) prescribing with respect to new buildings-

(i) the preparation and foundations of the site;

(ii) the method of construction, structural strength and stability;

(iii) the materials including materials of short life and preservation from decay;

(iv) the insulation, lighting and ventilation of rooms;
the dimension of rooms and spaces;

fire prevention, precautions and safety;

plumbing and water supply facilities;

sanitation, sewerage collection and disposal facilities;

electrical and telecommunications installations;

gas installations and piping;

lifts and other mechanical installations for conveyance;

emission of noxious or offensive substances;

hurricane and earthquake precautions and protection;

means of access to and egress from buildings;

the use of buildings or parts of buildings;

the appointment of Building Inspectors and inspection of construction;

the type and height of fences;

matters connected with, or ancillary to any of the foregoing matters;

prescribing with respect to existing buildings-
(i) structural alterations or extensions to buildings;

(ii) the purposes for which a building, or as the case may be, a part of a building is used, in cases where any material change occurs;

(h) specifying the powers and duties of the Authority;

(i) facilitating the work of the Authority;

(j) prescribing separate standards for residential, commercial, rural and urban building construction;

(k) generally, for carrying the purposes or provisions of this Act into effect.

(3) The regulations may impose a penalty not exceeding five thousand dollars and, in the case of a continuing offence, an additional penalty not exceeding five hundred dollars for each day during which the offence continues, for an offence against or non-compliance with a building regulation.

PART V

Repeal and Commencement

38. (1) The Belize City Building Act is hereby repealed.

(2) Notwithstanding the above-cited repeal, any legal proceedings pending under the repealed Act shall continue and be determined as if this Act had not been passed.

(3) Notwithstanding the above-cited repeal, all subsidiary legislation made under that Act, in so far as they are not inconsistent with this Act, shall continue to remain in force until repealed and replaced by subsidiary legislation
made under this Act.

Commencement.

39. This Act shall come into force on a date to be appointed by the Minister by Order published in the *Gazette.*