

Costambar Rules (2022)

MUNICIPAL REGULATIONS OF COSTAMBAR TOURIST COMMUNITY - 2022

The members of the Costambar Homeowners Association approved the development of the Regulations for the Planning of Costambar at its Annual General Assembly, held on February 12, 2022. These regulations will be established in accordance with Dominican laws for the benefit of owners and residents of Costambar.

Failure to comply with these rules will result in the sanctions provided for in the corresponding Dominican legislation.

ARTICLE 1. ORGANIZATION:

1.1 The APC is the legal representative of all owners of real estate in Costambar. It is responsible for the security, administration, maintenance and repair of the common areas and facilities in Costambar.

1.2 The APC is duly authorized to prepare, distribute and enforce these regulations.

ARTICLE 2. CONSTRUCTION:

2.1 All properties within parcel 215 (Costambar), with the exception of the Green Zone (parcel 1674-Modif-96 - Green Zone), are divided into lots, registered in the Title Registry of Puerto Plata. The lots will only be used for the construction of a house or a building in which people live, or for a commercial building for which all the necessary permits have been obtained. (Tourism, City Council, Environment)

2.2 No construction, building, annex, wall, structure or alteration will be carried out without previously obtaining the established approvals. The APC must first issue a "No Objection" letter, to reflect the interest of all owners, particularly those within 100 meters of the proposed construction, before works begin.

2.3 Each plan submitted for approval must be signed by a licensed architect or engineer and accompanied by a copy of their license.

2.4 Each plan must contain all the necessary information about the proposed construction, including: legal description of the land, map, topography showing the trees and each specific place where it will be built, the nature of that construction, as well as the electrical and sanitary conditions.

2.5 All lots have a minimum size of 400 square meters, and no lot can ever be subdivided.

2.6 The construction parameters will be in accordance with Resolution no. 001/2017 (DPP) of the Ministry of Tourism, or as said Resolution is modified or replaced. Housing density will be limited to 300 rooms per hectare. The minimum measurements of any dwelling with respect to the lot boundaries will be: from the front boundary - a minimum of 5 meters; from any lateral limit a minimum of 1.5 meters; and from the rear limit a minimum of 3 meters.

2.7 A building must not have more than three floors and must not exceed 11.5 meters in height.

2.8 According to said resolution no. 001/2017 the land occupation rate may not exceed 45% of the area of the lot. A minimum of 30% of the lot area must be free of any construction and be water absorbent.

2.9 Wood will not be used for the structure of the house. Wood can only be used for the fence, or for decoration. The use of zinc or aluminum for the roofing of houses will not be accepted either.

2.10 Building plans should propose a design that is consistent with others in the neighborhood, such as the use of shingles, "Bermuda" roofs, and neutral colors such as white or cream.

2.11 Each residential building must have adequate parking that is not on the street, taking into account the number of inhabitants of the building according to Law 5038 on Condominiums.

2.12 All multi-family buildings, such as apartments and condominiums, must have their own cisterns.

2.13 Every building occupied in Costambar must have functioning drainage, water connections, sewerage or a septic system in good condition. Under no circumstances will any effluent be allowed to drain into the Atlantic Ocean, any lake, river, pond, beach, open space, lot, green area, or street.

2.14 The APC is entitled by law to require owners to pay a sum not to exceed 3% of the budget price of construction on a lot, to rearrange and repair the roads and the environment affected by said construction.

2.15 During any construction, streets must be kept clean, all construction materials and equipment must be kept on the property,

and cement must not be mixed in the street. After the construction project is complete, the homeowner must ensure that construction materials are removed from the street, sidewalks, and adjacent lots.

2.16 No substantial change may be made to the exterior of any existing building that affects the appearance of the structure without first obtaining a "No Objection" letter from APC, acting on behalf of owners living within 100 meters of the building.

2.17 No work will be permitted that changes the physical character of any lot or intends to change its limits in any way and in particular, no lot will ever extend into the streets of Costambar, the Atlantic Ocean or the Maritime Zone.

2.18 No person may live in a dwelling that has not been completed, as determined by: the building inspectors, the neighboring owners and the APC, in writing.

2.19 Gas or diesel storage tanks or similar devices shall not be installed where they are visible from the street or by neighbors. They will be kept underground or in appropriate storage areas.

2.20 Once construction has started, it cannot be delayed. The owner must guarantee completion within one year or the APC will have the right to clean up the site, at the owner's sole expense. All "No Objection" letters issued by APC allowing construction expire one year from the date they were issued.

2.21 Before the transfer of any lot or condominium unit in Costambar, the APC or the seller must provide a copy of these regulations to the new purchaser.

2.22 Before the completion of a sale or transfer of any property, all APC fees must be paid up to the closing date of the transaction.

ARTICLE 3. TRAFFIC/STREETS:

3.1 Trucks and heavy vehicles are not allowed on the streets of Costambar, without first obtaining the written approval of the APC. Any damage caused by such vehicles is the responsibility of the owner or the property served by said vehicle. All authorized trucks and heavy vehicles entering Costambar at any time must first pay a "Road Maintenance" fee to the APC (currently in the amount of RD\$350.00 pesos) for each entry to Costambar. This fee will be used by APC's road committee to repair and maintain the streets in Costambar.

3.2 All persons driving motorized vehicles in Costambar must be over 18 years of age and must have in their possession a driver's license in their name, and in the case of a motorcycle, a protective helmet.

3.3 No vehicle will be driven in Costambar faster than 35 kph/20 mph.

3.4 Any driver of a vehicle that causes damage to the surfaces of streets, sidewalks, bridges or other parts or steps in Costambar must restore the damaged part to its original condition.

3.5 All vehicles circulating in Costambar must be in excellent operating condition with, at least: adequate lights; emission controls; brakes and mufflers; license plates; and must be legally registered according to law 63-17 of mobility, land transportation, traffic and road safety of the Dominican Republic. Notice is hereby given that APC shall have the right to report non-compliant vehicles to the authorities, who may lock up or impound such vehicles, without liability to APC.

3.6 Failure to comply with any of these requirements could result in the blocking of access to those vehicles until they are repaired and fit to travel.

3.7 Racing of any motorized vehicle is totally prohibited.

ARTICLE 4. SIGNS:

4.1 No person may place commercial or political signs anywhere in Costambar, except within the person's property, unless he has first obtained a "No Objection" letter from APC.

4.2 Signs may only be placed on the property of the business they advertise.

4.3 The APC may erect and maintain such traffic control signs as it deems necessary or advisable. Violations of traffic rules and signs may result in the vehicle being towed or issued a "Ticket" at the owner's expense, or fined under existing laws 63-17 and 241-67. Notice is hereby given that the APC may invite any authority to Costambar to enforce the laws of the Republic, without any liability to the APC.

4.4 APC may provide boards for signage within Costambar, and space on such boards will be leased to parties legally residing or operating in Costambar. Signs that APC deems morally offensive will be removed from any location. Randomly placed signs in Costambar must first be approved in writing by the APC.

ARTICLE 5. VACANT PROPERTIES:

5.1 The owners of vacant lots are responsible for their care and maintenance. They must be kept clean, and fenced using cement posts. Vacant lot owners must maintain their properties in a manner that does not jeopardize the safety and general needs of neighboring home and building owners. The APC shall have the right to insure properties that, in its discretion, it deems unsafe, at the exclusive expense of the registered owner. The use of vacant lots as production gardens is not permitted.

5.2 No person may place temporary structures on any lot, such as booths, trailers or similar installations, except those that are made by a contractor, with the permission of the owner, during the construction of a permanent structure on the lot. Any temporary structure may only be used during construction and at the end of the project must be removed along with all construction materials and equipment.

5.3 The storage or use of rat poison, or any other poison or chemical commonly used for animal or pest control is prohibited anywhere in Costambar.

ARTICLE 6 - EMPTY STRUCTURES

6.1 All owners of any structure in Costambar are responsible for insuring their property at all times.

6.2 Each owner shall be personally liable for any and all damage to their properties and any other part of Costambar committed by any occupant of their property, whether or not they have granted possession to the occupant, and whether or not they are aware that their property is occupied.

6.3 The APC is empowered to take all necessary measures to clear, at the expense of the owners, any property in Costambar that is being illegally occupied. Under no circumstances will APC assume any responsibility for any costs incurred in the activities carried out for the eviction of illegal occupants.

ARTICLE 7. CONTROLS AND USE OF THE BEACH AREA:

7.1 The beach is a public space available for the enjoyment and use of any person between eight in the morning and six in the afternoon (8:00 a.m. / 6:00 p.m.). Beach parties after sunset must first have a permit from the Dominican Republic Navy (ARD) and written approval from APC.

7.2 No building can be erected within 60 meters of the high tide, except under a presidential decree as established by law no. 305 - "Modification to the Width of the Maritime Zone".

7.3 Businesses must be equipped with sanitary facilities, with the approval in the form of a permit from Public Health, and wastewater is not allowed to go to the sea or any other adjoining area.

7.4 Each of the food and beverage businesses must be self-sufficient in terms of garbage collection services, water, electricity and sanitary facilities under regular service contracts with CORAAPLATA, EDENORTE and APC.

7.5 Permits must be obtained through the APC for all special events on the beach, such as dances and bonfires. In no case may such events disturb or interrupt the tranquility of the neighbors.

7.6 The APC may require a payment for the permits granted to hold special events on the beach in order to restore its cleanliness to its original state.

7.7 The APC may require all day visitors to the beach at Costambar to pay a charge for cleaning and maintenance of the beach and access roads. All monies thus raised will be used to clean, maintain and repair general areas used by visitors, including beach access roads, as agreed between APC, JDV and the Beach Vendors Association.

7.8 The hours of access to Costambar by people who visit the beach are limited to eight in the morning and six in the afternoon (8:00 a.m. / 6:00 p.m.).

7.9 Visitors to Costambar must be properly dressed, with covered bathing suits at all times while not on the beach.

7.10 Any visitor who enters Costambar for the purpose of enjoying the beach and who remains in the project after the hours established for said purposes shall be sanctioned, escorted out of the project and the corresponding authorities may be advised.

7.11 Visitors who leave garbage in any part of Costambar, other than in garbage containers, will be escorted out of the project and handed over to the authorities for processing in accordance with Law 120-99, which prohibits all natural or legal persons from throwing solid garbage, waste of any nature in public areas, including roads, sidewalks, parks, highways, spas, seas, rivers, etc.

7.12 The APC will ensure the good behavior of visitors and will work with other institutions and authorities to arrest, expel

and prosecute any person who represents a threat to the tranquility and general well-being of the community.

7.13 The Association of Beach Vendors is the institution responsible for the maintenance and improvement of the areas that it uses for the development of its activities.

7.14 Bottles of alcoholic beverages are not allowed to be displayed in public areas, nor are glass bottles that can break and represent a danger to people.

7.15 Access to the beach is prohibited from six in the afternoon to eight in the morning (6:00 p.m. / 8:00 a.m.), except for Costambar residents and their guests.

7.17 Commercial fishing is not allowed in Costambar, at any time.

7.18 All motor boats of any kind are prohibited in Costambar.

ARTICLE 8. GREEN ZONE:

8.1 The Costambar General Plan establishes lot 1674-Modif-96 as a Green Zone

8.2 The Green Area is communal property, and as such it cannot be leased, built upon, bought or sold by any person or company.

8.3 There will be no kiosk, booth, point of sale or garden in the Green Zone.

ARTICLE 9. ANIMAL CONTROL:

9.1 In accordance with the Animal Protection and Responsible Ownership Law No. 248-12., and No. 10692 of 2012, all domestic animals in Costambar, such as dogs and cats, must be kept under control, so that they do not disturb the community in any way, whether running freely through Costambar or creating high noise levels.

9.2 The owners of animals will be legally responsible for any aggression that they cause to people or other animals.

9.3 No owner or resident may permit or bring any farmyard animals such as cows, goats, pigs or chickens or horses into Costambar at any time.

9.4 No one may bring horses to Costambar to graze or for excursions, particularly on the beach.

9.5 A person authorized by the APC may be designated as an Animal Control Officer, to respond to those who file complaints, with the power to remove problem animals and collect a fine from the owners, as approved by the APC.

9.6 The owner of any animal or pet must collect all the excrement produced by the animal, and dispose of it in a bag in a garbage can where it does not disturb others.

9.7 A maximum of four (4) animals are permitted as pets, or as security, within any residential lot or unit; as long as they are properly cared for and do not represent a nuisance to residents.

ARTICLE 10 - ENTRY CONTROLS TO COSTAMBAR:

10.1 The hours of access to Costambar by visitors are from 8:00 a.m. to 6:00 p.m.

10.2 To enter Costambar, every person must: present an identity document to photocopy; clearly define where they are going; and be expected by the resident they are visiting. Visitors will be monitored to confirm that they enter Costambar only for permitted purposes.

ARTICLE 11. ENVIRONMENT:

11.1 No person is allowed to cut trees or palm trees without the written permission of the Forestry Department of the Ministry of the Environment.

11.2 In accordance with Law 287-04, on the Prevention, Suppression and Limitation of Noxious and Annoying Noises that Produce Acoustic Pollution, no person may carry out or allow activities that cause annoyance, including noise greater than 60 decibels measured ten feet away, of said activity. The music, even at a lower volume, should stop if any of the neighbors complain, regardless of time, 7 days a week.

11.3 Repair shops, mechanical workshops, joinery shops or the like, bars or improvised businesses that could disturb the neighbors are not allowed anywhere in Costambar. Street vendors are not allowed on sidewalks, driveways, or garages. All commercial establishments must have valid permits for their business.

11.4 Nobody can keep or store corrosive, explosive, flammable or unhygienic materials anywhere in Costambar.

11.5 It is not allowed to burn any substance such as garbage, branches, trees or others, at any time, day or night. Campfires are not allowed anywhere in Costambar, save and with the exception of beach bonfires for which the APC has issued prior written permission.

11.6 It is forbidden to hang clothes on the property boundaries, in windows or outside in such a way that it is visible from the street or by nearby neighbors.

11.7 Each house or structure must have its own secure and covered garbage container, and all garbage must be placed inside said container. Garbage or other waste may never be left in the streets, on the beach or in any other public space in Costambar.

ARTICLE 12. MISCELLANEOUS:

12.1 Services provided by APC may include private arrangements such as: garbage collection, vegetation trimming, property security and cleaning of exclusive beach areas and specific project locations, and charge a reasonable fee for such services.

12.2 Public prostitution and the offer of sexual favors in exchange for money in public spaces are totally prohibited and will be prosecuted by the internal authorities and brought to justice.

12.3 It is not allowed to access the patios of adjacent properties, whether or not they are open and accessible.