

CAYMAN ISLANDS



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**THE DEVELOPMENT AND PLANNING (AMENDMENT) (NO. 2) LAW,
2003**

(LAW 31 OF 2003)

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**THE DEVELOPMENT AND PLANNING (AMENDMENT) (NO. 2) LAW,
2003**

ARRANGEMENT OF SECTIONS

1. Short title, commencement and expiry.
2. Application of section 4 of this Law.
3. Amendment of section 38 of the Development and Planning Law (2003 Revision) - infrastructure fund.
4. Amendment of Second Schedule to the Development and Planning Regulations (2003 Revision) - building permit fees.
5. Validation.

CAYMAN ISLANDS

Law 31 of 2003.

I Assent

B. H. Dinwiddy

Governor.

5 January, 2004

A LAW TO AMEND THE DEVELOPMENT AND PLANNING LAW (2003 REVISION) TO FURTHER EXTEND THE TEMPORARY REDUCTION OF AMOUNTS PAYABLE AS CONTRIBUTIONS TO THE INFRASTRUCTURE FUND; TO FURTHER EXTEND THE TEMPORARY REDUCTION OF BUILDING PERMIT FEES; AND TO MAKE PROVISION FOR INCIDENTAL AND CONNECTED MATTERS

ENACTED by the Legislature of the Cayman Islands.

1. (1) This Law may be cited as the Development and Planning (Amendment) (No. 2) Law, 2003.

Short title,
commencement and
expiry

(2) Section 3 of this Law shall be deemed to have come into operation on 13 November, 2003, and shall cease to have effect upon the expiration of a period of two months.

(3) Sections 2 and 4 of this Law shall be deemed to have come into operation on 22 November, 2003, and shall cease to have effect upon the expiration of a period of two months.

(4) Upon the expiration of section 3 of this Law, the Law in force immediately prior to the coming into operation of the Development and Planning (Amendment) (Temporary Provisions) Law, 2001 shall, so far as it is amended by section 3, again operate as though section 3 had not been passed and the said amendments had not been enacted.

(5) Upon the expiration of section 4, the regulations in force immediately prior to the coming into operation of the Development and Planning (Amendment) (Temporary Provisions) Regulations, 2001 shall, so far as they are amended by section 4, again operate as though section 4 had not been passed and the said amendments had not been in operation.

Application of section 4 of this Law (2003 Revision)

2. Section 4 of this Law applies to any person to whom planning permission to develop land is granted, under the Development and Planning Law (2003 Revision), on or after 22 November, 2003.

Amendment of section 38 of the Development and Planning Law (2003 Revision) - infrastructure fund

3. The Development and Planning Law (2003 Revision) is amended in section 38 by repealing subsection (4) and substituting the following -

- “ (4) A person to whom planning permission for development of-
- (a) an industrial building;
 - (b) a commercial building;
 - (c) an hotel;
 - (d) an apartment;
 - (e) a strata lot;
 - (f) a house over four thousand square feet in area; or
 - (g) an extension to a house which would make that house over four thousand square feet in area,

is granted on or after the date on which the Development and Planning (Amendment) (Temporary Provisions) Law, 2001 is passed by the Legislative Assembly shall, at the date such person applies for a building permit, contribute to the infrastructure fund as follows-

- (i) in Area A, \$1.25 per square foot of the gross floor area of the development;
- (ii) in Area B, \$0.75 per square foot of the gross floor area of the development; or
- (iii) in Area C, \$0.25 per square foot of the gross floor area of the development.”.

4. The Development and Planning Regulations (2003 Revision) are amended by repealing the Second Schedule and substituting the following schedule -

Amendment of Second Schedule to the Development and Planning Regulations (2003 Revision) - building permit fees

“SECOND SCHEDULE

1. For the purposes of the Law-

“Area A” means the following registration sections, blocks and parcels-

Registration Section	Block
(a) West Bay	Block 5C, (parcels with water frontage only, but including any parcel subsequently derived from another parcel with water frontage existing at the 8th December, 1997), SD, I0A, 10E, 11B, 11C, 11D, 12C, 12D, 12E, 17A.
(b) George Town	13B, 13C, 13E, 13EH (parcels with road frontage on West Bay Road, Eastern Avenue and North Church Street), 13D (parcels with road frontage on Eastern Avenue), 14BG, 14BH, 14BJ, 14C, OPY, 18A.
(c) North Side and East End	33C, 33CJ, 33D, 33E, 33M, 39E, 57A, 61A, 65A, 69A, 73A.

“Area B” means all other registration sections, blocks and parcels in Grand Cayman and Little Cayman not included in Area A.

2. The following building permit fees are payable in Area A:

	Fee
For a house less than 1,200 square feet	Nil
For an apartment less than 600 square feet	Nil
For an apartment 600 square feet but not exceeding 800 square feet	25 cents per square foot
For a house 1,200 square feet but not exceeding 1,500 square feet	5 cents per square foot
For a house over 1,500 square feet but not exceeding 2,000 square feet	8 cents per square foot
For a house over 2,000 square feet but not exceeding 2,500 square feet	10 cents per square foot
For a house over 2,500 square feet but not exceeding 4,000 square feet	25 cents per square foot
For a house over 4,000 square feet	75 cents per square foot

For an addition to a house over 2,500 square feet	50 cents per square foot
For a duplex	50 cents per square foot
For a condominium	75 cents per square foot
For an apartment over 800 square feet	75 cents per square foot
For a restaurant or bar	\$1 per square foot
For an office, shop or other commercial building	75 cents per square foot
For an hotel	\$1 per square foot
For a gas station	\$2 per square foot
For a residential swimming pool	\$200 flat fee
For a commercial swimming pool	\$600 flat fee
For an illuminated sign	\$10 per square foot
For an industrial building	50 cents per square foot.

3. The following building permit fees are payable in Area B:

	Fee
For a house less than 1,200 square feet	Nil
For an apartment less than 600 square feet	Nil
For an apartment 600 square feet but not exceeding 800 square feet	13 cents per square foot
For a house 1,200 square feet but not exceeding 1,500 square feet	3 cents per square foot
For a house over 1,500 square feet but not exceeding 2,000 square feet	4 cents per square foot
For a house over 2,000 square feet but not exceeding 2,500 square feet	5 cents per square foot
For a house over 2,500 square feet but not exceeding 4,000 square feet	13 cents per square foot
For a house over 4,000 square feet	38 cents per square foot
For an addition to a house over 2,500 square feet	25 cents per square foot
For a duplex	25 cents per square foot
For a condominium	38 cents per square foot
For an apartment over 800 square feet	38 cents per square foot
For a restaurant or bar	50 cents per square foot
For an office, shop or other commercial building	38 cents per square foot
For an hotel	50 cents per square foot
For a gas station	\$1 per square foot
For a residential swimming pool	\$100 flat fee
For a commercial swimming pool	\$300 flat fee
For an illuminated sign	\$5 per square foot
For an industrial building	25 cents per square foot".

5. (1) The charging and collection of any contributions, fees or other monies on or after 13 November, 2003, in purported exercise of powers conferred by this Law, is validated and is to be taken to have been lawfully charged and collected. Validation

(2) This Law does not affect any order or determination made by a court prior to the commencement of this Law.

Passed by the Legislative Assembly the 4th day of December, 2003.

LINFORD A. PIERSON

Speaker.

WENDY LAUER EBANKS

Clerk of the Legislative Assembly.

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(Price \$1.60 Cents)