

EXECUTIVE DECREE No. 51

From April 22, 2004

“By means of which it approves a Manual of Norms and Procedures for the Restoration and Rehabilitation of the Casco Antiguo of the City of Panama”

**THE PRESIDENT OF THE REPUBLIC,  
IN USE OF HER CONSTITUTIONAL AND LEGAL FACULTIES,**

**CONSIDERING:**

By means of the decree law 9 of 1997 of 27 of August, like corollary to the process of inscription of the Historical District of Panama and the Bolivar Hall in the list World-wide Patrimony, the Panamanian State establishes a classification for the edifications located in the Casco Antiguo of the City of Panama; according to four degrees of conservation and patrimonial valuation. The levels of architectonic, landscaping intervention settle down and a regime of special incentives for the area of the Historical Monumental Set; with the purpose of contributing to the putting in value and rehabilitation.

The 6 of December of 1997, the Committee of the World-wide Patrimony, assigned to the United Nations Educational, Scientific, and Cultural Organization (UNESCO), registered the Historical District of Panama and the Bolivar Hall in the list of the world-wide patrimony, confirming the exceptional and universal value of a cultural site that must be protected for the benefit of humanity.

By means of this act, the Republic of Panama through the Presidency, has committed to implement legal, scientific, technical, administrative and financial, measures necessary for the identification, protection, conservation, presentation and rehabilitation of its inheritance.

That the Urban Development Plan for the Metropolitan Areas of the Pacific and the Atlantic, adopted by the Ministerio de Vivienda (Ministry of Housing) as planning instruments by means of the Executive Decree N°205, of 28 of December of 2000, recognizes the importance of protecting and recovering the historical center of the City of Panama, when proposing a strategy of preservation and rehabilitation, maintaining the prevailing densities and the urban scale in the area.

In answer to this commitment, the Office of the Casco Viejo, assigned to the Ministry of the Presidency created by means of Executive Decree 192 of the 20 of November of 2000, together with the Dirección Nacional de Patrimonio Historico (National Direction of Historical Patrimony) of the Instituto Nacional de Cultura (National Institute of Culture), and the Ministerio de Vivienda (Ministry of Housing), came to review and to update the norms of present ground uses within the limits of the Casco Viejo of the city of Panama. Like the procedures of physical intervention within the area with the support of the Dirección de Obras y Construcción Municipal de la Alcaldía de Panamá (Direction of Works and Municipal Constructions of the Mayorship of Panama).

The norms that are exposed here are city-planning dispositions that regulate the use, the occupation and the advantage of the ground and define the nature and the consequences of the city-planning performances indispensable for the administration of these processes. That the adoption of the city-planning norms detailed here will be based on the universal principles of agreement, neutrality, simplicity and transparency, being applied and respecting the criteria established and accepted by the Republic of Panama in the different international

agreements on the conservation and protection of the cultural and natural patrimony at world-wide level.

The norms and regulations displayed here; have application in all the restoration performances, treatments and procedures, remodeling, rehabilitation, reconstruction and construction of all the building to take place, including within the urban perimeter of the Casco Antiguo of the city of Panama and its area of influence.

Also it will correspond to the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of the Instituto Nacional de Cultura (National Institute of Culture), to control the fulfillment of all arranged on the hereby Executive Decree and especially to make the monitoring or periodic pursuit of all work that takes place in the Casco Antiguo and its area of influence, with the intention of verifying that the plans approved previously by this Direction are fulfilled exactly in all their parts.

That also it will correspond to the Ministerio de Vivienda (Ministry of Housing) through the Dirección General de Desarrollo Urbano y la Dirección de Obras y Construcciones Municipales de la Alcaldía del Distrito de Panamá (General Direction of Urban Development and the Direction of Works and Municipal Constructions of the Mayorship of the District of Panama) to establish a control on the management and transaction to be made in the subjects that are competent to him.

#### **IT DECREES:**

**ARTICLE ONE:** To approve the Manual of Norms and Procedures for the Restoration and Rehabilitation of the Casco Antiguo of the City of Panama, which is described next:

#### **MANUAL OF NORMS AND PROCEDURES FOR THE RESTORATION AND REHABILITATION OF THE CASCO VIEJO OF THE CITY OF PANAMA**

#### **TITLE I GLOSSARY**

##### **ARTICLE 1:**

The terms used in the hereby executive decree have the following meaning:

1. Affectation: It is all restrictions imposed by a public organization that limit or prevent the obtaining of restoration permissions, remodeling, rehabilitation, reconstruction and construction, or of operation, because of a public work, private or by environmental protection.
2. Garret: Element of construction up high inside a building generally on beams and pillars, maintaining certain character of provisional state.
3. Height of the construction: Corresponds to the vertical distance on the line of construction between the average level of the land, on which it horizontally projects the building and the maximum height of the cover.
4. Vertical clearance: Is the vertical distance between the finished floor and the lower surface of the floor of the following level.
5. Area of construction: It is the sum of the areas of construction within the developed areas corresponding to the sum of the surfaces of the different floors, excluding flat- roofed and uncovered overhanging balconies.
6. Area of occupation: Is the area occupied by the construction of a building in its first floor.
7. Free area: Is the remaining surface of the lot disregarding the occupied area. In the calculation of the free area one will not consider the conduits of ventilation or the overhanging balconies of the facade.

8. Adjacent or transition area: It is the urban space that surrounds a historical zone, monument or monumental set that can affect or be affected by this and therefore its heights and uses are controlled with the purpose of preserving the qualities and characteristics of the sector.

9. Notices: It is understood by notice all elements used by means of propaganda or identification of commercial establishments and others.

10. Attic: Additional level that is constructed on the last floor of a building, taking advantage of the inferior space resulting from the conformation of the cover. Generally the ventilation and illumination are solved on the basis of skylights that excel from the roof itself.

11. Balcony: Exterior projecting of a floor, protected by a railing whose cover can or cannot lean on vertical elements over a modillion, which allows appearing outside the room in which it is, protected by the railing and it may or may not be roofed. It appears generally in the façade and the inner patios.

12. Bulwark: Part of a fortification that projects of the outer wall with a pentagonal figure.

13. Bollard: Public space equipment elements that protect pedestrians by defining, shaping and ordering the circulation areas in the city.

14. Skylight: Open window in the slope of a tile roof, projected generally towards the exterior, with the intention of illuminating an attic.

15. Partition Wall: All elements that separate two lots or diverse areas.

16. Ceiling: It is the fine finished interior of a cover or mezzanine.

17. Cornice: Elements that serve as a crown and that are part of the establishment or façade plan, which main purpose is to avoid that water leaks through them.

18. Bay: Space comprised between two load walls. Each one of the ships or main parts in which, from the construction point of view, a floor of the building is divided.

19. Breech: Is a wall without openings of a construction that is contiguous or posterior to neighboring properties.

20. Loft: High part of a building between the last floor and the tile roof, generally illuminated by skylights.

21. Mezzanine: Space between to levels or floors. See entresol.

22. Entresol: Floor of a house, interval between the ground floor and first floor. See Mezzanine.

23. Sentry box: Small dimension tower, annexed to the angles or in the superior parts of a tower or a wall, to shelter the sentries.

24. Jambs: Each one of the vertical elements that maintain the lintel of a door or window.

25. Boundary: Is the common line that separates two lots or diverse areas.

26. Surface line: Is the line that divides the particular or private property from the public or common use zone.

27. Mezzanine: entresol.

28. Urban furniture: Additional elements to the public spaces used to facilitate circulation, the stay, use and enjoyment of the city, such as benches, lighting posts, public fountains, etc., that are part of the public spaces and contribute to the comfort, entertainment, well-being and safety of the citizens.

29. Levels of floor: Space defined by a height measured from the level of the finished floor of the superior level. In those atmospheres closer to the cover, the level of the floor will be defined by the height measured of the finished floor level at the superior level of the wall of the façade.

30. Dividing wall or fence: Those that limit two properties or different possessions, leaving a wall in the middle for each of the owners.

31. Foundation hilling: Work or factory to repair foundations already constructed in a building.

32. Rehabilitation of a building: Particular action of space improvement that consists on enabling the space again so that it works as it should or corresponds to the form of life that serves within reality, without changing the existing form of life nor the prevailing functions, but optimizing it so that it is a suitable space to the society that inhibits it.

33. Remodeling: Specific action of space improvement that shapes again the already existing architectonic spaces, giving them a new appearance or considering the previous appearance, but within a new modeling of all the finished work.

34. Restoration: Set of operations tending to maintain a cultural property, or to maintain an archaeological, historical, or artistic site or monument in useful state according to its functional, constructive and aesthetic characteristics.

35. Retreats (lateral and posterior): Non-buildable free space between the boundaries of the lot and the construction, according to the corresponding zoning regulations.

36. Backward movement: It is the displacement towards the interior of the lot of a part of the facade of the building, in relation to the line of construction or surface of the lot.

37. Revitalization: It is the creation of new centers of interest used in the set or monumental zones.

38. Basement: Part underground of a building.

39. Semi basement: It is partially underground accessories in which none of the facades excels more than 1.30 meters of the level of the land, distance measured from the inferior part of the floor that covers it and the level of the land in the lowest point where it cuts with the facade or emergent facades

40. Types of work according to the category of intervention:

- a. Maintenance Work: Are the habitual ones derived from the duty of conservation of the buildings by the owners and tenants. Its purpose is to maintain the building with due conditions of hygiene and adornment without affecting its lifting structure, inner distribution, nor altering the rest of its formal and functional characteristics such as opening composition, materials, colors, textures and existing uses. Grouped under this denomination, among other analogous ones, the necessary interventions for the cleaning of the covers and waterproofing of flat roofs and minor repairs that do not jeopardize the structure, the repair of inner floors and the repair of potable water facilities, sewage system, gas, electricity and telephone.
- b. Consolidation Works: Are those that intend to maintain the conditions of security, acting on the lifting structure but without altering its neither formal nor functional characteristics. In the execution of these works traditional techniques and analogous materials to the originals must be used. Only in the event that the inefficiency of these techniques and materials it is

demonstrated, the use of modern technology will be allowed.

Grouped under this denomination, among other analogous ones, the performances that include strengthening, reinforcement or replacement of structural damaged elements such as mezzanine lifting beams, columns, bearings, lifting walls, structure of covers, foundation hilling, balconies and façade elements such as cornices, attics, etc.

- c. Recovery Works: Are the ones directed to restore the original conditions of the building. Included within this denomination are the restoration of patios and back yards of all the buildings with historical typology, the reintegration of elements or parts which previous existence is demonstrated by historic investigation, documents or witnesses of the building, such as garrets, balconies, mezzanines, etc.; other performances directed to recover the original conditions like for example levels of floors and windows.
- d. Liberation Works: Directed to remove discordant additions and elements that degrade the construction and constitute an obstacle for their historical and aesthetic understanding.
- e. Preparation Works: Are the ones that are necessary for the adjustment of the building or a part of the same, or the uses to which is destined, improving its inhabitability. Performances included within this denomination such as changes in space distribution to the interior of the bays that form the building by means of the limitation and construction of dividing partitions, reinforcements or replacements of structures to support greater loads, maintaining the rhythm and proportions and the incorporation or new facilities.
- f. Remodeling Works: Advanced with the purpose of lodging new uses. These works affect the structural elements, altering their morphology, but maintaining the original characteristics of their surrounding visible exterior from the public spaces, near or far. Grouped in this concept, among other activities, those of interior distribution change, change of location of the elements of general horizontal and vertical communication, modification of the level of the different mezzanines and construction of mezzanines.
- g. Extension Works: Are the ones made to increase the constructed volume, by means of the increase of occupancy on the first floor or the increase of floor numbers. The extension possibilities of a building are directly related to the architectonic typology and the proportions of the lot, as well as the Classification of Order of Patrimonial Value for the Conservation of the building, established within the Decree-Law No.9 of 27 of August of 1997.

41. Compatible use: Is one that does not disturb the main use and that does not cause danger to the health, the security or the public tranquility.

42. Billboard: Are the elements that are used as means of diffusion with institutional, commercial, cultural, tourist or service information aim and that fulfill as a minimum the following conditions: 1) It is conformed by a plate or metallic structure or other stable material, weather resistant; 2) Does not have illumination or is illuminated in a permanent way; 3) According to the structure it is completely separate and independent of the buildings in the sector where they are located.

43. Zoning: It is the boundary of the territory according to the uses of the ground in the different areas or zones in the city.

## **TITLE II URBAN REGULATIONS ON THE BASIC SERVICES AND SUPPORT SYSTEMS**

### **CHAPTER I GEOGRAPHIC AND PHYSICAL LIMITS OF THE CASCO ANTIGUO**

## **ARTICLE 2:**

The Casco Antiguo of the City of Panama is located in the District of Panama and province with the same name

## **ARTICLE 3:**

The Historical Monumental Set of the Casco Antiguo of the city of Panama is formed, according to Article 2 of the Decree Law No.9 of 27 of August of 1997 that modifies article 37 of the Law 91 of 22 of December of 1976, within the following boundaries: "Starting off from the beach with course NW (Northwest), as far as meeting with 15<sup>th</sup> street West and continuing throughout 15<sup>th</sup> street West up to its intersection with Street C; from this point with course E (East), following Street C up to its intersection with 14<sup>th</sup> Street West; from this point with course NW (Northwest) and following 14<sup>th</sup> Street West up to its intersection with Street D; from this point with course NE (Northeast) up to its intersection with Central Avenue; from this point with course NW (Northwest), following Central Avenue up to its intersection with 13<sup>th</sup> Street East; from this point continues with course NE (Northeast) up to its intersection with 15<sup>th</sup> Street West; from this point with course NE (Northeast) up to its intersection with Eloy Alfaro Avenue; from this point with course NW (Northwest) and following Eloy Alfaro Avenue, up to its intersection with 15<sup>th</sup> Street West; from this point with course NE (Northeast), continuing Eloy Alfaro Avenue up to its intersection with the Ice Factory and the Pier of Fishing Services; and from this point with course SE(Southeast) arriving at the sea"

## **ARTICLE 4:**

It will be understood that which comprise this Historical Monumental Set all the monuments, land, plazas, walls, buildings, whether in mainland or extensions on the sea and in general, all physical space that goes from the boundary established by the previous Article up to the sea that constitutes its surroundings.

## **ARTICLE 5:**

It will be understood that all existing properties within the boundaries of the Casco Antiguo will be protected and sheltered by the Inscription of the World Patrimony Committee of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) from the 6 of December of 1997, in the list of world-wide patrimony and in which the exceptional and universal value of the site for the benefit of humanity is confirmed, in addition to any other effective legal norm in the Republic of Panama.

## **CHAPTER II ADJACENT OR TRANSITION AREA**

### **ARTICLE 6:**

The Adjacent or transition area that surrounds the Casco Antiguo includes two (2) important divisions, that is to say:

1. Transition area with buildings of historical and architectonic interest: Are those buildings contiguous to the limits of the Casco Antiguo and because of its typology, its architecture, its history, its ornamental elements or its landscaping or environmental character deserve to be conserved or restored or rehabilitated. The norm applicable to this zone will be that one applied to lands and constructions located within the limits of the Casco Antiguo.

2. The surface surrounding water to the Casco Antiguo: It is a surface of land that is floodable by the tides or always covered by the sea, where it will not be

allowed any type of construction that negatively affects the patrimonial character of the Casco Antiguo. The boundary of this zone is an imaginary line that starts off of the SOUTH LIMIT of the Casco Antiguo on the border of the sea, between lots No. 10 and 8112 of Square No.85, and it goes two hundred (200) straight out to the sea and from there it goes in parallel to the coast border of high tide, always keeping the same distance up to reaching the prolonged imaginary line of the NORTH LIMIT, on Square No.87-B.

#### **ARTICLE 7:**

The legally constituted property on the bed of the sea, outside the limits of the old colonial wall that are not registered on the National Direction of the Public Registry at the time of the promulgation of the present regulation, could not be used to make new constructions, additions nor improvements.

### **ZONING USES OF THE GROUND IN THE CASCO ANTIGUO AND ITS AREA OF TRANSITION**

(According to the Resolution MIVI N° 127, the 25 of August of 2003, by which the zoning of the use of the ground and the construction norms for the Casco Antiguo of the City of Panama is approved)

#### **SECTION I**

##### **MULTI-FAMILY RESIDENTIAL ZONE OF HIGH DENSITY (RMH1)**

**ARTICLE 8:** For the Muti-Family Residential Zone of High Density (RMH1) the following requirements are established:

Permitted Use:

- a) Construction, reconstruction, restoration and repairing of buildings intended for single-family and multi-family housing and its complimentary uses like offices for resident professionals.
- b) Institutional use such as educational, religious, cultural, government, philanthropic and of assistance buildings, whenever these uses do not constitute damage to the neighbors or affect in a adverse form the residential zone character, will be permitted
- c) Also, local commercial use (C1), as long as it is developed on ground floors and does not harm the character of the residential zone of the sector will be permitted.

#### **ARTICLE 9:**

Net density of RMH1:

- **Up to 400 ppl. /ha.** In buildings that have a ground floor and one (1) story.
- **Up to 600 ppl/ha.** in those buildings that have a ground floor and two (2) stories.
- **Up to 800 ppl/ha** in those buildings that have a ground floor and three (3) stories or more.

#### **SECTION II**

## **MULTI-FAMILY RESIDENTIAL ZONE OF HIGH DENSITY (RMH2)**

### **ARTICLE 10:**

For the Multi-family residential zone of High Density (RMH2), the following requirements are established:

Permitted Uses:

- a) Construction, reconstruction, restoration and repairing of buildings intended for single-family and multi-family housing and its complimentary uses like offices for resident professionals.
- b) Institutional use such as educational, religious, cultural, government, philanthropic and of assistance buildings, whenever these uses do not constitute damage to the neighbors or affect in a adverse form the residential zone character, will be permitted.
- c) Also, local commercial use (C1), as long as it is developed in ground floor and does not harm the character of the residential zone of the sector will be permitted.

### **ARTICLE 11:**

Net Density of RHM2: Up to 1,500 ppl./ha.

The application of this density will be permitted in areas of the Casco Antiguo mainly located in El Chorrillo and Santa Ana and in areas of the corregimiento of San Felipe adjacent with these. A tolerance in the density of population of up to a maximum of 20% will be allowed, in special cases according to the kindness of the project previous approval of the Ministerio de Vivienda (Ministry of Housing).

## **SECTION III**

### **LOCAL COMMERCIAL ZONE (C1)**

### **ARTICLE 12:**

For the Local Commercial zone (C1) the following requirements are established:

Permitted Uses:

Commercial and general service buildings related to the commercial and professional activities of the neighborhood or vicinity such as: stores, boutiques, bazaars, grocery stores, pharmacies, tailoring, bakeries, butcher shops, fruit stands, kiosks, coffee shops, ice cream parlors, magazine stands, photography articles, crafts sales, video stores, professional services offices, Laundromat, beauty parlors, barber shops, dress shops, as long as they are developed on ground level and do not harm the residential character of the zone.

## **SECTION IV**

### **COMMERCIAL ZONE MEDIUM INTENSITY (C2)**

### **ARTICLE 13:**

For the high density commercial zone (C2), the following requirements are established:

Permitted uses:

- a) Construction, reconstruction, restoration and repairing of buildings intended for commercial and professional buildings (detailing and wholesale of clothing items, furniture, home goods, electrical articles, electronic articles, groceries and clothing, restaurants, travel agencies, Laundromats, insurance companies, art galleries, telecommunication services, real estate, health clinics, book stores, post office agencies, security agencies, movie theaters, theaters, hardware stores, bank branches, clubs, gyms, sports clubs, cultural clubs, printing shops, financial services, hotels, apart hotels, buildings for parking rental, storages, electric appliance repair shops, administrative offices, aesthetic parlors) as long as they do not harm the Patrimonial Character of the Area.
- b) Also local commercial use will be permitted (C1).

**Paragraph:** Buildings for parking rental will only be permitted in buildings of 4th order and in empty lots (according to the classification of conservation orders established in the Decree Law No9 of 27 of August f 1997) or wherever the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) considers advisable.

## **SECTION V**

### **Local Institutional Service Zone (SIV)**

#### **Article 14:**

For the Local Institutional Service Zone (SIV), the following uses will be permitted:

Construction, reconstruction, restoration, repair and conservation of buildings intended for health service, education, security, culture, sports, administration and religious services in local or neighborhood level

## **SECTION VI Urban Institutional Service Zone (SIU)**

#### **Article 15:**

For the Urban Institutional Services Zone (SIU), the following uses will be permitted:

Construction, reconstruction, restoration, repair and conservation of buildings intended for health service, education, security, culture, sports, administration and religious services in urban level.

## **SECTION VII Open Spaces**

### **Plazas Zone (PI)**

#### **Article 16:**

For the Plazas Zone (PI) the following uses will be permitted:

Construction, reconstruction, restoration, repair and conservation of open spaces intended for passive recreation, such as parks, plazas, small squares and pedestrian walkways of civic or commemorative character of any event or

personage related to our history.

**Paragraph:** Activities that are being developed on those properties that have been zoned with a different ground use to the pertaining activity at the moment of the promulgation of this resolution will be respected. Once the activity is culminated

#### **ARTICLE 17:**

The National Direction of Historic Patrimony of INAC will be able to consider additional uses when demonstrated that the proposed use harmonizes with the preservation of the Casco Antiguo and the same one is analogous to those permitted uses.

### **SECTION VIII**

#### **INCOMPATIBLE USES**

#### **ARTICLE 18:**

Are incompatible uses:

1. Those that are considered problematic by themselves, because the cause vibrations in the building, intense noise, penetrating smells, toxic emanations by smoke, gases, steams or high temperatures, accumulation of inflammable materials and/or explosives, infiltration of polluting remainders in the phreatic mantle and/or sewage networks, concentration of heavy transport and loading and unloading activities affecting the vehicle and pedestrian transit. Gas stations and fuel storage tanks, natural gas or electric stations, junk yards, cold-storage plants, auto repair shops, loading terminals, non-craftsmen manufacturing or high technology industrial, waste treatment plant and others of similar category;
2. Non problematic uses by themselves, but that are in contradiction with the typology and level of protection of the building that they occupy.

**Paragraph:** For the incompatible uses, it is established as criterion its gradual eradication or transfer to other areas inside or outside the Casco Viejo, according to the case.

### **SECTION IX**

#### **CHANGE OF USE OF SOIL**

#### **ARTICLE 19:**

The change of use of soil of a lot may be requested whenever it is properly supported before the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) and the National Direction of Urban Development of the Ministerio de Vivienda (Ministry of Housing), according to the procedure advised in the Title IV, Chapter VIII: Request of Change of Use of Soil, of the hereby Executive Decree.

### **INFRASTRUCTURE AND PUBLIC SERVICES**

#### **SECTION I**

#### **GENERALITIES**

#### **ARTICLE 20:**

The Casco Antiguo of the City of Panama must be provided with the public services of sewage system, aqueduct, telecommunication, electrical energy and lighting system, reasons thus the providing entities for the public services must fulfill the provisions established in the laws, agreements, prescribed norms in effect in the Republic of Panama.

#### **ARTICLE 21:**

The providing entities for the public services of the city of Panama must be aware of the special and unique character of the Casco Antiguo, which makes it totally different from the rest of the city and therefore all their infrastructure facilities must be designed specially for the sector, in such a way that they contribute to heighten its value.

#### **ARTICLE 22:**

The infrastructure projects that are designed for the Casco Antiguo will have to fulfill Law No.41, of 1<sup>st</sup> of July of 1998, "by which is promulgated the General Atmosphere Law of the Republic of Panama and creates the National Environment Authority", and with those Executive Decrees that regulate it.

#### **ARTICLE 23:**

Infrastructure such as cable, posts, traffic lights, transformers, registries and other electrical facilities, of telecommunication, water, sanitary, pluvial or others, must be placed in harmony with the location. The urban and architectonic values of the area must be respected. Electrical equipment, electrical and telephone laying must be buried.

#### **ARTICLE 24:**

All domiciliary connection in the buildings of the Casco Viejo will have to be installed so that their elements are not at sight of the zones of public patrimony. For the necessary meters for the providing of the basic public services (electricity, potable water, telecommunications and similar), the Dirección Nacional de Patrimonio Historico (National Direction of Historical Patrimony) will choose in common agreement with the service providing entities, an element of the minor size possible and which installation in all the cases will be embedded in the walls without excelling these. If the before condition is not possible due to the lack of thickness of the walls, the suitable solution will be provided to fulfill it and this one will be guaranteed by the Dirección Nacional de Patrimonio Historico (National Direction of Historical Patrimony).

### **ELECTRICAL ENERGY**

(In accordance with the Resolution 096/DNPH of the 8 of October of 2003, by which it prohibits the installation of aerial networks for the supply of electrical energy and telecommunications within the Historical Monumental Set of the Casco Antiguo of the City of Panama)

#### **ARTICLE 25:**

It is prohibited the installation of aerial networks for the supply of the services of

electrical energy and telecommunications within the Historical Monumental Set of the Casco Antiguo of the City of Panama.

**ARTICLE 26:**

The supply networks for electrical energy for domestic, commercial use and for the public lighting system of the Casco Antiguo must be installed underground, according to the design and norms of the service provider entity and the Regulating Being of the Public Services. These designs must be previously reviewed and approved by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony), especially in regards to location of lights and meters.

**ARTICLE 27:**

The networks must be installed underground, underneath the sidewalks or streets, in the opposite side of the spaces used for the aqueduct networks, in agreement with the design and norms of the service providing entities.

**ARTICLE 28:**

The electrical transformers must be buried or placed inside the buildings, being careful of not leaving excellent elements that prevent pedestrian traffic circulation.

**ARTICLE 29:**

All overhead cables for conducting energy and telephones will have to be suppressed and replaced by underground networks.

**ARTICLE 30:**

All the buildings that have been object of restoration or rehabilitation in the last 10 years and that do not fulfill this norm will have a time limit of twelve (12) months from the publication of the hereby; to present their proposal and execution of the replacement of the overhead cables of the networks of conduction of electrical energy and telecommunications by underground networks. The removal during this period will be carried out according to the criteria established by the basic services providing entity, the Regulator Entity of the Public Services and the Security Office of the Fire Department of Panama, previous approval of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony)

**SECTION III**

**PUBLIC LIGHTING**

**ARTICLE 31:**

The environmental recovery of the historical streets by means of an appropriate lighting system will have to consider the following aspects:

- a) The width of the roads easements;
- b) The available height between the finished floor level of the sidewalk and the

nearest obstruction;

- c) The level of illumination recommended by norm for this type of category;
- d) Characteristics of the recommended lamp, which will influence the relation of distance between lights, level of illumination recommended, height of assembly and consumption efficiency.

**ARTICLE 32:**

Streets and Parks illumination:

- a) It is recommended that the lamps on the streets have a height minor to that between the level of the sidewalk and the inferior part of the balconies.
- b) Due to the reduced width of the sidewalks, the lamps must have posts for support. These will be placed as close as possible to the wall with own foundation;
- c) The electrical distribution to feed the posts will have to be underground, specifically underneath the sidewalks, so that it does not affect the brick streets. The connections to the electrical supply system of the city will be made cutting in one or two spots of the route;
- d) The lamps will have to be provided with photoelectric cells with automatic control

**ARTICLE 33:**

The recommended lamps and posts spacing will have to follow the following guidelines:

- a. The selection of the light fixture will be determined according to the levels of lighting recommended by international regulations, because evidence of this type of norm does not exist in Panama;
- b. The recommended illumination level for vehicle and pedestrian traffic circulation varies from 0.9 to 0.2 candle power-feet (footcandle-fc) according to the following table:
- c. The lamps of high discharge of sodium steam are the most efficient and economic at present time. The capacities that satisfy the previously indicated requirements for the Casco Antiguo are fulfilled by the 75 watts and 100 watts lamps. The design of each street will determine the appropriate capacity;
- d. The posts spacing to keep the illumination levels for the visual safety of the pedestrian [estimated an average of 0.5 candle power – feet (fc)] will vary according to the necessary requirements for a suitable illumination and depending on the width of the roads easements. The distribution of the lamps in alternate form is recommended, using the two sidewalks, for uniformity of the illumination;
- e. For the definitive positioning of the posts, a surveying on site of the windows and doors of the existing buildings will be due, in order to avoid the lighting brilliance annoying to the sight;
- f. The lighting atmosphere will be visually soft and warm.

Roads and Sidewalks Classification	Classification of the Area		
	Commercial	Intermediate	Residential
Road Easements:			
Collector	1.2	0.9	0.6
Local	0.9	0.6	0.2

Alley	0.6	0.4	0.2
Pedestrian Easements:			
Sidewalks	0.9	0.6	0.2
Pedestrian Roads	2.0	1.0	0.5

## **SECTION IV**

### **AQUEDUCT**

#### **ARTICLE 34:**

The pipes of the service of aqueduct will be located underneath the sidewalks or streets, according to the design and construction norms contained in the internal regulation of the service provider entity in coordination with the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **ARTICLE 35:**

For fire extinguishing, water hydrants will be installed with a maximum distance to each other of three hundred meters (300 m) and will be placed in a way that they do not prevent pedestrian traffic. The existing water hydrants, if not enough or not places within the established distance will be reinforced with the installation of other complimentary ones.

## **SECTION V**

### **SANITARY SEWAGE SYSTEM**

#### **ARTICLE 36:**

All sanitary installation will have to observe the Technical Regulation DGNTI – CPANIT 39-2000 of the Ministerio de Economía y Finanzas (Ministry of Economy and Finances), compiled in the “Norms for Residual Waters” of the Ministerio de Salud (Ministry of Health), in which reference is made to the discharge of flowing liquids directly into the residual waters collection system.

The actual system will be replaced by two separate sewage systems: the one for rain water, which discharge could be directly into the ocean; and the one for residual waters, that will be treated before being poured into the ocean. These changes will be made under the recommendations of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **ARTICLE 38:**

The design and construction norms for the sanitary sewage installation in the Casco Antiguo will have to consider the following criteria:

- a) In all the roads of the Casco Antiguo, all the residual water conduits will be underground. The covers of the inspection chambers will be round and metallic in uniform diameters, which will be determined by the service providing entity, in agreement with the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of the Instituto Nacional de Cultura (National Institute of Culture);
- b) The depth in meters of the drainage conduits will be determined by the conditions of the land and the norms about depths and distances of the line of property to the networks, for each case, which will be established by the service providing entity;
- c) The location of the inspection chambers and domiciliary facilities for flat or inclined land will be established by the service providing entity and the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony);
- d) The location and construction of the collectors will be executed by the service providing entity.

## **SECTION VI**

### **PLUVIAL DRAINAGE**

#### **ARTICLE 39:**

The design and construction norms for the pluvial sewer facilities will be contained in the internal regulation of the Ministerio de Obras Públicas (Ministry of Public Works) (MOP), in addition to those specified in this Section.

#### **ARTICLE 40:**

In all roads of the Casco Antiguo, all drainage conduits for pluvial waters will be underground. The surface water-drainages will obey to a homogenous design for the entire sector and will be metallic and removable to facilitate their cleaning.

#### **ARTICLE 41:**

The depth in meters of the drainage conduits will be determined by the conditions of the land and the norms about depths and distances of the line of property to the networks, for each case, which will be established by the Ministry of Public Works.

The location of the inspection chambers and domiciliary facilities for flat or inclined land will be established by the Ministry of Public Works and the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **ARTICLE 43:**

The location and construction of the collectors will be executed by the Ministerio de Obras Públicas (Ministry of Public Works).

## **SECTION VII**

### **TELECOMMUNICATIONS**

(According to the Resolution 096/ DNPH of 8 of October of 2003, by means of which it prohibits the installation of aerial networks for the supply of electrical energy and telecommunications services within the Historical Monumental Set of the Casco Antiguo of the City of Panama)

#### **ARTICLE 44:**

Telecommunication service for domestic and commercial use of the Casco Antiguo will be installed underground, according with the design and norms of the service providing entity and the Ente Regulador de los Servicios Públicos (Regulator Entity of the Public Services). These designs must be previously reviewed and approved by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **ARTÍCICLE 45:**

The distribution boxes for telecommunication lines will be installed in easements, specifically where the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) designates. These elements will not be able to

harm the facades of the buildings in the historical center.

**ARTÍCULO 46:**

The installation of communication antennas for particular and commercial use in buildings is prohibited, in visible places from the outside.

**ARTICLE 47:**

The installation of telecommunication towers, radio communication and broadcasting will not be allowed, under any circumstance on structures or buildings, on empty lots and gardens, nor in open public spaces within the boundaries of the Casco Antiguo, because these elements will result incompatible with the environment, resulting in a negative visual impact and contrary to the protection and appraisal criteria of the historical center.

All the buildings that have been object of restoration or rehabilitation in the last 10 years and that do not fulfill this norm will have a time limit of twelve (12) months from the publication of the hereby; to present their proposal and execution of the replacement of the overhead cables of the networks of conduction of electrical energy and telecommunications by underground networks. The removal during this period will be carried out according to the criteria established by the basic services providing entity, the Ente Regulador de los Servicios Públicos (Regulator Entity of the Public Services) and the Oficina de Seguridad del Cuerpo de Bomberos de Panamá (Security Office of the Fire Department of Panama), previous approval of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

**ARTICLE 49:**

All projects to be presented in the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will have to establish the cable solution for the supply of electrical energy, telecommunication and other necessary services in underground form, according to the established in the Resolution 096 / DNPH from 8 of October of 2003.

**SECTION VIII**

**NATURAL GAS**

**ARTICLE 50:**

Panama City does not have natural gas supply networks.

**ARTICLE 51:**

The installation of natural gas pipes within the constructions will have to fulfill the norms established by the Oficina de Seguridad del Cuerpo de Bomberos (Security Office of the Fire Department)

**SECTION IX**

**RECOLLECTION AND DISPOSAL OF SOLID RESIDUE**

**ARTICLE 52:**

Garbage recollection will be responsibility of the Alcaldía de la Ciudad de

Panamá (Mayorship of the city of Panama) o whomever they designate.

**ARTICLE 53:**

Solid residue recollection within the Casco Antiguo will be executed according to the schedules designated by the Dirección Municipal de Aseo Urbano y Domiciliario de la Alcaldía de Panamá (Municipal Direction of Urban and Domiciliary Cleanliness of the Mayorship of Panama).

**ARTICLE 54:**

The Casco Antiguo residents will have the solid residue in plastic bags properly sealed and take them out before the recollection schedule.

The design of the containers and the containers to receive the solid residues in the areas of public use must adapt to the conditions and patrimonial characteristics of the area:

1. The use of plastic containers is recommended because they are lighter and easy to handle, make less noise during its mobilization, unload and are more resistant to corrosion;
2. The containers must be placed in the roads where parking is permitted. It is recommended to place them as if they were another car. The place must be signal so that no one parks in it;
3. For the effects of design and construction of buildings, the placement of garbage dumps in facades, to the sides or areas that face the streets or avenues will not be allowed.

**CHAPTER V**

**ROAD SYSTEM**

**SECTION I**

**GENERALITIES**

**ARTICLE 56:**

The existing road system will stay, keeping all the special characteristics from the road network, including size of streets, alleys, sidewalks, easements and existing blocks.

**ARTÍCULO 57:**

All the streets, alleys and avenues of the historical center are considered as elements of the protected road system as historical patrimony, as follows:

Avenues: Eloy Alfaro, Central, A, B, Ninth South and Tenth South.

The streets: 15, Pablo Arosemena, 2<sup>nd</sup> East, 3<sup>rd</sup> East, 4<sup>th</sup> East, 5<sup>th</sup> East, 6<sup>th</sup> East, 7<sup>th</sup> East, 8<sup>th</sup> East, 9<sup>th</sup> East, 10<sup>th</sup> East, 11<sup>th</sup> East, 12<sup>th</sup> East, 13<sup>th</sup> East, 14<sup>th</sup> East, 13 A, Street A, Street B, Street C, Street D, Bolivar, 20 of December, 1<sup>st</sup> Street West, 2<sup>nd</sup> Street West, 3<sup>rd</sup> Street West, 4<sup>th</sup> Street West, 5<sup>th</sup> Street West, 6<sup>th</sup> Street West, 7<sup>th</sup> Street West, 8<sup>th</sup> Street West, 9<sup>th</sup> Street West, 10<sup>th</sup> Street West, 11<sup>th</sup> Street West, 12<sup>th</sup> Street West, 13<sup>th</sup> Street West, 14<sup>th</sup> Street West, 15<sup>th</sup> Street West, 12 A, 12 B, Pedro A. Diaz, 10 A, Jose De Obaldia and Pedro Sosa.

## **ARTICLE 58:**

The sidewalks must be object of special care as pedestrian circulation space par excellence and must be kept with their actual width only those that remain unalterable since their original construction, but restoring their primitive pavement, if it's pertaining. Those sidewalks that have been altered will be able to keep their actual dimension as long as they have a minimum width of one (1) meter, or widen following the actual norms and what is established by the

## **SECCION II**

### **CONSTRUCTION AND REPLACEMENT OF PAVEMENT ON STREETS AND SIDEWALKS**

## **ARTICLE 59:**

All pavements of the streets and avenues of the Casco Antiguo must be of clay bricks (paving stone), baked on high temperatures, of the same shape and color of the existing ones, with the adequate resistance levels to the compression efforts (492 Kg / cm<sup>2</sup> – 7,000 *psi* per unit – norms ASTM C-7). For such effect, the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of the INAC will indicate to the different institutions the form to execute this job, as well as the specifications of the material to be used.

## **ARTICLE 60:**

All the Institutions or public and private companies that will have to realize works of breakage of pavement must coordinate such work with the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) and replace the pavement according to the instructions of this Direction. The replacement of the pavement with concrete or asphalt will not be allowed, only in those places where the previous existence of these materials is properly proven.

## **ARTICLE 61:**

The cords of the original sidewalks will be restored or reconstructed those that have been lost and the materials to be used will be stone or the concrete respectively. Their dimensions will be the same of the existing ones.

## **ARTICLE 62:**

In general terms, the existing sidewalks will be kept considering their width. However, the following general norms for their optimization are established:

- a) Must be continuous;
- b) There must not be constructed elements that excel the surface, except the ones considered within the urban furniture set, which must be installed according to the pertaining dispositions;
- c) The sidewalk surface must be free, continuous and without abrupt level changes, to allow free mobility;
- d) In cross roads, the sidewalks must be lowered on the corners to allow disabled people circulation, according to what is established in the Agreement N0. 19, of the 10 of February of 1998;
- e) In the event of the existence of parking access, these must watch a proper solution on the difference of the level between the road and the sidewalk, to avoid discontinuity on the surface. To save the difference between the road and the sidewalk, the construction of a ramp on the edge of the cord that

does not surpasses the horizontal length of fifty per cent (50%) of the width of the sidewalk when this is the same or over a meter (1.00 m) will be allowed. For lower widths, the ramp could be constructed occupying a hundred per cent (100%) of their width. For all cases, the level differences between the ramp and continuity of the sidewalk will always be solved using ramps, never with steps, not to present obstacles to the pedestrians nor prevent the transit of infant carriages, market carts, etc and to allow the convenient use by the disabled;

- f) The drainage grids must not prevent the free circulation on the sidewalks;
- g) The covers of the public services boxes will not excel nor descent from the finished surface of the pavement on the sidewalks;
- h) The presence of warnings, posters, billboards or any other communication element or exterior advertisement, of public or official character are not allowed to be placed in the sidewalks, with permanent or temporary character, according to indicated in the Agreement No. 204, of the 13 of December of 2001;
- i) The sidewalks are public patrimony and by their dimension they do not allow to lodge any activity of contingent character, permanent or temporary, except on those spaces clearly defined by a special plan of urban furniture;
- j) The parking of vehicles occupying sidewalks partial or totally will not be allowed.

### **SECTION III**

#### **VEHICLE TRANSIT**

##### **ARTICLE 63:**

For the protection of pedestrians, the physical space, the pavement and the architecture, the following maximum speed limits are established within the Casco Antiguo, according to the Resolution 005/DNPH, of 8 of February of 2001: Principal Avenues: 40 km/h Secondary Streets: 30 km/h

##### **ARTICLE 64:**

The circulation of vehicles of more than 7 tons and with dimensions over seven (7) meters long, two (2) meters width and 2 point seventy five (2.75) meters high within the area of the Casco Antiguo is definitely prohibited

##### **ARTICLE 65:**

Commercial operations of loading and unloading of merchandise will only be made during the hours of 9 am and 11 am and from 3 pm and 5 pm in those places that the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of the INAC provides.

**Paragraph:** All those conducts that detract from what is established within the Resolution 005/DNPH of 8 of February of 2001; must request authorization from the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony), who will evaluate the situation and will issue the permit to discretion.

##### **ARTICLE 66:**

The internal free circulation of small buses, tows or any other mobilization system of tourist services or authorized personnel by the responsible entity, as long as it

does not exceed the stipulated weight and speed.

## **PARKING AREAS**

### **ARTICLE 67:**

The zones destined for projects of parking areas on the open will have green zones properly distributed so that alternately can serve to different uses besides parking cars, optimizing the space by this mean. On these will be allowed to carry out community events such as parties, events presentation, civic and cultural demonstrations, and others, previous authorization from the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) and other administrative authorities.

### **ARTICLE 68:**

In areas indicated by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony), fillings that are assigned exclusively for public use parking lots will be allowed, which will only be able to extend to the high tide coastal line, measured perpendicularly from this limit and in straight line, with a maximum of fifty (50) meters.

### **ARTICLE 69:**

In these parking areas will only be allowed the construction of a control stall with a maximum height of two meters and fifty centimeters (2.50) and an area not bigger than nine (9.00) square meters, in addition to its arborization, complimentary green areas and pedestrian strolls. Their illumination will be by lamps of approved design by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of INAC.

### **ARTICLE 70:**

In the streets where the creation of vehicle parking bays is necessary, is disposed that:

- a) The parking bays will be located on the flanks of the blocks, in parallel streets to the commercial axis and on condition that the width of the street permits, in order not to interrupt vehicles traffic.
- b) The beginning of the bay will be located at distance not less than ten (10) meters in reference to the ending point of the curb of the intersection of the sidewalks.
- c) Parking bays to fit less than five (5) vehicles placed in a row, that is, a length of twenty five (25) meters and a width of two point five (2.5) meters will not be allowed;
- d) In the event where the width of the street or sidewalk allowed parking of forty five and ninety degrees ( $45^\circ / 90^\circ$ ) in relation to the cord of the sidewalk, the maximum allowed length for this bays will be equally of twenty five (25) meters and the minimum width will be between four and five point five meters (4.00 / 5.50) respectively;
- e) In all the cases the continuity of the sidewalk and the strip destined for urban furniture to allow free circulation will be guaranteed.

**Paragraph:** It will be allowed (by means of juridical instruments and of pertinent incentives) the total conversion and changes of use of buildings of Fourth Order to adapt them as parking, being able to vary their heights and their facades, but

**CHAPTER VI**  
**PUBLIC OPEN SPACES**

**SECTION I**

**GENERALITIES**

**ARTICLE 71:**

The system is formed by open public spaces intended for active or passive recreation, such as parks, plazas and small squares, which require structures with aesthetic purpose, landscaping, ornamental and environmental

**ARTICLE 72:**

The spaces that form the open spaces system in the Casco Antiguo are the following:

1. Plazas and parks:
  - Independence Plaza (previously Plaza Mayor)
  - Herrera Plaza (previously Thriump Plaza)
  - Bolivar Plaza (previously San Francisco Plaza)
  - Santa Ana Plaza
  - Bastion of Las Bovedas (stroll General Esteban Huertas)
  - Miguel A. Cardenas Park
  
2. Small squares:
  - Small square Carlos V
  - Ruins of the Mano de Tigre Bastion Small square
  - Presidency Belvedere
  - Medio Bastion
  - San Felipe Belvedere

**ARTICLE 73:**

The plazas and small squares possess a historical condition of public space with eventual uses for all the community. Their characteristic of cultural exchange place must be considered, protecting their public character, with an open design, with no barriers. The supervision of the plazas and small squares in the Casco Antiguo will undergo the norm that imposes the category of Monumental Restoration (see Title III, Chapter I, Section III, Article 125) and what it indicates the Municipal Agreement No.204, of 13 of December of 2001 by which the use of sidewalks, parks, plazas and other areas within the Historical Monumental Set of the City of Panama is regulated and previous authorization from the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

All plazas and small squares may be cultural scenarios allowing people to gather around a show or public cultural spectacle. In no event the construction of stages with permanent structures will be allowed, only those provisional and of easy removal.

**Paragraph:** All activities to be realized in the plazas, parks and small squares must have the approval of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of INAC and the Dirección de Legal y Justicia de la Alcaldía de Panamá (Direction of Legal and Justice of the Mayorship of Panama).

**SECTION II**

## **TEMPORARY OCCUPATION AND USE RESTRICION OF OPEN PUBLIC SPACES**

### **ARTICLE 75:**

The occupation of the public space by a commercial establishment could not be superior to the front that has that establishment on public space.

### **ARTICLE 76:**

The costs of these adjustment works will have to be contributed by the users of the public space without affecting the rent amount that is established by the competent authorities for its uses.

### **ARTICLE 77:**

For the regular maintenance of these areas, the users could organize themselves and take the economic or administrative required measures, when this does not affect the rent rate previously established by the competent authorities for its uses. In the event that is a single user, all the maintenance of the occupied area will be his responsibility.

### **ARTICLE 78:**

For the uses of these spaces what is established in the Municipal Agreement No.204 of 13 of December of 2001 must be fulfilled, "by which it regulates the use of sidewalks, parks and other areas within the Historical Monumental Set of the City of Panama" previous authorization of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

### **ARTICLE 79:**

The installation of tables and chairs in the property of public use annexed to commercial establishments, will be subject to the existence of an establishment with façade or entry by this public space and whose holder requests to the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) and the Alcaldía de Panamá (Mayorship of Panama) the extension of his activity by means of use of that zone of public use.

The tables and chairs, as well as auxiliary elements, will be arranged in a way that, each table have four chairs and only one umbrella. The size of the table may not be superior to eighty (80) centimeters of a diameter if its round, or by side if it's square. All these elements will be of any material and color, non susceptible to deteriorate themselves or fade outdoors.

### **ARTICLE 81:**

The different facilities and elements will be placed in places where they do not

prevent the free circulation of pedestrian and users and do not alter the visibility of the vehicle traffic circulation signs. The sidewalks must be totally free of obstacles.

**ARTICLE 82:**

The public space facilities annexed to a commercial establishment must be an extension of the activity carried out in the establishment and will not be able to surpass the limit of the façade of the establishment where originate, except when the surpassing of said limit does not cause any harm or favor the relaxation of the population, taking care of the time and place circumstances. This will be determined solely by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

**ARTICLE 83:**

The occupation of open public spaces it is prohibited for the establishment of street sales of walking or stationary salesmen, whatever the nature of the items offered for sale, lease or exchange.

**ARTICLE 84:**

The parking of vehicles on the sidewalks in the areas of the plazas, parks and small squares will not be allowed.

**CHAPTER VII**

**URBAN FURNITURE**

**SECTION I**

**GENERALITIES**

**ARTICLE 85:**

The existing elements of urban furniture in the Casco Antiguo that have historical and architectonic interest must be preserved.

The urban furniture elements such as lamps, bollards, iron fence, covers, benches, water hydrants, trash containers, road signs, etc., meaning to be placed in the Casco Antiguo, must follow specific designs endorsed by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of INAC and in no way will negatively affect the historical environment.

**ARTICLE 87:**

It is prohibited to private and/or public entities to place bollards, trash containers or any other element that prevents pedestrian mobility on the sidewalks.

**SECTION II**

**PUBLIC TELEPHONES**

#### **ARTICLE 88:**

Public telephones will be preferably located in those areas of the Casco Antiguo that have intense urban life such as multiple activity and institutional areas, on the interior and exterior of public service buildings, commercial centers and parks and recreational zones.

#### **ARTICLE 89:**

When public phones are installed in buildings or public roads, it will be due to fulfill the following conditions, in addition to what is established by the Municipal Agreement No. 19 of 10 of December of 1998:

1. They will be in places with easy access and location to be used by general population;
2. Will not cause discomfort to pedestrian circulation nor affect visibility in the surroundings;
3. The mechanisms of operation of the appliances will be at a height between one (1.00) meter and one point twenty (1.20) meters from the floor;
4. The installed telephones or that are installed in the Casco Antiguo will not have tables;
5. The telephone cabins must have a minimum width of eighty (80) centimeters per side and may only be installed in the plazas and will not have any advertisement or commercial propaganda with the exception of the name of the service providing entity.
6. Must have permanent illumination;
7. Will not be placed leaning on the walls of the facades of the buildings.

### **SECTION III**

#### **BOLLARDS**

#### **ARTICLE 90:**

Bollards are public space equipment that Project the pedestrian by define, configure and order the circulation areas in the city.

#### **ARTICLE 91:**

According to their use, two (2) bollards categories are defined:

1. Low Bollard: with a height up to thirty (30) centimeters, that is intended to protect the pedestrian;
2. High Bollard: with a dimension up to Sixty (60) centimeters, that is intended to protect the spaces and green and ornamental special zones.

### **SECTION IV**

#### **BUS STOPS**

#### **ARTICLE 92:**

Bus stops will be located according to the public transportation system to be implemented, which will be defined by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of INAC in coordination with the Autoridad de Tránsito y Transporte Terrestre (Transit and Terrestrial Transport Authority) and the Alcaldía de Panamá (Mayorship of Panama).

#### **ARTICLE 93:**

The bus stops design will be simple, without covers or elements that detract from the monumental historical center character and will not prevent the free pedestrian circulation or the road signs of the sector.

### **SECTION V**

#### **TRAFFIC LIGHTS**

#### **ARTICLE 94:**

The location of traffic lights must respond to the design of vehicle and pedestrian crossing, according to the road plan that is adopted for the Casco Antiguo, under the dispositions of the Transit and Terrestrial Transport Authority

### **SECTION VI**

#### **LIGHT POSTS**

#### **ARTICLE 95:**

The entities who own the lights will eliminate all concrete or similar posts located on the streets and avenues, and will be replaced with lights on metal posts, according to established criteria in the Articles 33 and 34 of the present Regulation.

In open spaces metallic posts or simple ornamental lamps or with numerous lamps will be allowed, as decorative element and to endow with scale those public places of high citizen concentration. The height of these lamps oscillates between the three (3.00) and five (5.00) meters of height and the distance between one another and the intensity and type of light depends on the luminosity study that is made for the sector.

### **SECTION VII**

#### **BENCHES**

#### **ARTICLE 97:**

The benches must be made of wood outdoors resistant and designed in a way that does not affect the monumental character of the Casco Viejo. The design of the benches will be approved by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

### **SECTION VIII**

#### **MONUMENTS AND SCULPTURES**

#### **ARTICLE 98:**

The monuments and sculptures are commemorative elements and fundamental pieces of the urban landscape. In order to come to their location specific conditions related to the quality, magnitude and importance of the monument or sculpture are due to establish, in order to recover deteriorated spaces or without

public interest, previous approval and authorization of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

## **SECTION IX**

### **GARBAGE CONTAINERS**

#### **ARTICLE 99:**

Garbage containers will have a size according to the site and space where they are going to be placed, so that they do not prevent the free pedestrian circulation on the sidewalks. Will not exhibit propaganda, other than the name of the service providing entity and their identification number; previous authorization from the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

## **SECTION X**

### **WATER HYDRANTS**

#### **ARTICLE 100:**

Water hydrants will be located in places that guarantee complete visibility, adequate action radius and proper identification and will fulfill with what is establishes by the Security Office for Fire Prevention. Corners are the most convenient places for that effect. They will be identified by color.

## **SECTION XI**

### **ARCHITECTONIC SIGNALING**

#### **ARTICLE 101:**

All commemorative plaques located in a visible place of the principal facade of a restored building within the Historical Monumental Set of the Casco Antiguo; will be previously presented for its review and approval before the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

## **SECTION XII**

### **URBAN SIGNALING**

#### **GENERALITIES**

#### **ARTICLE 102:**

Urban signaling will include traffic, road and cultural signs in a vertical format where it establishes information of importance, colors and typography to be used, sizes and heights, installation methods and materials.

#### **ARTICLE 103:**

Urban signaling will be compatible with the urban landscape of the historical center. In addition, it will guide, inform, direct, identify and regulate by means of

the use of a simple and brief reading language for precise and fast understanding of the transmitted message.

#### **ARTICLE 104:**

Urban signaling will not contain advertisement messages.

#### **ARTICLE 105: Dimensions of the Urban Signaling System**

The general dimensions of the urban signaling used within the boundaries of the Casco Antiguo of the city of Panama are 45 cms width. The curves of the signs must be made with circles of 15 mm of radius. The curves of the bar on the sign and the coffee background of the cultural sign are made with 0.375 cm radius.

#### **ARTICLE 106: Information Hierarchy**

For all urban signs the following order of information is established:

- ◆ On the first level of information are traffic signs. By law their location must remain at driver's sight.
- ◆ On the second level of information are placed the navigation signs to historical sites. A maximum of two cultural destinations is recommended when the system incorporates traffic, road and cultural signs.
- ◆ On the third level are placed road signs.

#### **ARTICLE 107: Materials**

The following Standard components and materials are established for the manufacturing and installation of urban signaling.

Se establecerán los siguientes componentes estándares y materiales para la fabricación e instalación de las señalizaciones urbanas:

- ◆ PVC laminates (1/8 inch thick)
- ◆ High quality vinyl graphics laminates cut by computers. For traffic signs high intensity reflective laminates Scotchlite 3M or diamond grade. For road and cultural signs reflective laminates Scotchlite 3M or industrial grade.
- ◆ Aluminum rails ◆ Totems protected with special laminates against vandalism; for example Scotchguard Anti Graffiti Window Protection Film 3M.

#### **ARTICLE 108: Color**

The following colors to be used in the signaling system are established:

- ◆ The approved colors by A.T.T.T. for traffic signs are: red 2872 – yellow 2871 – blue 2875 –black (use industrial grade) –white 2870.
- ◆ The colors for road and cultural signs are coffee and white. –Coffee 3279 – white 480-10 –black 480-85

#### **ARTICLE 109: Typography for Traffic Signs**

For traffic signs typography Clear View Highway 5W will be used, writing the first letter in Capital and the other letters of the words in small letters.

## **ARTICLE 110: Typography for Road and Cultural Signs**

For road and cultural signs typography Arrival Sign will be used, writing the name of the streets and avenues with the first letter in Capital letters and the remaining letters of the words in small letters.

## **ARTICLE 111: Installation Methods**

The installation methods for urban signaling system are as follows:

- ◆ The height of the traffic signs: the inferior edge of the traffic signs starts at 2.0 meters from the sidewalk.

## **ARTICLE 112:**

Information signs known as totems for the visitors of the Historical Center are allowed. These totems have the shape of vertical towers with two sides; which will include a map of the near by perimeter and brief written information capsules (Spanish and English) and photographic about the important sites within the perimeter. The white surface of the totem is covered with Scotchlite 3M laminate and protected with laminate Scotchguard Film 3M.

## **ARTICLE 113: Signs for the Casco Antiguo Limits.**

In order to establish the demarcation in the area known as the Monumental Set of the Casco Antiguo of the City of Panama will be placed in Avenue A, Central and Eloy Alfaro and will be installed in the following way:

- ◆ Version to be placed on posts
- ◆ Version to be mounted on walls

## **SECTION XIII**

### **ADVERTISEMENT**

(In accordance with the Resolution N°015/DNPH of 21 of May of 2002, that regulates the placement of commercial establishments signs, billboards, advertisement and propaganda as well as doors or roll up metallic blinds.)

## **ARTICLE 114:**

The use and installation of commercial advertisement; billboards, advertisement and propaganda in the Historical Monumental Set of the Casco Antiguo of the City is prohibited.

## **ARTICLE 115:**

It is considered billboard or propaganda any permanent advertisement with writing or signs that is used as a common broadcasting means with commercial purposes; their use and installation are prohibited within the Historical Center. A billboard is every element that fulfills the following characteristics, as a minimum:

- To have a laminate or metallic structure or any other stable material.
- Not have illumination or be illuminated in a permanent way.
- That the structure that forms it is completely separated and independent from the supporting structure or the land where is located.

Is forbidden to stick, write and paint advertisements or propaganda of commercial, political type or any other type on fences and walls that face public

roads, trees, lamps, posts and traffic lights, dividing walls, breeches or any other façade element such as wooden doors, windows, glass doors on commercial establishments, balconies, pilasters, columns, lintels, iron gates, jambs and any other decorative element important of for the building façade.

## CHAPTER VIII

### ARCHAEOLOGICAL RESEARCH WORKS

#### SECTION I

#### ARCHAEOLOGY WORKS

##### **ARTICLE 117:**

The Archaeological Works in the Casco Antiguo may be classified in the following way:

1. Prospecting: Recognition work in all the area of the Casco Antiguo, to evaluate the archaeological potential of the different inspection areas, to anticipate the impact that could have the new constructions in the area;
2. Archaeological excavation on empty lots and wrecked buildings: Allows the extensive excavation and data recollection in different areas of the Casco Antiguo;
3. Archaeological excavation in buildings in preservation process or restoration: Allows data and archaeological elements collection through research of the works in construction process;
4. Archaeological Monitoring: Refers to the inspection and systematic monitoring of the excavation works that are being developed in the Casco Antiguo (sewage system, electrical and telephone laying, demolition and others).

##### **ARTICLE 118:**

The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will define the areas, buildings or lots that may be subject to prospecting archaeological excavations on empty lots, ruins or buildings in restoration process, monitoring. These works will be realized by professional archaeologists with the authorization of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony), according to what is established in the Article 8 of the Law No.14 of 5 of May of 1982.

##### **ARTICLE 119:**

All work or site where archaeological type research is being carried out requires as a safety measure that the following norms are fulfilled:

1. Indicate or signal the works in execution; according to Resolution 015/DNPH of 21 of May of 2002
2. Adequate the pluvial system to prevent flooding that damage or harm the recovery and conservation archaeological works.

Any work in construction process, be it public or private, in which evidence of archaeological remainders is found will have to suspend the works immediately and notify the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony), who will inspect and evaluate the existing situation and determine the terms and conditions that will subdue the works, as well as the obligations of those who carry them out according to what is ordered by article 24

of the Law No.14, of 5 of May of 1982.

**ARTICLE 121:**

In those cases where, through historical studies and archaeological explorations, the existence of trace of old structures or parts of these is established or detected, the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will recommend the treatment for its rehabilitation, whenever it demonstrates in a rigorous way the advantages and benefits of such actions for the conservation of the historical patrimony.

**SECTION II**

**CONSERVATION OF THE OLD PERIMETER WALL**

**ARTICLE 122:**

All the existing sections of the old perimeter wall of the city and the elements that compose it (front, bulwarks, sentry boxes, dry graves, counterscarps, posterns) should be considered as monumental area and therefore protected and sheltered by the decrees and laws that regulate the Monumental Set of the Casco Antiguo, such as Law 91 of 22 of December of 1976, Law 2 of 1920 and Decree 537 of 22 of October of 1954.

**ARTICLE 123:**

As a protection and conservation measure of the existing components of the wall, the following aspects must be observed:

1. New buildings will not be constructed on the existing walls;
2. Any construction, annex or any type of work on any section of the wall must be approved by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony), who will guard the recovery of rest of the wall, by means of the authorization for the accomplishment of a archaeological prospecting work whose costs will be responsibility of the owner of the project;
3. All new or existing construction will have to respect, heighten and give value to the existence of the wall.
4. All construction on empty lot or of Fourth Order must emphasize and value the presence of the wall, thus will have to release the wall and move back a minimum of two (2.00 m) meters immediately behind it, so that its presence can be heightened and appreciated.
5. Buildings of First, Second and Third Order that have exposed sections of the walls and that are part of the building, must be heightened and valued respecting the intervention order.

It will be obligation of every owner that if in his property there is some visible component of the wall, to give the conservation treatment so that the same is preserved as a historical good.

**TITLE III**

**URBAN REGULATIONS ON PROPERTY AND BUILDINGS OF THE CASCO ANTIGUO**

**CHAPTER I**

## LEVEL OF PROTECTION OF THE BUILDINGS

### SECTION I

#### GENERALITIES

##### **ARTICLE 125:**

The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of the Instituto Nacional de Cultura (National Institute of Culture) is the responsible entity of classifying all the existing buildings in the Historical Monumental Set of the Casco Antiguo, following the norms and international acceptance criteria, bestowing each building the value degree according to the classifications established in Chapter 2, article 3, Literal a-b-c-d. of the Decree Law No.9 of 27 of August of 1997 and that are described in this Chapter.

##### **ARTICLE 126:**

The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will assign an Order of Patrimonial Value for the Conservation of each one of the buildings that comprise the Casco Antiguo, these being of FIRST ORDER, of SECOND ORDER, of THIRD ORDER or FOURTH ORDER, being based on an Inventory and Classification of Buildings. It will also recommend the intervention category and the type of work to be carried out for each intervention project proposed, through the CERTIFICATION OF THE ORDER OF PATRIMONIAL VALUE FOR THE CONSERVATION AND INTERVENTION CATEGORY requested by the interested party.

##### **ARTICLE 127:**

Once the Order and Category of Intervention is assigned through the corresponding CERTIFICATION, the interested party will define the type of work related to the category of intervention to be carried out in the building (restoration, consolidation, recovery, liberation, preparation, remodeling, enlargement, subdivision and demolition).

**Paragraph:** In the event that a building has not been categorized at the moment of initiating the process of preparation of the first draft, the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will make the classification by request of the developer and / or architect designer of the project.

#### CLASSIFICATION OF CONSERVATION ORDERS

( According to the Decree Law No.9 of 27 of August of 1997; by means of which it is established a special regime of incentives for the restoration and valuation of the Historical Monumental Set of the Casco Antiguo of the City of Panama)

##### **ARTICLE 128:**

The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of the Instituto Nacional de Cultura (National Institute of Culture) will be in charge to make the classification of the buildings located in the Casco Antiguo of the city, based on the following:

- a. Building of First Order: that one that is integrating of a great value, total or to a large extent, by showing one of the following

circumstances:

a.1: To be previous to 1850, or because in spite of being later to 1850 is one of the maximum examples of the architecture of its time in the country;

a.2: By their function, inhabitants or events occurred in it and is preserved completely to a large extent.

This type of building must be preserved and restored completely following a scientific methodology, being due to modify or eliminate discordant elements.

- b. Building of Second Order: That one that is partially of great value, because it preserves some important architectonic elements that are previous to 1850 or later, but of maximum architectonic value for its time.

Once the elements of great value are defined, the building will be restored in such way that the elements of great value are heightened. The overall design must harmonize with the elements of great value, modifying or eliminating discordant elements. If the façade by itself only has environmental value, the dispositions of third order will be in place.

- c. Buildings of Third Order: That of little architectonic value but great environmental value.

For this type of building the existing facade must be kept, eliminating or modifying the discordant elements according to what the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) determines. Existing opening in walls must be kept, with their original form, not being able to add new opening in walls. It is prohibited to add new floors towards the front of the building and the roof of the same towards the front will be constructed with its inclination and original form. Doors for garages will be allowed only when they can be arranged in some existing opening of a wall, without modifying its shape and size.

- d. Building of Fourth Order: Those later to 1940, with little or no architectonic or environmental value.

For this time or buildings freedom of remodeling will exist, as long as the environmental quality of the site is improved and the effective norms are respected. Only in this type of buildings and in the case of land without buildings, new constructions will be allowed, maintaining the architectonic design of the time of the structures that are in their immediate surroundings.

#### **ARTICLE 129:**

All the buildings classified as FIRST ORDER must be preserved or restored completely, following a scientific methodology applied with the participation of at least one (1) qualified professional in the restoration area, under the supervision of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony). It is strictly prohibited use it total or partially to be turned into a parking building.

#### **ARTICLE 130:**

For the buildings of SECOND ORDER, once the elements of great value are defined, the same must be restored in such way that these elements are

heightened. The overall design must harmonize with the elements of great value, modifying and eliminating the discordant elements. If the façade by itself has environmental value, the dispositions for the buildings of THIRD ORDER will be in place.

#### **ARTICLE 131:**

The building of SECOND ORDER must be restored following a scientific methodology applied with the participation of at least one (1) qualified professional in the restoration area, under the supervision of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony). It is strictly prohibited use it total or partially to be turned into a parking building.

#### **ARTICLE 132:**

A building of THIRD ORDER could be susceptible of implementation of intermediate floors, entresol or mezzanines, of no less than two meters and twenty centimeters (2.20 m) of height and that have a surface of less than 50% of the area they serve, as long as these move back of the façade so that they do not interfere with the heights of the existing openings in the walls and its structure does not divide them.

#### **ARTICLE 133:**

Only in buildings of FOURTH ORDER and in the case of land with no buildings, new constructions will be allowed, maintaining the design and making reference to the architectonic language of the time of the structures that are found in its immediate surroundings.

### **CATEGORIES OF INTERVENTION IN THE STRUCTURES**

#### **ARTICLE 134:**

The intervention for each estate will be ruled by the norms that correspond to the respective categories. This information will be described in the Certification of Order of Patrimonial Value for the Conservation and Category of Intervention by request of the interested party according to what is indicated in the Title IV, Chapter I – Certification of Order of Patrimonial Value for the Conservation and Category of Intervention of this Decree.

#### **ARTICLE 135: MONUMENTAL RESTORATION**

The monumental restoration implies the preservation and value of the buildings declared National Historical Monument and those of First Order. The conservation of the distribution of the physical structure, façade architectonic and original decorative elements, and those of historical or artistic interest is obligatory in all cases, although they belong to later periods to the construction of the building.

#### **ARTICULO 136:**

The elimination of aggregates that are of no interest to the history of the building and that disturb its appreciation and volume in space is also obligatory. In consequence, for the buildings subject to Monumental Restoration only maintenance, recovery, liberation and exceptionally works of preparation are allowed. Enlargement or subdivision is not permitted. The practiced intervention

works for these buildings will be different with the intention of allowing that the original information is totally recognizable and will have a reversible character.

#### **ARTICLE 137: TYPOLOGICAL RESTORATION**

Subject to this intervention category are the buildings that have the typological characteristics of domestic architecture and special historical types described in the typological records that rest in the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony). Typological Restoration is oriented to keep the typological, structural and formal elements, to assure its functionality and to improve its inhabitability conditions by means of works that obtain the destination for compatible uses, respectful of the characteristics of the building.

#### **ARTICLE 138:**

In the buildings included in the previous intervention category, works of maintenance, consolidation, recovery, liberation, preparation, enlargement and subdivision are allowed. This action will allow that the conformation of the building previous to the intervention is completely recognizable and will have a reversible character.

#### **ARTÍCULO 139: ADJUSTMENT**

The works of intervention in the interior of the buildings that do not have remarkable architectonic value or that do not have connection with the historical typologies, but that are acceptably integrated to the urban set belong to this category. The works that take place in these buildings will intend to improve their inhabitability conditions and to assure their functionality through works that manage their destination to compatible uses with the characteristics of the building. In the buildings pertaining to this category of intervention works of maintenance, consolidation, preparation, subdivision, remodeling and partial demolition are allowed. Extension works that exceed the guidelines required by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) are not allowed.

#### **ARTICLE 140: FACADE RESTORATION AND INTERIOR ADJUSTMENT**

Category defined for those buildings transformed in the interior, but whose facades are part of a homogenous urban set. The works that take place in the buildings pertaining to this category will intend to maintain the front section in the historical and residential typologies and the exterior façade in the contemporary buildings, and at inner level it will improve its inhabitability conditions and assure its functionality through works that manage the destination to compatible uses.

The allowed works for this category of intervention share those norms of the Typological Restoration for the front section or the façade according to the case and the Adjustment Category, in the interior of the building.

#### **ARTICLE 141: RESTORATION OF FACADE AND NEW CONSTRUCTION IN THE INTERIOR**

Category that is applied to those constructions where prior to the official adoption

of the present Executive Decree, collapsed or demolished the interior of the building, keeping total or partially its exterior façade, which is part of a homogenous urban set. The permitted works are directed to the recovery of the façade and to the interior construction of a contemporary work that harmonizes with the preexisting facade and respects the urban context. At exterior level works defined for Typological Restoration are allowed and in the interior, those corresponding to the new construction.

#### **ARTICLE 142: INTEGRATION**

Category established for the new architecture that does not fit suitable in the urban context (in construction materials, proportion of the opening of the walls, heights, slopes of covers, etc.) The works that take place in these buildings will intend to improve its inhabitability conditions, assure its functionality through works that manage their destination to compatible uses and manage the integration of environmental values of the immediate surrounding of the building. The works allowed for this category of intervention are: preparation, remodeling, enlargement (when the actual occupation index allows), subdivision and demolition partial or total. The works of preparation, remodeling, enlargement and subdivision are conditioned to the improvement of the existing problems in the building

#### **ARTICLE 143: NEW CONSTRUCTION**

Empty land and those buildings whose demolition is authorized are subject to this category of intervention.

New construction will be allowed on land without buildings, empty lots, as well as land where a building has been demolished. New construction must fulfill the norms of the present regulation, with Law 14 of 5 of May of 1982, with Law 91 of 22 of December of 1976 and with the Decree Law 9 of 27 of August of 1997. New constructions must harmonize with the environmental value of the set as far as height, proportions and rate of the wall openings.

#### **ARTICLE 145:**

No new construction will be able to exceed the floor levels and the maximum permitted heights within the Historical Monumental Set. In buildings of Fourth Order to be reformed and in new constructions is allowed a maximum of four (4) levels, that is to say, ground floor and three (3) high levels. The minimum height of the levels will be three (3.00) meters and maximum of four (4.00) meters measured up to the superior level of the façade wall

#### **ARTICLE 146:**

The levels where mezzanines are included will be allowed a maximum height of four meters and sixty centimeters (4.60 m)

#### **ARTICLE 147:**

The maximum height for the building will be sixteen meters (16.00 m) measured from the sidewalk level up to the superior level of the façade wall.

#### **ARTICLE 148:**

All new building or of Fourth Order to reform must keep the alignment and continuity of the adjacent façade surface, that is to say, it is due to build on the

property line and will not allow recessed and projecting, with the exception of balconies. The projection of the balconies will be established with reference to the balconies on adjacent or near buildings. The eaves of the covers will not extend more than 50 centimeters from the projection of the balcony.

#### **ARTICLE 149:**

In all new building or of Fourth Order to reform, the roof or cover must be inclined at least towards the front of the building. The slope is due to maintain between 35% and 80%. The waters of the covers must fall towards the street. The eaves maybe be formed by prolongation of the frontal water of the cover or may be independent on modillions anchored to the wall. Being this the case, the water of the cover will end in the façade wall that could be crowned by a cornice or decorative molding. Other cover typologies are accepted according with the existing in the immediate surrounding.

Concrete slabs will be allowed as covers, as long as they have a closing towards the main façade and does not constitute a disturbing element of the environmental surroundings

#### **ARTICLE 151:**

In new constructions and reforms to buildings of Third and Fourth Order is allowed to build a basement. A plant built under the level of the land will be considered as basement and cannot excel over a meter and fifty centimeters (1.50) from the level of the sidewalk in the façade. So that the basement is inhabitable, the windows must have a height not less than seventy-five (75) centimeters. These will have to be at a minimum of fifteen (15) centimeters over the level of the sidewalk. During the excavations and in case of evidence of archaeological remains one is due to notify the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) for an inspection and so that the pertinent registry and rescue works is made.

#### **ARTICLE 152:**

In new constructions and reforms to buildings of Fourth Order, the use of iron doors and inner doors is allowed, only when they are typologically similar to the sector where they are placed.

### **SECTION IV**

#### **CERTIFICATION OF THE ORDER OF PATRIMONIAL VALUE FOR THE CONSERVATION AND CATEGORY OF INTERVENTION**

#### **ARTICLE 153:**

This document is issued by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) to establish the ORDER OF PATRIMONIAL VALUE FOR THE CONSERVATION in which the building to be worked has been classified, based in an inventory and classification of all the buildings that compose the Casco Antiguo. Also, this document guides the interested party detailing the elements of great value to preserve in the building, the category of the intervention that is possible to make within the classification assigned to the building

#### **ARTICLE 154:**

As a previous requirement for any intervention within the historical center, the interested party should request to the Dirección Nacional de Patrimonio Histórico

(National Direction of Historical Patrimony) the emission of a Certificate of Order of Patrimonial Value for the Conservation and Category of Intervention, which will have to be annexed to the written documentation required for the presentation of the different types of plans. Such request will be able to be made in plain paper.

**Paragraph:** The Certification of Order and Category of Intervention will also indicate if the building and/or Project site is sensible to an archaeological study.

## **CONSTRUCTING REGULATIONS**

### **SECTION I**

#### **GENERALITIES**

##### **ARTICLE 155:**

The constructing regulations applicable to existing structures to be worked or for new structures to be constructed in empty land, will regulate the area of occupation, free area, area of construction, maximum height, line of construction, removals and the number of required parking and are approved by Resolution MIVI N° 127-2003, of 25 of August of 2003, *“by which the zoning of the use of the ground and constructing norms for the Casco Antiguo of the City of Panama is approved”*

### **SECTION II**

#### **MAXIMUM HEIGHT ALLOWED**

##### **ARTICLE 156:**

The maximum height allowed will be regulated according to the Order of Patrimonial Value for the Conservation, assigned for the construction:

- 1. In buildings of First Order:** The original height of the building will be maintained.
- 2. In buildings of Second Order:** It will not be allowed to add additional floors towards the front of the building.
- 3. In buildings of Third Order:** It will not be allowed to add additional floors towards the front of the building.
- 4. In buildings of Fourth Order:** Ground floor and three levels. In new constructions the height will be determined by contemporary floors, with a vertical clearance of entresol between 3.00 and 4.00 meters, except in the case of buildings with mezzanines, whose maximum allowed height will be sixteen (16.00) meters.

##### **ARTICLE 157:**

There will not exist more than two levels of difference between a new construction and its adjacent. In addition, increasing the height of the walls of the facades of the buildings of First, Second and Third Order will not be allowed, according with what is ordered by Law No.91 of 22 of December of 1976.

### **SECTION III**

#### **AREA OF OCCUPATION OF THE LOT**

## **ARTICLE 158:**

In existing constructions, the areas of occupation will be subject to the assigned category to the building and to the existence of free area or original patio, or to the feasibility of their recovery.

### **FREE AREAS**

## **ARTICLE 159:**

Free areas are considered all the inner patios and retreats required for natural ventilation and illumination suitable for all the environments; the percentage of incidence regarding the area of the lot will be the difference between this and the percentage of occupancy established for each case.

**Paragraph:** The ventilation conduits and the perimeter of corridors and hallways will not be considered as free area and its surfaces will not be calculable to the total of the free area.

### **SECTION V**

#### **INNER PATIOS**

## **ARTICLE 160:**

In constructions of First Order and Second Order: It is established as condition to recover completely the areas of the inner patios and any other area whose typology obeys the original time of the construction, or is an important part of its evolution in time.

## **ARTICLE 161:**

In buildings of Third Order: The size of the projected or foreseen patio will not be inferior to the existing one (except the buildings where there are no traces of the patio, in which case the norm for buildings of Fourth Order will be applied)

## **ARTICLE 162:**

In buildings of Fourth Orders, empty lots and new constructions the following norm will apply:

- a) In lots which area is less than 100 m<sup>2</sup>, free areas or inner patios will not be required, as long as the proper ventilation in all inhabitable spaces is guaranteed and established in plans;
- b) In lots with areas between 101 and 500 m<sup>2</sup>, the minimum free area will be 10% of the area of the lot. The smaller side of the patio or free area will not be less than 2.5 m;
- c) In lots with area over 501 m<sup>2</sup>, the free area will be a minimum of 20% of the area of the lot and the smaller side of the patio or free area will not be less than 4m.

### **SECTION VI**

#### **LATERAL RETREATS**

## **ARTICLE 163:**

For the lateral retreats of the buildings the following norm will apply:

1. The lateral leanings of the front facade will be due to maintain or recuperate. Openings for dividing walls, previous authorization of the owner of the adjacent building, only in the case that it demonstrates that there is evidence that the opening existed in the original building and it was sealed at a later time will be allowed
2. With openings, the lateral retreats will not be inferior to 1.20 m.
3. The existing buildings will keep their actual lateral retreats.
4. Glass blocks, glass panels or any other closing equivalent in dividing wall will not be allowed

## **SECTION VII**

### **POSTERIOR RETREATS**

## **ARTICLE 164:**

For the posterior retreats of the buildings the following norm will be applied:

1. With blind walls, none;
2. With openings, the posterior retreat will not be inferior to 3.00m;
3. Openings in dividing walls will be allowed, previous authorization from the owner of the adjacent building, only in the case that it is demonstrated that there is evidence that the opening existed in the original building and it was sealed at a later time;
4. Existing buildings will keep their actual posterior retreats;
5. Glass blocks will not be allowed in the dividing wall

## **SECTION VIII**

### **LINE OF CONSTRUCTION**

## **ARTICLE 165:**

It will be kept or recovered the surface line of the existing façade or determined by the other constructions on the street, prohibiting in consequence, any projection or put back, with the exception of the balconies of the superior levels.

## **SECTION IX**

### **PARKING**

## **ARTICLE 166:**

The number of required parking according to the use of the soil assigned to the lot will be regulated by the general norm established for each classification of the Order of the Patrimonial Value for the Conservation. In all the cases underground parking will be accepted and preferred, as long as the subsoil conditions allow it. Must have special care with the buildings of First and Second Order, so that the construction of these underground parking does not alter the appearance of the building, mainly for the access to the ramps.

In the buildings of First Order, Second Order: Will only be allowed parking on ground floor and underground, as long as the opening in the walls and existing

structures allow it and that their implementation happens unnoticed to the exterior.

**ARTICLE 168:**

In buildings of Third Order: The partial use of the floors of the building for parking and underground parking will be allowed, as long as the opening in the walls and existing structures allow it.

**ARTICLE 169:**

In the buildings of Fourth Order: Will be allowed (through legal instruments and pertinent incentives) their total conversion and change of use to adapt the buildings of Fourth Order to parking, being able to vary their internal heights and facades, but keeping the restriction for the maximum allowed heights established in the present Executive Decree.

**Paragraph:** It is strictly prohibited to use total or partially the buildings of First and Second Order for parking.

**CHAPTER III**

**REGULATIONS ON ARCHITECTONIC ELEMENTS OF THE PARTICIPATING BUILDING**

**SECTION I**

**GENERALITIES**

**ARTICLE 170:**

The elements of the surrounding physical exterior of the real estate that affect the urban landscape like covers, facades, closings with their corresponding shapes, window material, texture, stuccos, socles, frieze, elements and decorative finishes like moldings, cornices, etc., must be of strict conservation, depending on the Order of Patrimonial Value for the Conservation assigned to each building.

**ARTICLE 171:**

The solid closing surface will dominate clearly on the openings of the walls, which will be arranged in line, in vertical sense, throughout the height of the façade and at equal intervals in horizontal sense throughout all floors and levels. The allowed material for doors and windows of such openings in the walls will be made of wood, with glass or wood blinds panels, if it applies. It will not be allowed in any case the use of windows and aluminum doors or glass trowels, unless it always

**SECTION II**

**SPECIAL INSTALLATIONS IN BUILDINGS AND THAT AFFECT THE URBAN LANDSCAPE**

#### **ARTICLE 172:**

All domiciliary connection in the buildings in the Casco Antiguo will be installed in a way that their elements are not at sight of the public patrimony zones. For the water and electricity meters, the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will choose, in common agreement with the service providing entities, the element of smaller size possible and which installation in all cases will be embedded in the walls, without excelling these. If the previous condition is not possible due to the lack of thickness on the walls, an adequate solution will be provided to be fulfilled and it will be guaranteed by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **ARTICLE 173:**

In no existing or new construction in the Casco Antiguo electrical, communication, mechanical equipment, and garbage dumps will be placed visible in the principal façade.

#### **ARTICLE 174:**

In all cases, an adequate drainage system for condensed water produced by the mechanical equipment will be installed, which drainage will not be on the surface of the roads or public zones with the intent of not keeping them flooded permanently. The cooling gas or water and in general any conduction pipes system, will not be installed on sight of road or public zones.

#### **ARTICLE 175:**

The perforation of walls, windows, doors and facades is prohibited for the installation of conditioners and air extractors or the use of an opening of a wall existing of window or door for the installation of air conditioner gadgets of the known as “window air”.

(according to the Resolution N°015/DNPH of 21 of May of 2002, that regulates the placements of signs on commercial establishments, billboards, advertisement and propaganda, also the metallic roll up doors or blinds.)

#### **ARTICLE 176:**

Metallic roll up doors or blinds in all business establishments is strictly prohibited because it is a discordant element of the urban typology of the Historical Center.

### **SECTION IV**

#### **WALLS AND DIVIDING WALLS**

#### **ARTICLE 177:**

All window or existing opening in a building of the Casco Antiguo of the City of Panama that opens towards an adjacent lot of another proprietor or that is on the dividing wall can be kept.

#### **ARTICLE 178:**

Is allowed to open Windows towards an adjacent lot or of another proprietor or in the dividing wall, prior written authorization from the adjacent proprietor, if it demonstrates that there is evidence that there existed in the original building and it was sealed at a later time.

#### **ARTICLE 179:**

All construction between dividing walls in the Casco Antiguo (existing buildings as well as new constructions) will be adjusted to these dividing walls. The ventilation or illumination of inhabitable spaces will be accomplished through the openings in the facades towards the street or through inner patios. The lateral or posterior dividing walls will be able to be constructed on sides or closings of these patios.

### **SECTION V**

#### **COVERS OR ROOFS**

#### **ARTICLE 180:**

In the existing constructions in the Casco Antiguo or those cases in where it exists enough physical or documental evidence, the superior level of the cover will not excel the original. In buildings of First Order and in buildings which cover is considered of value in the Inventory of Real Estate of the Casco Antiguo, or by their defect, by judgment of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony), must be preserved with its shape, slopes and original development.

The cover material to be used in the buildings of First, Second and Third Order, will have to be the same of the original of the existing building, although at present time is lost (colonial or Spanish roofing tile flat or French, Imperial Tile, metallic corrugated laminate roof) Buildings of Second and Third Order that have metallic corrugated covers at the moment of the restoration and these do not correspond with the original cover, must be replaced.

#### **ARTICLE 182:**

In the case of new constructions and buildings of Fourth Order to be restored, French tile, imperial, Spanish or Colonial may be used, and galvanized steel laminates or aluminum only corrugated type, prior approval from the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony). The use of other cover materials additional to the previously mentioned is allowed, as long as it is approved by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **ARTICLE 183:**

No equipment installation such as water tanks, elevator boxes, ventilation conduits, antennas or environmental conditioning units, will be installed over the level of the existing cover, be proposed over the level of the roof of a new building or be visible from the public space. In all the events, those elements will be visually covered by the general volume of the building, without excelling or affecting the urban outline. Preferably they must be placed at the bottom of the building.

#### **ARTICLE 184:**

It will not be allowed in existing construction in the Casco Antiguo the opening of visible Windows on facades or skylights towards the street in the level of the cover, unless these have existed originally in the building. If they existed, it will adjust to the documentation that it has. The existing windows, skylights or mansard roofs will be restored completely.

### **SECTION VI**

#### **MATERIALS OF FRAMES, DOORS AND WINDOWS**

#### **ARTICLE 185:**

According to the international norms, different modern construction materials will be able to be used, as long as they are not in contradiction with the architecture and architectonic elements of the place and surroundings. The materials of the frames, doors and windows will be of wood, especially the ones in the main facade. The use aluminum windows or doors or glass trowels in no event will be allowed, unless they have always comprised part of the original building to be preserved. However, the designer will be able to present substitute or similar materials to the consideration of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **ARTICLE 187:**

The design of the wood frames, doors and windows will be due to work following the typical pattern of local traditional woodworking that will be determined by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony), or in the event that there is enough evidence, the different styles and types of existing woodworking elements, according to the building typology can be reproduced.

#### **ARTICLE 188:**

New designs of frames, doors and Windows will be allowed in new buildings or in buildings of Fourth Order, prior presentation of the models for its approval by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

### **SECTION VII**

#### **OTHER DECORATIVE ELEMENTS**

#### **ARTICLE 189:**

When other wood works exist, such as cornices, railing, columns, beams, pillars, ceilings, divisions or decorative works "*ginger bread*" type, these will be restored, reconstructed or copied to be placed again in their place of origin, specifically in buildings of First, Second and Third Order, based on the documentary research or in original elements.

**ARTICLE 190:**

Wood gratings of colonial type will not be allowed; with the exception that documentary demonstrates the existence of this element prior presentation of the design for their approval by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

**ARTICLE 191:**

The ironwork to use in the participating projects of the Casco Antiguo will have to be made following the original pattern of the building, or in its defect, of environmental surroundings. However, the style and time of the building must be taken into consideration to propose the design.

**ARTICLE 192:**

When the ironwork elements cannot be constructed, reconstructed or copied, the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will study the proposal of design.

**ARTICLE 193:**

The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will not authorize iron windows, doors nor balconies in outer facades of constructions of First, Second and Third Order with the closing purpose, if it has not verified their preexistence and previous use.

**SECTION VIII****EXTERIOR FINISH****ARTICLE 194:**

The exterior or all real estate will be painted in mate finish. Painting with oil base is allowed only on wood and metal works.

**ARTICLE 195:**

It will be possible to use diverse smooth colors and without textures. It is not allowed to paint signs nor any other type of graphic expression on the walls. The combination of colors is allowed to enhance architectonic, decorative or structural details. However, major use of the color white is advisable, until a colorimetry study is made, which result will serve as a guide so that the National Direction of

**ARTICLE 196:**

All exterior plaster area will have a smooth and flat finish, avoiding the rustic, porous or exposed plaster.

**ARTICLE 197:**

It will not be allowed to place in the exteriors any synthetic artificial material or plastic, that demerit the environment or the previous architecture.

#### **ARTICLE 198:**

The addition or use of other elements in facades such as stone slab, ceramic finish and other decorative finish that can demerit the project and the urban surroundings will not be allowed.

### **BASIC REQUIREMENTS FOR THE APPROVAL OF PLANS, CONSTRUCTION PERMITS AND OCCUPANCY PERMITS**

#### **CHAPTER I**

#### **GENERALITIES**

#### **ARTICLE 199:**

The presentation of the different plans defined here is obligatory requirement for the obtaining of the construction, occupancy, demolition of structures and infrastructure works within the boundaries of the Casco Antiguo.

#### **ARTICLE 200:**

According to the intervention work in a building or the infrastructure of the Casco Antiguo, the fulfillment of determined requirements for their approval will be required.

#### **CHAPTER II**

#### **TYPE OF PLANS**

#### **ARTICLE 201: FIRST DRAFT PLANS**

The FIRST DRAFT is a direction service for the interested party, prior to the presentation of FINAL PLANS of a project of intervention in the Casco Antiguo. On this stage a SURVEYING of the participating building must be presented, also the plans of the INTERVENTION PROPOSAL.

#### **ARTÍCULO 202:**

The formalities of a FIRST DRAFT will be required in the cases that are described as follows:

1. Construction of new buildings (on empty lots or where a structure has been demolished) ;
2. In all building classified as First Order and Second Order, where the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) determines that the type of intervention will require the presentation of a first draft;
3. In all buildings where the magnitude of intervention exceeds 35% of the total construction area;
4. When a change of use of soil is granted on the property where the project will be developed;
5. The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will be able to request the presentation of a first draft in

other situations in situations where it considers it necessary, in virtue of its custody, preservation and protection faculty of the integrity of the Historical Monumental Set of the Casco Antiguo.

Once the FIRST DRAFT is approved, the FINAL PLANS will be made, for those that develop each one of the constructing, architectonic, decorative, system and details of the construction elements.

#### **ARTICLE 204: FINAL PLANS**

Are those plans presented alter the FIRST DRAFT has been approved. In the final plans the constructing, basic services and any other specialized systems that will be installed in the participating building are detailed

#### **ARTICLE 205: MISCELLANEOUS WORKS PLANS**

MISCELLANEOUS WORKS are those interventions that involve partial internal reforms, changes or structural repair (roofs, floors, beams, columns, etc.), changes on facade, exterior wiring, changes in the electricity systems, plumbing, etc., and will require the presentation of a set of MISCELLANEOUS WORKS PLAN.

#### **ARTICLE 206: MINOR WORKS PLANS**

Are considered MINOR WORKS those interventions that involve repairs or replacement of roof covers, plaster, woodworking, ironworks, painting, changes in finish and any other minor change, reform and internal or external repair.

#### **ARTICLE 207: PLANS FOR DEMOLITION WORKS**

The types of demolition within the Casco Antiguo are classified the following way:

1. Demolition of structures in case of imminent danger (*Law No. 98 of 4 of October of 1973, by which it regulates the procedure to condemn or rehabilitate houses in urban areas*);
2. Total demolition in buildings of Fourth Order;
3. Partial demolition in the interior of buildings

#### **ARTICLE 208:**

Demolition Works in the monumental area of the Casco Antiguo will be allowed only in the events that are detailed as follows, previous authorization from the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) and fulfilling the stipulated in Law No. 98, of 4 of October of 1973, “by which the procedure to condemn or rehabilitate houses in urban areas is regulated”

- a) Total demolition in buildings of Fourth Order when intended to improve the environment and architectonic surroundings with some project;
- b) In buildings with remodeling, rehabilitation or restoration object, that need to make these works and are properly approved by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony);
- c) In Works or added elements to the original structure, that can be released and improve the architectonic characteristics of the building;
- d) Demolition of walls, extensions, buildings of Fourth Order and others that are on any area of monumental type (walls, plazas, parks or any other historical site);
- e) Covers over original patios that may be object of recovery and value or to be able to ventilate and illuminate the area to be restored;
- f) In the case of buildings of First, Second and Third Order in conditions of

imminent landslide danger and where there is no possible way of strengthening the deteriorated work. It will be tried to demolish the minimum urgent and to prop up the rubblework or wood conserved better. Proceeding to make the surveying of the plans and complete photographic registry of the building, as well as the recovery and storage of constructing elements, details or possible decoration saved for its reconstruction;

- g) Any demolition work will consolidate previously the structures before proceeding with the Works, and in greater detail and care if the work is found in a corner or does not have any adjacent.

**Paragraph:** The presentation of plans for FIRST DRAFTS, MISCELLANEOUS WORKS and DEMOLITION WORKS require a Certification of the Order of Patrimonial Value for the Conservation, where it will also be indicated if the building and/or site of the project is sensitive of archaeological study. The procedure for the request of this Certificate is detailed in Article 154.

### **CHAPTER III**

#### **FORMAT OF PRESENTATION OF PLANS**

##### **ARTICLE 209:**

All plans will be presented following the format described as follows:

- a) Minimum dimension of plan sheet: 0.60 m x 0.90 m
- b) Continuous strip of 0.10 m or foot of page, containing the following information:
- Name of the architect or responsible company of the coordination of plans;
  - Name of the project;
  - Complete address and location;
  - Identification of the responsible professional of the surveying and architectonic design;
  - Identification of the drawer;
  - Scale used;
  - Number of sheet and total number of sheets;
  - Name, signature and personal identification number or legal representative on the first sheet of the plan;
  - Stamp (original, given by the Engineering Technical Board) and sign (in original) of the responsible architect of the plan;
  - A space for the stamp of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **REQUEST OF APPROVAL OF PLANS**

##### **ARTICLE 210:**

As obligatory requirement for the request of approval of plans required in FIRST DRAFTS, MISCELLANEOUS WORKS, MINOR WORKS AND DEMOLITION, the interested party will present the following written documents at the time that the plans enter for their evaluation:

- a) Certification of Order of the Patrimonial Value for the Conservation, issued by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of INAC;
- b) Request (in plain paper) to the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) where it appears:

- Name of the project;
- Location;
- Name and license number of the responsible professional of the making of the plans;
- Amount of sheets of the plan;
- Proposed use for the project and activity to be made;
- Area of construction;

The request will be endorsed by the proprietor or the responsible architect of the making of the plans;

c) Documents that will have to accompany the request:

- Original of the Public Registry certificate of the inscription of the building;
- In the case of companies, will present the original of the Public Registry certificate or a notarized copy where it appears the data of the company's inscription, their directors, board of directors, legal representative, address, duration, among others;
- Lease agreement and consent of the owner to make the intervention, in case that the proposing is the renter;
- In the case that the proprietor or the architect are not the ones responsible for the transaction, these will have to present a notarized power of attorney that authorizes them;

d) Descriptive memoir that contains:

- Concepts and technical criteria description, functional, formal, plastic and landscaping of the Project (only for plans in analysis stage of FIRST DRAFT);
- Historical documentation of the building (only for plans in analysis stage of FIRST DRAFT);
- Photographs of all elevations, interiors and details of the building (valid for all types of plans);
- Bibliographic and research sources (only for plans in analysis stage of FIRST DRAFT);

e) When regarding to interventions in State property, the following documentation will be presented:

- Copy of the Resolution of Adjudication from the competent government entity properly authenticated by the same;
- Program of execution of the work;
- Authorization from the government entity responsible for the site that will be intervened.

For the presentation of FINAL PLANS, the interested party will add the following information to the requested in literal "b" of Article 210:

- a) Pathological analysis of the building;
- b) Intervention methodology to be used;
- c) Consolidation and protection proposal.

## **CHAPTER V**

### **GRAPHIC DOCUMENTATION REQUIRED FOR THE PRESENTATION OF PLANS**

#### **SECTION I**

#### **FIRST DRAFT, MISCELLANEOUS WORKS AND DEMOLITION WORKS PLANS**

## **ARTICLE 212: SURVEYING**

The following information will be indicated in the plan:

- a) Property, Volume, Folio, number, area of the lot and proprietor;
- b) Area of construction (open / closed);
- c) REGIONAL LOCATION in 1/5000 scale;
- d) GENERAL LOCATION between 1/100 and 1/500 scale, where it will be indicated:
  - Easements and lines of construction of the access roads;
  - Nomenclature of the road and central axis;
  - Boundaries, measures, courses, lot identification;
  - Adjoining;
  - Magnetic orientation;
  - Architectonic ground floor indicating existing environments;
  - Existing retreats;
  - Levels of ground and existing finished floor;
  - Existing vegetation;
  - Continuous sidewalk throughout the road;
  - Entrance and exit of existing vehicles;
  - Existing pluvial water drainage within the property and its canalization to the easement;
  - Location of the storage of existing garbage;
  - Other existing easements within the lot.
- e) Surveying of the existing floor or architectonic floors, including general dimensions and environment identification, materials specifications, walls, fences, patios, sanitary installations, pluvial drainage, etc.;
- f) Surveying plant of the floor design;
- g) Surveying plant of the ceiling design;
- h) Surveying of all existing facades;
- i) Two sections (transversal and longitudinal) of the building before the intervention proposal;
- j) Surveying of the doors details (all existing models, decorative details, material specification);
- k) Surveying of staircases (structure, pillars, handrail design and starting of stairs);
- l) Surveying of the roof detail (structure, cover, slope, original drainage system, constructing system, levels of lintel, and level of eaves).

## **ARTICLE 213: INTERVENTION PROPOSAL**

- a) Summary of the areas of construction (open and closed)
- b) Proposed easements within the lot;
- c) Plant or architectonic plants that are projected in the building with regards to the line of construction, including general dimensions and environment identification, walls and existing fences, walls and new fences and to be demolished, patios, sanitary facilities, materials specification, etc.;
- d) Proposal for the design of floors;
- e) Proposal for the design of ceiling;
- f) Proposal for intervention on the facades;
- g) Two sections (transversal and longitudinal) of the building with the intervention proposal.
- h) Detail of the door proposals (decorative details, materials specification);
- i) Detail of staircase proposal (structure, pillars, handrail design and starting of stairs);
- j) Detail of roof proposal (structure, cover, slopes, drainage system, constructing system, levels of lintel, and level of eaves);
- k) Details of architectonic and decorative elements proposed;
- l) Indicate in plant and facades the location of the following future installations:

- Pluvial drainage system
  - Air conditioner system (proposed);
  - Garbage disposal system;
  - Water tank;
  - Chimney and extractors;
  - Gas tanks;
  - Electrical generators;
  - Electrical transformers;
  - Special systems;
  - Other equipments that can be discordant with the appearance of the facades or covers of the building
- m) Note indicating the place to hang clothes. It will not be allowed to hang bedding, personal hygiene nor clothing on elements of exposed façade towards areas of public use;
- n) Will have to present one (1) original and two (2) sets of copies of the plans;
- o) After approved, the FIRST DRAFT plans will be valid for two (2) years. The MISCELLANEOUS WORKS and DEMOLITION WORKS plans will be valid for three (3) years.

**Paragraph:** The buildings of Fourth Order to be demolished are excluded from the requirement of presentation of SURVEYING.

## **SECTION II**

### **FINAL PLANS**

#### **ARTICLE 214:**

Once the FIRST DRAFT plans are approved, the interested party will have to fulfill the requested requirements for the presentation of FINAL PLANS.

- a) First draft approved plans;
- b) Special design for disabled (in case of public use buildings);
- c) Structural plans and memoir with calculations;
- d) Electrical system plans;
- e) Plumbing system plans;
- f) Air conditioning system, refrigeration and ventilation plans;
- g) Telecommunication system plans (internal and external);
- h) Fire detection system plans;
- i) emergency electric generator system plans;
- j) electronic equipment installation plans;
- k) Others;
- l) Modifications to buildings incorporated to the Horizontal Property Regime must fulfill the established Law No.13 of 28 of April of 1993 and its modifications;
- m) Fulfill any other agreement that have effect on the building;
- n) When related to painting jobs, the interested party will present a color proposal, based in neutral colors and without gloss. Exterior finish with textures will not be allowed. In case that the original color of the façade of the building is discovered, the new color should come as near as possible to it;
- o) One (1) original and two (2) sets of copies of the plans will be presented;
- p) After approved, the final plans will be valid for 3 years.

## **SECCIÓN III**

### **MINOR WORKS PLANS**

#### **ARTICLE 216:**

The presentation of plans or sketches will be allowed, they will have to express with enough clarity the actual state and intervention to be made, according to the extent of the work.

#### **ARTICLE 217:**

- a) Regional location 1/5000;
- b) Schematic surveying of the area of intervention;
- c) Architectonic plant indicating the changes;
- d) Details;
- e) Specification of finish and materials;
- f) When regarding to paint jobs, the interested party will have to present a color proposal, based on neutral colors and without gloss. Exterior finish with textures will not be allowed. In case that the original color of the façade of the building is discovered, the new color should come as near as possible to it;
- g) One (1) original and two (2) sets of copies of the plans or sketches will be presented;
- h) After approved, the final plans will be valid for 3 years

#### **COMPLIMENTARY CONSIDERATIONS FOR THE PRESENTATION OF PLANS**

#### **ARTICLE 218:**

After receiving the plans the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will make an inspection to the site of the project, prior approval of the same. In case that elements of architectonic value are identified during the inspection and that have not been expressed on the first draft plans, the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will request to the interested party their graphic representation.

#### **ARTICLE 219:**

Once received the plans with the complete documentation, the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will convoke the Comisión Nacional de Arqueología y Monumentos Históricos (National Commission of Archaeology and Historical Monuments) for the respective evaluation, in a time limit no longer than fifteen (15) days. The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will be able to approve the first draft, or suggest modifications to it, explaining the foundations of the objections as well as giving specific recommendations about the aspects that have to be modified. The answer has to be issued in a time limit no longer than fifteen (15) days, counted from the meeting of the Comisión Nacional de Arqueología y Monumentos Históricos (National Commission of Archaeology and Historical Monuments) where that has been the corresponding quorum. The Commission will have to meet periodically at least two (2) times a month.

#### **ARTICLE 220:**

The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will issue the approval, rejection and observations regarding to the plans presented by the interested party by means of a Resolution.

#### **ARTICLE 221:**

It is responsibility of the interested party to fulfill the requirements established for

the presentation and registration of plans, described in the Municipal Agreement No. 116, of 9 of July of 1996, “by which promulgates dispositions about the construction, additional structures, improvements, demolitions and ground movements in the district of Panama”, after approval by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony).

#### **ARTICLE 222:**

In the Dirección de Obras y Construcciones Municipales del Distrito de Panamá (Direction of Works and Municipal Contructions of the District of Panama), the interested party will have to present one (1) copy of the Resolution issued by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) and a stamped copy of the plan where the project is approved.

### **METHODOLOGY OF DEMOLITION**

#### **ARTICLE 223:**

The method of demolition to be used will be indicated by writing, graphic of the bracing of the remaining structures, roads for vehicle and pedestrian circulation that will be obstructed at the moment of demolition and alternatives for temporal circulation while the works are being made.

#### **ARTICLE 224:**

The interested party will notify to the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) the date of the demolition of the structure. This activity will be supervised by a technician from said institution.

## **CHAPTER VII**

### **REQUEST OF CONSTRUCTION, OCCUPANCY AND DEMOLITION PERMITS OF BUILDINGS IN THE CASCO ANTIGUO**

#### **ARTICLE 225:**

Construction, occupancy and demolition permits for the Works within the Casco Antiguo of the City of Panama, will be issued by the Dirección de Obras y Construcciones Municipales (Direction of Works and Municipal Constructions), prior to fulfilling the procedures and requirements established in this manual.

#### **ARTICLE 226:**

To obtain the construction, occupancy and demolition permit with the intent of carrying out construction, repairs, additions to buildings of the Casco Antiguo, the certified professional or Construction Company will have to fulfill with the requirements established in the Municipal Agreement No. 116, of 9 of July of 1996 – “by which it promulgates dispositions regarding construction, addition of structures, improvements, demolitions and ground movement in the district of Panama” and all its modifications.

#### **ARTICLE 227:**

The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will carry out inspections to the intervened buildings in the

construction stage and before issuing the Occupancy Permit. In case of the nonfulfillment of the approved on plans by the proprietor and/or builder, the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will proceed to suspend the work until the anomalies are corrected.

## **REQUEST OF CHANGE OF USE OF SOIL**

### **ARTICLE 228:**

To request a change or modification to the use of soil assigned to a determined property within the limits of the Casco Antiguo, the interested party will have to approve before the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) of INAC a first draft according to the established in the Title IV – Chapter V – Section I: FIRST DRAFTS, MISCELLANEOUS WORKS AND DEMOLITION WORKS PLANS

### **ARTICLE 229:**

Alter approval of the First draft by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) by means of a Resolution, the interested party will have to fulfill the established requirements by the Dirección General de Desarrollo Urbano del Ministerio de Vivienda (General Direction of Urban Development of the Ministry of Housing), presenting a formal request in stamped or qualified paper that directs the proprietor and the responsible architect where the following will be detailed:

1. General documents
  - a) Registry of the Property (property, number, folio and lot number), area of the lot, name, signature and personal identification number and telephone number of the proprietor; name, signature and license of the architect (stamp) and telephone number;
  - b) Location of the property (street or avenue, ward, corregimiento), actual zoning and requested zoning;
  - c) Reasons that sustain the requested change;
  - d) Copy of the Resolution issued by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) where the first draft is approved.
2. Specific Documents
  - a) Plan of the lot where public access (streets and paths) and the adjacent ones are shown, in a scale of 1/100;
  - b) Plan of regional location of the lot, which covers 500 meters around in a scale of 1/5,000;
  - c) Optional: a sketch of the project, where its functionality can be seen.

## **CHAPTER IX**

### **REQUEST OF PERMITS FOR THE USE OF SIDEWALKS AND PUBLIC OPEN SPACES**

### **ARTICLE 230:**

These permits will have to be previously requested before the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) and before the Dirección de Legal y Justicia de la Alcaldía de Panamá (Direction of Legal and Justice of the Mayorship of Panama).

**Paragraph:** All the interested parties in using the sidewalks and public spaces

will have to have the authorization of both state institutions. Additionally, it will require the coordination with the public safety authorities and the Junta Comunal (communal board) of the location if necessary.

## **PENALTIES**

### **ARTICLE 231:**

All cases of signs, billboards, notices, proclamations, commercial, political or advertisement propaganda painted, placed or stuck on any surface of the façade or pavement of the Historical Monumental Set; will be penalized with fines of up to B/.5,000.00 (five thousand balboas); which will be executed by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) in accordance with the established Resolution No.015/DNPH, of 21 of May of 2002. It will also be ordered to the responsible the removal and/or immediate cleaning of the placed things to their expense, applying obligatory penalties both to the people and to the editing companies of the material.

### **ARTICLE 232:**

All proprietors or possessors of a building that starts an intervention work without previous authorization of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) or in violation, it will be suspended immediately. The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will request the demolition of the constructed and the reconstruction of what has been destroyed within the term established for this purpose, at the expense of the offender.

### **ARTICLE 233:**

The proprietors, possessors or tenants of sites that are within the Historical Monumental Set of the Casco Antiguo of the City of Panama, will not be able to subdue repair works without previous permit of the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony). The destruction or demolition total or partial of these monuments will be penalized by the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) with a fine of up to fifty thousand balboas (B/.50, 000.00) according to the established in article 6 of Law 58 of 7 of August of 2003.

### **ARTICLE 234:**

The proprietors of the buildings that have requested eviction of the buildings located within the Historical Monumental Set of the Casco Antiguo of the City of Panama and do not start their restoration, or do not continue work already initiated, without justification. The Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) will impose fines noninferior from one thousand balboas (B/.1,000.00) and not higher than ten thousand balboas (B/.10,000.00) within the following year of the effective vacancy of the building, in agreement with the established in article 37 of the Decree Law 9, of 1997.

**Paragraph:** New fines will be imposed every twelve months in the case that the restoration has not initiated.

### **ARTICLE 235:**

The proprietors of the buildings that are empty will have the obligation of securing the structure to avoid their ruin and diminish their deterioration the nonfulfillment

of these actions will generate the imposition of fines starting at a hundred balboas.

**ARTICLE 236:**

All proprietors of empty buildings and empty lots located in the Casco Antiguo of the City of Panama, which have not been incorporated into the restoration policies and put in value of the set; after a period of two years subsequent to its vacancy; will be subject to the imposition of fines that will not be inferior to one thousand balboas (B/.1,000.00) or higher than ten thousand balboas (B/.10,000.00)

**Paragraph:** New fines will be imposed every twelve months, if the previous conditions persist.

**ARTICLE 237:**

All proprietors of a building within the Casco Antiguo are obligated to maintain their property in a suitable state of conservation, neatness and cleanliness. By fulfilling this norm, it forces them to prevent that their property is turned into a dump by pouring wastes within the same, by sealing the openings or by fencing off the land, subject to being forced by the Alcaldía de Panamá (Mayorship of Panama) by punitive means, to clean them or to pay the expenses that the Alcaldía (Mayorship) incurs when cleaning them.

**ARTICLE 238:**

The constitutive elements of the public space in buildings and areas of conservation, that could have been destroyed or altered, will be replaced by those responsible in a term of thirty (30) days starting on the date of the imposed penalty. The nonfulfillment of this obligation will give place to the imposing of consecutive penalties each month in delay, in the amounts that the Alcaldía de Panamá (Mayorship of Panama) and the Dirección Nacional de Patrimonio Histórico (National Direction of Historical Patrimony) establishes.

**ARTICLE 239:**

This Decree will be in effect from its promulgation.

LEGAL FOUNDATION: Decree Law 9 of 27 of August of 1997.

COMMUNICATE AND OBSERVE

MIREYA MOSCOSO PRESIDENT OF THE REPUBLIC

MIRNA PITTI DE O'DONNELL  
MINISTRY OF THE PRESIDENCY

**I CERTIFY THAT THIS DOCUMENT IS AN ACCURATE TRANSLATION FROM  
SPANISH TO ENGLISH FROM THE ORIGINAL DOCUMENT**

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