

 <p>ASAMBLEA DEPARTAMENTAL ARCHIPELAGO DE SAN ANDRÉS PROVIDENCIA Y SANTA CATALINA</p>	<b>ORDENANZA</b>	Versión: 1
	PROCESO DE TRÁMITE DE INICIATIVAS Y PROPOSICIONES	Fecha Aprobación: 08/09/2016
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**ORDINANCE Nº 020 OF 2016**  
(November 29)

**“BY MEANS OF WHICH ORDINANCE 005 OF 2007 AND ORDINANCE 004 OF 2006 ARE MODIFIED AND IT IS REGULATED THE MANAGEMENT, MAINTENANCE AND ECONOMICAL LEVERAGE OF THE PEDESTRIAN PATHWAY IN COLOMBIA AVENUE ALSO KNOWN AS SPRATT BIGHT-PATHWAY IN NORTH END SECTION OF SAN ANDRES ISLAND”.**

**THE ASSEMBLY OF THE DEPARTMENT ARCHIPELAGO OF SAN ANDRES, PROVIDENCE AND KETHLEENA**, in use of its legal faculties, especially the ones given by the numeral 7 of the article 313 of the Political Constitution of Colombia and in accordance to the articles 8, 19 and 13 of the Law 47 of 1993.

**ORDERS**

**ARTICLE 1.** Be modified the article 5 of Ordinance 004 of 2006, the one will state:

**ARTICLE 5:** COMPATIBLE USE OF SEMI-PERMANENT NATURE: It is authorized solely the commercialization of goods and services, except alcoholic beverages, through the placing of removable chairs, tables, and parasols, according to the authorized use stated in the Land Use Plan (*POT*) for that zone.

**ARTICLE 2.** Be modified the paragraph 1 of the article 6 of the Ordinance 004 of 2006, that will state:

**PARAGRAPH 1.** It will make part of the hereby ordinance the blueprint issued by the Administrative Department of Planning that defines the locating areas for furniture, indicating the areas that each authorized establishment could use by the hereby Ordinance facing the pedestrian pathway, whose area cannot in any case exceed 3 meters, from the façade of the commercial establishments towards the pedestrian pathway, to the front part that each commercial establishment have, guaranteeing the free circulation of the citizens.

**ARTICLE 3.** Be modified the article 7 of the Ordinance 004 of 2006, that will state:

**ARTICLE 7.** FARE. The charge of the use of the public space compatible to a semi-permanent nature will be the equivalent to the 20% of 1 minimum monthly legal wage by square meter occupied, monthly.

**PARAGRAPH 1.** The collection will be destined to the maintenance and recovery of the public space of the pedestrian pathway Spratt Bight Pathway in the North End section of San Andres island.

CONTINUATION OF THE ORDINANCE No. 020: "BY MEANS OF WHICH ORDINANCE 005 OF 2007 AND ORDINANCE 004 OF 2006 ARE MODIFIED AND IT IS REGULATED THE MANAGEMENT, MAINTENANCE AND ECONOMICAL LEVERAGE OF THE PEDESTRIAN PATHWAY IN COLOMBIA AVENUE ALSO KNOWN AS SPRATT BIGHT-PATHWAY IN NORTH END SECTION OF SAN ANDRES ISLAND".

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**ARTICLE 4.** Be added and incorporated the chapter 4 RESTRICTIONS AND OTHER DISPOSITION to the Ordinance 004 of 2006 that will state:

**ARTICLE 22.** Be prohibited the use of speakers or sound reproducing artifacts to the public space or the exterior of the commercial establishments that have a compatible use of a semi-permanent nature.

**ARTICLE 23.** Be regulated the schedule for all commercial establishments located across the pedestrian pathway where sale and consumption of alcoholic beverages is held, this way: from Monday to Thursday, from 11:00 am to 12:00 pm (midnight), and Fridays, Saturdays, and Sundays, from 11:00 am to 1:00 am.

The noncompliance to the schedules established will lead to penalties through a fine equivalent to 5 minimum monthly legal wage, and temporary or permanent closure of the establishment.

**PARAGRAPH 1.** Be excepted discotheques, bars, casinos and similar establishments, as long as they are soundproof, in consideration to the subsection 4 of Article 1 of Ordinance 005 of 2007.

**PARAGRAPH 2.** Who relapses in the violation of that appointed in the former article will be revoked of their license or contract of compatible use of public space.

**ARTICLE 24.** Be the Governor given the faculty to modify through a decree, duly sustained, the schedule, areas, type of furniture, decoration, urban amenities, and other elements that make part or affect the good use of the pedestrian pathway of Spratt Bight, previous authorization of the Departmental Assembly.

**PARAGRAPH 1.** The Department's Government will guarantee the fundamental rights of the residents and the community of the Raizal Ethnic People that develop street vending and semi-stationary activities, and the exhibitors of typical raizal gastronomy that have previous authorization of the Secretariat of Government over the pedestrian pathway of Spratt Bight.

**ARTICLE 5.** The ordinance hereby goes into effect from January 31 of 2017. From the moment it is sanctioned and published, it derogates other disposition that are contrary to it.

Approved at the Hall of Sessions of the Honorable Departmental Assembly, during its ordinary session on November twenty nine (29<sup>th</sup>), two thousand sixteen (2016).

  
**OSCAR BOWIE STEPHENS**  
President

  
**JENIFER BENT OLMOS**  
General Secretary

**THE DEPARTMENTAL ASSEMBLY OF SAN ANDRES, PROVIDENCE, AND KETHLEENA, THE GENERAL SECRETARY OF THE DEPARTMENTAL ASSEMBLY OF SAN ANDRES, PROVIDENCE AND KETHLEENA CERTIFIES:** that the ordinance hereby went under the three obligatory debates

CONTINUATION OF THE ORDINANCE No. 020: "BY MEANS OF WHICH ORDINANCE 005 OF 2007 AND ORDINANCE 004 OF 2006 ARE MODIFIED AND IT IS REGULATED THE MANAGEMENT, MAINTENANCE AND ECONOMICAL LEVERAGE OF THE PEDESTRIAN PATHWAY IN COLOMBIA AVENUE ALSO KNOWN AS SPRATT BIGHT-PATHWAY IN NORTH END SECTION OF SAN ANDRES ISLAND".

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in different dates and Ordinary Sessions: **FIRST DEBATE IN COMISSION**, on November 24<sup>th</sup>, 2016, **SECOND PLENARY DEBATE**, on November 28<sup>th</sup>, 2016, **THIRD PLENARY DEBATE**, on November 29<sup>th</sup>, 2016; becoming the Ordinance 020 of November 29<sup>th</sup>, 2016.



**JENIFER BENT OLMOS**

General Secretary



**GOBERNACIÓN**

Departamento Archipiélago de San Andrés,  
Providencia y Santa Catalina  
*Reserva de Biosfera Seaflower*  
Nit: 892.400.038-2

CONTINUATION OF THE **ORDINANCE No. 020 OF 2016** "BY MEANS OF WHICH ORDINANCE 005 OF 2007 AND ORDINANCE 004 OF 2006 ARE MODIFIED AND IT IS REGULATED THE MANAGEMENT, MAINTENANCE AND ECONOMICAL LEVERAGE OF THE PEDESTRIAN PATHWAY IN COLOMBIA AVENUE ALSO KNOWN AS SPRATT BIGHT-PATHWAY IN NORTH END SECTION OF SAN ANDRES ISLAND".

DEPARTMENT ARCHIPELAGO OF SAN ANDRES, OLD PROVIDENCE, AND KETHLEENA.

PRIVATE SECRETARY: San Andres island, December 5<sup>th</sup>, 2016: I received the Ordinance hereby and hand it to the Governor's Office for its sanction.

**VANESSA CORREAL CAMARGO**  
Private Secretary

GOVERNOR'S OFFICE, San Andres Island, December 6<sup>th</sup>, 2016.

BE IT EXECUTED AND COMPLIED

**RONALD HOUSNI JALLER**  
Governor