Regulamento Interno do DL de São João da Barra

September / 2017

RULES OF PROCEDURE OF ID OF SÃO JOÃO DA BARRA

1. PRESENTATION

Art. 1 - For the purposes of this regulation, rational use of the industrial, commercial and service of the land of the Industrial District of São João da Barra, hereinafter referred to as "DISJB", is understood to be:

I. Ensuring the appropriate space for each type of activity;

II. Preventing the distortion of the area for unauthorized purposes;

III. Establishing urban parameters aimed at environmental, economic and social sustainability.

Art. 2 - The technical standards of this Regulation have the following objectives:

I. The establishment of the territorial division and zoning of DISJB to enable the planning and implementation of urban equipment necessary for the correct functioning of manufacturing and commercial units to be installed;

II. Safeguard the interests of the public, state and municipal administration and the companies to be installed in DISJB;

III. The preservation of existing access points matching them with the road and rail infrastructure to be implemented;

IV. Ensure green areas of protection, taking into account local peculiarities aiming at the well-being of the community;

V. Allow the economic profitability of the companies to be installed in DISJB and the socioeconomic development of Norte Fluminense Region;

VI. Impose limits on land occupation to ensure the proper functioning of the designed meso-drainage system and allow the environmental sustainability of the lagoon system in the region;

VII. Ensure the sustainable development of DISJB, ensuring compliance with legal parameters and best practices related to the use of natural resources and compatibility of DISJB with the communities surrounding it and economic development of the companies installed in DISJB.

Art. 3 - For the purposes of this regulation and for its application, the following basic definitions are established:

- **I.** *Occupancy Rate:* is the percentage relationship obtained between the projection of the building in the horizontal plane and the total area of the Lot;
- **II.** *Industrial waste:* waste water from an industrial process or the provision of various services;
- **III.** *Lot:* is the smallest plot of land, whose location is adjacent to a recognized public street, equipped with the basic infrastructure and destined for construction;
- **IV.** *Alignment*: is the imaginary line that separates the Lot from the public street or from other boundaries;
- **V.** *Spacing*: it is the shortest distance between the buildings and the front, side and back borders of the lots, measured perpendicular to them;
- **VI.** *Block*: areas of land with basic infrastructure, but not yet subdivided into Lots, according to the numbering indicated in the approved Land Parcelling Project;
- **VII.** Land Parcelling Project: is the project presented by CODIN and approved by the Municipality of São da Barra, which contains the layout and guidelines for allotment of DISJB.

2. GENERAL PROVISIONS

Art. 4 - The numbering of Blocks and Lots will follow the constant designation of the DISJB Land Parcelling Project.

Art. 5 - The regulation of the buildings adopted will respect the municipal postures in force in the municipality of São João da Barra, complemented by the guidelines contained in these regulations.

Art. 6 - The DISJB area, for the purposes of planning and discipline of use and occupation of land and in compliance with the propositions of the Land Parcelling Project for zoning purposes, is basically divided into:

I. Blocks;
II. Lots;
III. Public Place Names;
IV. Drainage Channels;
V. Green Areas;
VI. Transmission Lines;
VII. Tracks Designated for Railroads;
VIII. Lanes Designated for Highways;
IX. Tracks Designated Ducts;
X. Utility Ranges, intended for water supply, sewage services, electricity, rainwater collections, telephone network and piped gas.

Art. 7 - In DISJB, the construction of buildings for uses other than those defined in the Land Parcelling Project will not be allowed without the prior consent of CODIN.

Art. 8 - Parking of vehicles will not be allowed, under any circumstances, on common use roads.

Art. 9 - It will be the responsibility of the occupiers and / or owners of the Lots of DISJB to maintain buildings, green areas and land in their possession and / or property, always treating and protecting it according to good practice and in compliance with the legal provisions for cleaning and hygiene.

Art. 10 - The drilling of water wells in the DISJB area will subject to prior authorization and may only be initiated after the publication of the concession by the competent environmental agencies.

Art. 11 - The provisions of these regulations must be observed in the approval of the project and in the execution of any work or service to be carried out in DISJB and will also comply with the other legal provisions emanating from the Union, the State of Rio de Janeiro and the Municipality of São João da Barra.

Art. 12 - The obligations to comply with the recommendations of these regulations shall be included in a specific clause in the Deeds of Purchase

and Sale, Contracts, Leases, Promises or any other instruments of assignment of rights and transfer of ownership and/or ownership.

Art. 13 - Along the public domain ranges of highways, railways and pipelines, it will be mandatory to reserve *non-aedificandi* ranges according to the requirements of specific legislation.

Art. 14 - Along the natural channels, rivers, lagoons and other similar occurrences, marginal protection ranges should be respected in the form of the Law.

Art. 15 - The cases not provided for in these Regulations will be analysed by the Secretary of State of the Civil House and Economic Development, the Secretary of State for Works - SEOBRAS, the Industrial Development Company of Rio de Janeiro - CODIN or any organs of the State Executive Power that succeed them and who will also establish the procedures to be obeyed on a case by case basis.

3. PROJECT

Art. 16 - Without prejudice to other requirements provided for in this regulation and other applicable laws, any legal entity interested in settling in DISJB must be conditioned to the zoning of the municipality of São João da Barra and the industrial typologies defined by CODIN in the Promises of Purchase and Sale of the Blocks of DISJB.

Sole Paragraph: Exceptionally and upon prior and specific consent of CODIN, a legal entity with an industrial typology other than that initially defined by CODIN may be installed.

Art. 17 - The respective permits should be submitted to CODIN by those interested in installing the lots as soon as they are issued. The situation plan, containing the buildings, accesses, parking areas and green areas with blocks of areas and occupancy rates should also be submitted containing all the clearances in relation to the land boundaries so that the guidelines set forth in this regulation are respected.

§1 - All projects will be prepared in accordance with legislation and the requirements of Brazilian agencies and the relevant standards regarding: i) hygiene and safety at work, ii) the environment, iii) water collection and supply, iv) effluent release and gas emissions.

§2 - The interested party may submit the preliminary draft of his/her project to CODIN for a preliminary analysis, serving as a guideline for the preparation of the situation plan. The project to be installed must be submitted later to CODIN to verify compliance with the terms of these regulations by the beginning of the operation of said enterprise.

Art. 18 - The impermeabilization of the natural soil in the DISJB is limited to seventy percent of the land area. This limitation follows the specificities of the meso-drainage project in meeting the project flows calculated with this condition of soil impermeabilization limitation and the limitations imposed by the sensitivity of the lagoon system existent on the site.

Sole Paragraph: Any physical intervention that prevents or hinders the absorption of rainwater by natural soil, including earthworks with clay-silt cover, is considered impermeabilization. In specific locations and where possible, companies should provide for structures and devices that allow rainwater to infiltrate into the soil and prevent degradation/contamination of water bodies.

Art. 19 - The maximum occupancy rate is eighty percent in DISJB lots, and must follow the conditions provided in Arts. 20, 21, 22 and 23 of these regulations, according to practices adopted in Industrial Districts of the State of Rio de Janeiro.

Art. 20 - A green area should be planted corresponding to fifteen percent of the total area of each Lot.

Sole Paragraph: The green area must comply with the following conditions:

I. At least half of the area (50% of the green area or 7.5% of the Lot), must have forests or tree massifs, with a minimum density of one tree every 10m²);
II. In the remaining part (50% of the green area or 7.5% of the Lot), gardens and/or lawns with sparse trees may be planted, i.e., containing one or more trees for every 50 m²;
III. Green areas can be planted and/or overlap with the minimum clearance areas dealt with in Art. 22 below.

Art. 21 - The industries and developments to be installed, including hotels and restaurants, must provide the spaces within their Lots necessary for parking and evolution of vehicles whether cargo or passengers vehicles.

Art. 22 - Relating to boundaries, distancing will comply with the criteria set out in the following table:

Area of the Lot	**Minimum Distance from Boundaries (m)**		
	Front	**Side**	**Rear**
upto 5,000m²	5	3	3
between 5,001 and 10,000m²	10	4	4
between 10,001 and 100,000m²	10	5	5
between 100,001 and 500,000m²	15	8	8
over 500,000m²	20	20	20

§1 - In the case of buildings with protruding extensions, the most prominent should keep the minimum distance in projection established for the distancing.

§2 - All boundaries with the meso-drainage channel system must comply with the protection ranges defined by law.

§3 - The distances mentioned in the *caput* do not apply to areas where there already exists or may exist constructions of port structures for mooring/unmooring - piers, berths among others - necessary for the development of projects installed there.

Art. 23º - The front, lateral and rear boundaries of Lots must have their limits physically represented, and may be of the following types:

I. Grids or fencing of all boundaries;
II. Concrete posts on all borders;
III. Eucalyptus posts on all boundaries;
IV. Fenced walls on all borders, except for the one facing the access route to the Lot. In this boundary, mixed type fencing (masonry and grid) can be built provided that a minimum of seventy percent of visual transparency of its elevation area can be guaranteed.

Sole Paragraph: The boundaries mentioned in the caput do not apply to areas where there already exists or may exist constructions of port structures for mooring/unmooring - piers, berths among others - necessary for the development of projects installed there.

Art. 24 - The confluence of entrances with alignment to the public roads should allow wide visibility for the movement of vehicles.

§1 - The entrance gates for the Lots may not open on the side of the public thoroughfare;

§2 - Access to the Lots which are accessible via two or more routes should always accessed by the least important route.

§3 - Vehicle entries must be indented by at least 5 meters, in relation to the alignment of the Lot to allow wide visibility.

Art. 25 - The hydro-sanitary sewage facilities of the industrial establishments will be designed in such a way as to make it impossible to mix with liquid waste. Facilities for domestic sewage, industrial waste and rainwater should be installed independently of each other.

Sole Paragraph: The general effluents of the building facilities of domestic sewage and industrial waste may be connected after the treatment of the latter, when necessary, for the purpose of launching into the sewage collection network of DISJB or in other receiving media authorized by the competent environmental agency and in the form of the legislation in force.

Art. 26 - The construction the Sewage Treatment Plant of the type "Stabilization Pond" will not be allowed to in the Lots without provision in appropriate environmental licensing or activity that provides for such construction.

4. CONSTRUTION

Art. 27 - Any construction, demolition, renovation or modification of a building located in DISJB can only be executed with prior approval of the respective projects by the Municipality of São João da Barra in compliance with the provisions of this regulation and local legislation.

Art. 28 - Unauthorized works or executed in disagreement with the project of the enterprise approved by the Municipality of São João da Barra will be subject to embargo and demolition, whenever requested from this municipal agency without prejudice to other administrative and judicial procedures regarding the person responsible for the project.

Art. 29 - The embargo of the work will be requested in the following circumstances:

I. Disrespect to the project of the enterprise approved by the Municipality of São João da Barra;
II. Disrespect to Alignment;
III. Non-compliance with the marginal protection ranges and other n*on-aedificandi* ranges on the land and distances provided for in this Regulation or required by licensing bodies;
IV. Risk to their stability, endangering the public or workers;

V. Lack of licensing and authorisation of the competent bodies.

Art. 30 - Demolition, in whole or in part, may be requested in the following cases:

I. Clandestine construction which is understood to be without prior approval of the project or without a building permit;
II. Construction made without observance of alignment, marginal bands of protection and other distances or that disrespects the approved project;
III. Work deemed hazardous when the acquirer does not want to take measures that the Civil Defence of the State of Rio de Janeiro suggests for its safety;
IV. Construction that has compromised stability and that the acquirer does not want to demolish or cannot repair, due to lack of resources or regulatory provision.

Art. 31 - The State of Rio de Janeiro through CODIN and the Municipality of São João da Barra may require the modification or repair of facilities that are not in accordance with the provisions of these regulations.

Art. 32 - The construction and maintenance of the front entrances to the Lots will be the responsibility of the occupiers and / or owners of the respective Lot and will comply with the requirements of this Regulation and other applicable rules.

Art. 33 - Temporary constructions, indispensable for the storage of materials and surveillance of the land, should be demolished on conclusion of the definitive constructions.

Art. 34 - Specialized labor necessary for the various constructions should be, whenever possible, contracted in the region. Housing work should be provisioned and be made available in order to avoid temporary residential occupations in the vicinity of DISJB.

5. Infrastructure

Art. 35 - The State of Rio de Janeiro and CODIN will not participate financially in the implementation and maintenance of infrastructure of DISJB.

Art. 36 - The obligation to implement, maintain and manage the following common infrastructure will be the full and absolute responsible of legal entities, who sign or come to sign a contract of promise of purchase and sale with CODIN in proportion to the promised / acquired Block when applicable and in proportion to their legal responsibility:

I. Public places;
II. Channels of the meso-drainage system;
III. Electricity supply, lighting, signalling systems and afforestation;
IV. Domestic and industrial sewage collection networks, sewage treatment plants, lifts and their final destination, including a submarine emissary, if necessary;
V. Water distribution network, hydrants and other mechanisms necessary to prevent and fight of fires;
VI. Communications and data system;
VII. Natural Gas Distribution Network;
VIII. Landscaping of common areas in the DISJB;
IX. Air quality and noise monitoring network;
X. Green areas;
XI. Signalling;
XII. Other services commonly used in DISJB.

§1 - The obligation to implement, maintain and manage the common infrastructure of DISJB pursuant to Art. 36 will cease when any demand for common infrastructure in the Block and/or lot can be met by the respective utility.

Art. 37 - The industries and enterprises installed in DISJB may form or join a consortium and/or association of DISJB in order to combine efforts for the implementation and subsequent maintenance and management of the basic infrastructure of DISJB. This will not prejudice the responsibility of each industry/enterprise for the implementation of the infrastructure necessary for its own operatio and must always be respected the determinations and guidelines established by the licensing bodies of the whole or part of DISJB.

Art. 38 - This regulation comes into force in September 2017 and will apply to projects whose approval will be requested after that date, becoming an integral part of the Promises of Purchase and Sale Conditioned concluded by CODIN, in the form of Annex VI, in place of the previously approved internal regulations.