AN ACT

TO AUTHORIZE THE CREATION OF ANCIENT OR HISTORIC ZONES OF PUERTO RICO; TO EMPOWER THE PLANNING BOARD TO ESTABLISH SAID ZONES WITH THE APPROVAL OF THE GOVERNOR OF PUERTO RICO; TO REQUIRE THAT ALL PROJECTS OR WORKS TO BE CARRIED OUT WITHIN THE BOUNDARIES OF AN ANCIENT OR HISTORIC ZONE BE PREVIOUSLY APPROVED BY THE BOARD OF BUILDING APPEALS; BEFORE ANY WORKS MAY BE AUTHORIZED IN THOSE ZONES BY THE BUREAU OF BUILDING PERMITS, AND FOR OTHER PURPOSES.

Be it enacted by the Legislature of Puerto Rico:

Section 1.—For the purposes of preserving the historic treasures of Puerto Rico, and developing tourism through the conservation and protection of special places and structures, it is hereby provided that every application for a building permit or any other kind of permit filed with the Bureau of Permits, created by Act No. 429 of April 23, 1946, to be used within the boundaries of an Ancient or Historic Zone created pursuant to this Act and in the manner hereinafter provided for, shall previously be reviewed and authorized with regard to its details, architectural features, and proper relationship with the character of such zone.

Section 2.—The Board of Building Appeals, created by Act No. 213 of May 12, 1942, as subsequently amended, shall, for the purposes of this Act and in addition to its other obligations and duties, pass upon the propriety of each and every one of the additions (including signs) architectural features, and other characteristics of any building, structure, appurtenance, or part thereof which, on and after the effectiveness of this Act, it may be desired to build, rebuild, enlarge, alter, restore or develop in any other way within any ancient or historic zone of Puerto Rico.

The Board of Building Appeals shall prepare and adopt for its own guidance and for that of the public, such regulations, standards, plans, and architectural drawings or sketches as it may deem requisite for the buildings or projects in these zones. In the carrying out of these functions, the Board shall use and employ or contract for without being subject to the regulations of the Office of Personnel, such persons, and such professionals, technicians, or experts in architecture, history, or other matters as it may deem necessary to counsel the board in connection with the purposes of this Act.

[Approved, May 14, 1949]
Section 3.—The Planning Board of Puerto Rico, created by Act No. 213 of May 12, 1942, as subsequently amended, is hereby empowered to establish Ancient or Historic Zones in any part of Puerto Rico. The said zones may include one or more lots or properties, or only a part of same, whether they are public or private property; they shall be established pursuant to the procedure of the previous public hearing provided for by Section 16 of said Planning Board Act; and the resolutions establishing said zone shall be effective and have the force of law as soon as they are definitely approved by the Governor of Puerto Rico. The same procedure shall be observed for the discontinuance, enlargement, reduction, or any other modification of the area of said zones.

An Ancient or Historic Zone is an area within which the buildings, structures, appurtenances, and places are of basic and vital importance for the development of culture and tourism because of their association with history; because of their unique colonial Spanish style, including color, proportion, form, and architectural details; because of their being a part of, or related to, a plaza, park, or area the design or general arrangement of which should be preserved and/or developed according to a fixed plan based on cultural, historical, or architectural motives or purposes in general.

Section 4.—Every plan, blueprint, elevation, and all other information accompanying each request for a building permit or any other kind of permit to be effectuated within an ancient or historic zone, shall, before it can be approved or authorized, be submitted by the Permit Officer to the Board of Building Appeals for the previous consideration and judgment thereof. The Board of Building Appeals shall take into consideration the design and general arrangement, the material, the color, and the architectural style of the building or structure in question, or the use or project to be developed, and the proper relationship thereof with the features and characteristics of the nearby buildings and the immediate neighborhood in general.

The Board of Building Appeals may request any information it deems necessary, and, after a request or plan has been submitted, the Board shall, within a period of not to exceed forty-five (45) days, refer its approval to the Permit Officer along with a report stating the bases and reasons for said approval.

In the case of disapproval in whole or in part, the Board of Building Appeals shall state the reasons for such action, making, in turn, recommendations on the most suitable design, arrangement, material, or color for the property, project, or works in question, on the basis of such standards or plans as the Board may have fixed or may deem suitable for the zone indicated in such project.
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Artículo 5.—En el caso de así rechazarse un permiso de construcción o desarrollo de proyecto, la parte solicitante podrá recurrir en revisión directamente a la Corte Suprema de Puerto Rico, dentro del término de quince (15) días a partir de la fecha de notificación de tal resolución o acuerdo de la Junta de Apelaciones sobre Construcciones; Disponiéndose, que dicha revisión ante la Corte Suprema se podrá conceder y se limitará exclusivamente a cuestiones de derecho.

Artículo 6.—Esta Ley, por ser de carácter urgente y necesaria, empezará a regir inmediatamente después de su aprobación.

Aprobada en 14 de mayo de 1949.

[No. 375] [Aprobada en 14 de mayo de 1949]

AN ACT

TO AMEND SECTION 1 OF ACT NO. 441, APPROVED MAY 14, 1947 AND FOR OTHER PURPOSES.

Be it enacted by the Legislature of Puerto Rico:

“Section 1.—All natural or artificial persons against whom condemnation proceedings were prosecuted by The People of Puerto Rico or by any of the departments, agencies, or instrumentalities thereof, shall have the preferential right to reacquire possession of and title to said properties whenever The People of Puerto Rico or the department, agency, or instrumentality thereof which has the title to said property registered in its name, decides to alienate, in whole or in part, the properties condemned; excepting such cases in which any other department, agency or instrumentality of the Government of Puerto Rico, including the Municipalities of Puerto Rico and the Government of the Capital of Puerto Rico, are interested in acquiring said property for purposes of public utility.”

Section 2.—All laws or parts of laws in conflict herewith are hereby repealed.

Section 3.—This Act, being of an urgent and necessary character, shall take effect immediately after its approval.

Approved, May 14, 1949.