

## COAST LAW

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For the annulled articles of this Law  
see "Annulled Articles of Some Laws in Force"  
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### SECTION ONE General Provisions

#### Objective

**Article 1 -** This law has been arranged to determine the utilization and protection principles of sea coasts, natural and artificial lake and river banks and the coastal stripes effected from, and as continuation of, those locations by considering the natural and cultural features and towards the benefits of the society and for public good.

#### Scope

**Article 2 -** This Law covers the arrangements on sea, natural and artificial lakes and river banks and the coastal stripes surrounding sea and lakes, and the opportunities and the provisions to benefit from those locations for public good.

#### Exceptions

**Article 3 -** The provisions of the special law will be followed in military prohibited areas and security zones or in locations involved in the operational and defense purposes of the Turkish Armed Forces directly concerned with the country security (excluding dwellings and social facilities); the provisions of the special laws not in conflict with this Law will be followed in locations specified or will be specified by other special laws.

#### Definitions

**Article 4 -** The definitions of the terminology indicated in this Law are as follows:

**Coastal line:** The line that joins the points where water meet the land in seas, natural and artificial lakes and rivers, excluding overflow.

**Coastal Edge Line:** The natural boundaries of the sandy, pebbly, rocky, stony, rushy, swamp and alike locations formed by the water movements towards land after coastal line at seas, natural and artificial lakes and rivers.

**Coast:** The area between the coastal line and coastal edge line.

Coastal stripe: From the coastal edge line towards the land:

- a) the area of horizontally minimum 20 m wide in locations where application structure plans will be made, <sup>(1)</sup>
- b) the area of horizontally minimum 50 m wide, regardless of the existence of the environmental order and /or the regulating structure plan, within or out of the boundaries of the municipality and vicinity areas where there are no application structure plans exist,
- c) the area of horizontally minimum 100 m wide, regardless of the existence of the environmental order and /or the regulating structure plan, within or out of the boundaries of the municipality and vicinity areas.

Narrow coast: Conjunction of the coastal edge line with the coastal line.

Structure for public use: The structure that are open to everyone who wish to benefit from in equal terms, in accordance to the rules and fare tables determined or approved in conformity with the legislation, that does not provide any privileges to the individuals or societies for its use and has not dwelling immunities.

**(Last para abolished by the resolution of the Constitutional Court with E.: 1990/23, K.: 1991/29 dated 18/9/1991)**

## General Principles

**Article 5 -** The general principles on the coasts are given below:

The coasts are under the provision and possession o the State. The coasts are open for the benefits of everyone in equal terms and freely.

Public good will be primarily taken into consideration for benefiting from the coasts and coastal stripes.

It is essential to determine the coastal edge line in order to make plannings and implementations in the coasts and coastal stripes.

On demand, the coastal edge line will be determined within three months following the requirement date in locations where there are no existing determined coastal edge line.

## SECTION TWO

### Coast, Coastal Edge Line, Coastal Strips, Planning and Structuring

Protection of the Coasts, Construction Prohibitions and Structures to be made on Coasts

**Article 6 -** Coasts are open for utilization by everyone in equal terms and freely and any construction of what so ever are not allowed; there cannot by any obstacles such as wall, fence, wire, ditch, stake ad alike.

There can not be any, excavations that would alter the form of the coast; extracting sand, pebble and alike is prohibited.

With the resolution of application structure plan the followings can be made on the coasts:

a) The infrastructure and facilities for public good and protecting the coasts such as wharf, port, shelter, boarding locations, quay, breakwater, bridge, passage, retaining walls, lighthouse, maintenance beach, boat house, salt pen, discharge and pumping stations.

b) Special structures and facilities such as dock yard, vessel dismantling sites and production and breeding locations of water products of which are not possible to be located elsewhere due to the nature of the activities.

These structures and facilities can not be used for other purposes.

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<sup>(1)</sup> This para has been abolished by the resolution of the Constitutional Court with E.: 1990/23, K.: 1991/29 dated 18/9/1991, and the resolution will be effective after six months from the publication date of January 23, 1992.

## Land Acquisition Through Filling and Desiccation and the Structures that Can be Made Onto These Lands:

**Article 7 -** Where public good necessitates and with the resolution of the application structure plan, lands can be acquired through filling and desiccation by considering the ecological features of seas, lakes and rivers.

The corresponding proposal of the related administration that will accomplish the filling and desiccation will be forwarded to the Ministry of Public Works and Re-settlement together with the consideration of the governor whom the initial application be made. The Ministry will examine the proposal by taking views of the corresponding agencies. If found appropriate, an application structure plan will be prepared by the concerning administration. The provisions of the Structure Law will be applied for the plans to be prepared. However, if these plans are to be the ones under the Law on Encouragement of Tourism, No 2634 the Ministry of Public Works and Re-settlement will ratify the plans in accordance to article 7 of the said Law. Filling and desiccation activities will be carried out in accordance to the current legislation. These lands will be under the jurisdiction and possession of the State and cannot be subject to private proprietary.

Only structures indicated in article 6 can be constructed, and technical and social infrastructural areas can be arranged such as roads, open parking area, parks, green areas and play grounds on these lands.

### Structures that can be Made onto the Coastal Stripes

**Article 8 -** There can not be any structure and facilities in the coastal stripes within the limits indicated in article 4, where there are no application structure plan.

There cannot be any obstacles such as wall, fence, wire, ditch, stake and alike in locations where there are application structure plans. Wastes and scraps that could pollute and degrade the environment such as rubbles, soil, slag, garbage can not be dumped; there can not be any excavations.

However, only structures and facilities indicated in articles six and seven and with the resolution of the application structures plans, touristic structures and facilities for daily visiting, excluding accommodation, can be constructed.

### Determination of the Coastal Edge Line

**Article 9 -** Coastal Edge Line will be determined by a committee that will be established by the governors with minimum 5 public employees

This committee will comprise of; geological engineer, geologist or geomorphologist, mapping engineer, agricultural engineer, architect and urban planner and civil engineer.

The coastal edge line determined by the committee and submitted with the view of the governor will come into force after ratification by the Ministry of Public Works and Re-settlement.

The operational procedures and principles of the committee will be specified by the regulation prepared by the Ministry of Public Works and Re-settlement.

### Plans in Coasts and Coastal Stripes

**Article 10 -** The plans in the coasts and coastal stripes can not be contrary to this Law and to the regulation issued in accordance to this Law. The plans among those that will be prepared in accordance to the structure plans or under the scope of the Law on Encouragement of Tourism, No. 2634 due to the nature of the location, will be finalized upon ratification in accordance to article 7 of the said Law.

### Granting License to the Structures on Coasts and Lands Acquired through Filling and Desiccation

**Article 11 -** It is essential to obtain the necessary permission from the Ministry of Finance and Customs to construct structures and facilities that can be possible to be accomplished on coasts and lands acquired through filling and desiccation in accordance to the provisions of this Law.

This permission is adequate to grant the construction license.

The forms and provisions of the permission will be specified in the regulation that will jointly be determined and issued by the Ministries of Public Works and Re-settlement, and Finance and Customs.

Annotating the Tittles

**Article 12** - The nature of the structures constructed on the coastal stripes in accordance to article 8 of this Law should be recorded into the remarks section of the title-deed.

### SECTION THREE

#### Controlling, Structures Violating the Structure Legislation and Penal Provisions

##### Controlling

**Article 13** - The controlling activities of the areas under this Law; if the area is within the boundaries or vicinity of the municipality the activity will be conducted by the municipalities, if the area is outside the boundaries or vicinity of the municipality the activity will be conducted by the governors. The inspection and controlling rights of the concerning ministries are reserved.

##### Structure Violating the Structure Legislation

**Article 14** - The provisions of the Structure Law, No 3194 will be applied for the structures without any license and for the structures violating the granted license and supplements under this Law.

##### Penal Provisions

**Article 15** - a) The following fines will be applied in the coasts and coastal stripes where application structure plans exist;

1. 5 million liras to the parties who create obstacles such as wall, fence, wire, ditch, stake and alike and those who extract sand and pebbles.

2. 10 million liras to the parties who dump wastes and scraps that could pollute and degrade the environment such as rubbles, soil, slag, garbage.

3. 50 million liras to the parties who performs excavations that would alter the form of the coast; extracting sand and pebble.

b) The penalties that are foreseen in the provisions of the Structure Law, No 3194 will be applied in double to the owners and contractors of the structures without any license and the structures violating the granted license and supplements under this Law.

However, fine will not be applied to those who demolish their structures within the time specified in the Structure Law, No 3194 due to unenabling to obtain license.

Fines will be applied directly by the corresponding governor or the mayor.

Appeal application can be made to the competent administrative court against administrative fines latest within seven days following the official fine notification. Appeal will not cease the implementation of the fines.

Further legal actions will be taken to parties who fail to accomplish or delay the actions and procedures foreseen in this Law or local managers and other public officials who misconduct the Law.

If fines are not paid then the provisions of the Law Regarding the Collection of Public Recievables, No 6183 will be applied.

##### Regulation

**Article 16** - The regulation concerning the implementation of this Law will be prepared by the Ministry of Public Works and Re-settlement within three months following the publication of the Law, by taking the written considerations of the Ministries of Finance and Customs, and Tourism.

**Provisional Article** - The provisions regarding the coastal stripes of the 1/1000 scaled application structure plans that have been ratified and partly or wholly structured in accordance to the previous legislation before the enforcement of this Law are valid. However, the provisions of para two of article 8 are reserved.

Enforcement

**Article 17** - The provisions of (.....)<sup>(2)</sup> will be effective on the date of the publication.

Implementation

**Article 18** - The provisions of this Law will be implemented by the Council of Ministers.

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<sup>(2)</sup> The wordings of "In 1/3/1995, the provision of the last para of article 4, other....." have been abolished by the resolution of the Constitutional Court of E.:1990/23, K.: 1991/29 dated 18/9/1991 and removed from the text. ( See Official Journal: 23/1/1992-21120)