

Law of Georgia

on Protective Sanitary Zones of Health Resorts and Resort Localities

Chapter I. General Provisions

Article 1. Law-governed Area

This Law defines necessary terms and conditions of the location of enterprises, entrepreneurial activity, use of natural medicinal resources and re-settlement of population within health resorts and resort localities of Georgia.

Article 2. Objective of Law

This Law aims at the preservation of properties of natural medicinal resources and the establishment of protective sanitary zones with the object of their protection from pollution, deterioration and depletion.

Article 3. Legislation on Protective Sanitary zones of Health Resorts and Resort Localities

The legislation of Georgia on protective sanitary zones of health resorts and resort localities comprises the Constitution of Georgia, the Law of Georgia “On Tourism and Health Resorts”, the laws passed in the environmental protection and natural resources use area, this Law and other statutory acts.

Article 4. General Rules of Protective Sanitary Zones

1. Protective sanitary zones are established for health resorts and resort localities of Georgia within which the works that pollute soil, water, air, damage forests and other green plantations, give rise to erosion processes, render the negative impact upon natural medicinal resources and sanitary state of health resorts and resort localities shall be prohibited.

2. Sanitation-recreational, renovation, restoration and other measures are implemented within the protective sanitary zones which contribute to the preservation of landscape, secure and observance of sanitary standards of natural medicinal resources within health resorts and resort localities, create favourable conditions for health improvement and recreation.

3. Strict operating conditions are established in the protective sanitary zones providing for the sanitation-recreational measures which are necessary for maintaining, protecting and restoring major natural medical resources.

4. The protective sanitary zones are established for all health resorts and resort localities.

5. The unified protective sanitary zones may be established in using one or more interlocated mineral water deposits, adjoining beaches and other medicinal resources within several health resorts and resort localities.

6. The protection of natural resources which do not belong to medicinal ones (drinking water, land, airspace, water surface, etc.) within the protective sanitary zones is carried out in compliance with this Law and legislation of Georgia.

Article 5. Natural Medicinal Resources

The natural medicinal resources comprise:

- a) mineral water deposits (or sections thereof) used on the spot for medicinal or bottling purposes;
- b) medicinal muds;
- c) natural gas and vapor deposits possessing curative properties;
- d) other deposits (bischofite, ozokerite, clays, thermal waters, magnetic sand beaches, etc.) known for curative properties;
- e) curative karst caves;
- f) sea, lake and river coastal areas and climate used for the medicinal and recreational purposes;
- g) forests, forest-parks and other green zones having the preventive, curative and rehabilitative functions.

Chapter II. Protective Sanitary Zones and Their Regime

Article 6. Protective Sanitary Zones

Three protective sanitary zones are established for health resorts and resort localities of Georgia: the first – of strict regime; the second – of restricted regime; the third – of observation regime.

Article 7. The First Zone

1. The zone of strict regime comprises the territory of a health resort and resort localities locating natural and man-made mineral water outlets, deposits of a medicinal resources, curative karst caves, beaches with the adjoining territory and coastal water area defined in compliance with the applicable sanitary regulations and standards.

2. The following is prohibited on the first-zone territory:

- a) operations not directly associated with the use of natural medicinal resources;
- b) construction of industrial and agricultural projects;
- c) mining and excavation work;
- d) permanent or temporary residence of natural persons.

3. The following operations associated with the use of natural medicinal resources may be allowed on the first-zone territory: mining and excavation, building of structures (capping, catchment works, pumping facilities, pipelines, reservoirs, basin structures, drinking water galleries and pump-rooms, trestles and other mud-extraction and utilization facilities), coast-protecting, erosion control and slide-protecting operations, as well as the erection and repair of communication and park facilities.

Article 8. The Second Zone

1. The zone of restricted regime comprises the territory where surface and underground waters are discharged into deposits of mineral waters and medicinal muds, as well as the territory of a

health resort or resort locality built up with resort facilities, other buildings and structures of resort infrastructure, recreational gardens and parks and the adjoining forest-parks or where their development is envisaged.

2. The following is prohibited on the territory of this zone:

- a) the construction and utilization of projects that are not directly associated with the resort development;
- b) the construction of new industrial projects and development of the existing ones that are not directly associated with the resort improvement and development;
- c) the building of animal- and poultry-breeding complexes and farms;
- d) the arrangement of dumping grounds;
- e) the storage of pesticides, mineral fertilizers and chemical substances;
- f) the building of new transit-motor roads;
- g) the arrangement of collective motor-transport parking lots with disregard of specialized sewerage works;
- h) the production of new housing construction, the arrangement of collective gardens, temporary tourist camps without the appropriate sewerage and water supply system;
- i) the arrangement of new burial grounds and the expansion of the existing ones;
- j) the storage and burial of agricultural, industrial and household waste;
- k) the arrangement of slaughter-houses;
- l) the cattle driving;
- m) the application of chemicals and mineral fertilizers to control pests, weeds and plant diseases;
- n) the discharge of waste and drainage waters into water bodies (except for the special in depth discharge of purified waste water), as well as other water-management kinds adversely affecting the sanitary state of water reservoirs;
- o) the wood cutting (except for the regeneration cutting) and such land plots' management which lead to the reduction or deterioration of natural medicinal resources of the resort locality.

3. In the event of widespread quarantine pests and plant diseases, the application of safe for man reliable chemicals may be carried out by competitive services.

Article 9. The Third Zone

1. The observation zone comprises the area of formation and distribution of hydromineral resources and climate, the health resort surrounding forest tracts, as well as the territories which utilization in violation of the rules established for a sanitary zone may adversely affect the hydrologic regime of the deposits of mineral waters and medicinal muds and the sanitary and landscape-climatic conditions of the health resort.

2. The performance of all the operations which will not adversely affect the natural medicinal resources and the territory is sanitary state is allowed on the zone territory.

Chapter III. Protective Sanitary Zone Boundaries

Article 10. The First Zone Boundaries

The first zone boundaries are fixed:

a) for mineral water outlets and wells-taking into account their natural protection degree, but not less than within 15 metres from the well and outlet contour;

b) for medicinal mud deposits taking into account the natural deposit protection degree, type and hydrogeological regime, but not less than within 25 metres from the zero boundary of the deposit and the water reservoirs long-term maximum water level;

c) for curative beaches and water areas – not less that within 100 metres of the coastal land, and not less than 300 metres – in a water reservoir.

Article 11. The Second Zone Boundaries

1. The second zone boundaries are fixed:

a) for mineral water deposits – with regard for the territory’s geostructural and hydrogeological peculiarities;

b) for medicinal mud deposits – on the nearest watershed line of surface waters;

c) for other natural medicinal resources – with regard for geostructural and geomorphological peculiarities;

2. Where necessary, subject to agreement of bodies of local government, the second zone boundaries may be fixed by hydrodynamic and other factors, but within not more than 500 metres from the first zone boundary.

Article 12. The Third Zone Boundaries

1. The third zone outer boundaries depend on the natural medicinal resources-forming outer boundaries.

2. The sanitary zone outer boundaries coincide with the third zone outer boundaries, or with the first and/or third zone boundaries, where such do not exist.

3. For a health resort where:

a) mineral resources are a natural medicinal factor, three protective sanitary zones (first, second and third) are established;

b) climate is a natural medicinal factor, two protective sanitary zones (second and third) are established.

4. For a resort locality where:

a) mineral resources present a natural medicinal factor, two protective sanitary zones (first and second) are established;

b) climate is a natural medicinal factor, one protective sanitary zone (second) is established.

5. Boundaries of a protective sanitary zone on the spot are fixed by a body of local government within not later than six months as of the date of their approval.

6. Notification of natural and legal persons on the fixing of boundaries and the operating regime thereof in individual zones is carried out under established procedure.

7. In health resorts, where the prospecting work to plan protective sanitary zones was not conducted, the resort management body shall, in coordination with bodies of local government, the appropriate executive bodies and other concerned organizations, and on condition that the protective sanitary zone planning and approval be carried out under establish procedure, elaborate the temporary protective sanitary zone boundary within not later than two years from the resort’s putting into operation.

Chapter IV. Securing Sanitary Protection of Health Resorts and Resort Localities

Article 13. Planning of Protective Sanitary Zones

1. A project of protective sanitary zones is drawn up by the State Department of Tourism and Health Resorts of Georgia in coordination with the Ministry of Environmental Protection and Natural Resources, the Ministry of Health, the Ministry of Urbanization and Construction, the State Forestry Department of Georgia and submitted to the President of Georgia for approval.

2. Expenses in connection with the planning of protective sanitary zones shall be provided in the state budget.

3. The prospecting and design works of protective sanitary zones and resort facilities are performed by organizations having the corresponding license.

4. Protective sanitary zones and their regime shall be based on the compliance of the territorial complex plans, functional zones, land-use, regional planning and master plans with this Law.

5. The Ministry of Health of Georgia shall, under established procedure, work out the sanitary reference provided under the protective sanitary zones' planning programme.

6. A project of protective sanitary zones shall provide for the protective sanitary zones' boundaries and a list of sanitation measures to be implemented within these zones.

7. Protective sanitary zones in the Abkhazian and Ajarian Autonomous Republics are established by the respective executive authorized bodies in coordination with the State Department of Tourism and Health Resorts of Georgia and submitted to the President of Georgia for approval.

8. The State Department of Tourism and Health Resorts of Georgia shall, within the limits of its competence, in coordination with bodies of local self-government and administration, issue recommendations on matters stipulated by the Law and coordinate the measures to be implemented.

Chapter V. Final Provisions

Article 14. Putting of Law into Force

This Law shall be put into force upon promulgation.

President of Georgia
Eduard Shevardnadze
Tbilisi
20 March 1998
No. 1296-II