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**PROJECT NO. 4729/2006**

## **ZONAL URBANISM PLAN FOR ROSIA MONTANA INDUSTRIAL AREA**

**VOLUME 2**

### **LOCAL URBANISM REGULATION**

**BENEFICIARY: ROSIA MONTANA GOLD CORPORATION**

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## **I. GENERAL DISPOSITIONS**

### **Art. 1.      The role of the Local urbanism Regulation**

1.1. Local urbanism regulation is an urbanism documentation of regulatory character which includes provisions referring to the way of land use, development and use of the buildings and arrangements afferent to the study area named ROSIA MONTANA INDUSTRIAL AREA, placed south to the locality.

1.2. Local urbanism regulation accompanies the Zonal Urbanism Plan (PUZ) and explains, details the provisions of regulatory character of P.U.Z.

1.3. Local urbanism regulation is an act of authority of the local public administration and it is approved by the Local Council based on the endorsements obtained according to the provisions of Law no. 50/1991, republished.

1.4. The provisions of this documentation applies the general opinion which stays at the base of the Zonal Urbanism Plan observing the approvals and the endorsements to which the PUG was submitted to.

1.5. Changing the approved Local urbanism regulation will be made only in the spirit of the provisions of the General Urbanism Plan (PUG). Endorsement of some changes to the Zonal Urbanism Plan and also to the Local urbanism regulation can be done only by observing the approval- endorsement direction which the initial documentation followed.

### **Art. 2.      Legal Base**

2.1. At the base of the elaboration of the Local urbanism regulation are:

- General Urbanism Regulation approved by Governmental Decision (H.G.R.) no. 525/1996 and Application Guideline of G.U.R., approved through M.L.P.A.T. order no. 21/N/10.04.2000.

- Guide regarding the performing methodology and frame content of PUZ – elaborated by the National Institute of research and development for the urbanism and territory arrangement URBANPROIECT BUCHAREST indicative GM 010-2000, approved through M.L.P.A.T. order no.176/N/16.08.2000.

- Guide regarding the performing methodology and frame content of urbanism documentations for the protected built areas – project, elaborated by the National Institute of research and development for the urbanism and territory arrangement URBANPROIECT BUCURESTI indicative GM 011-2000, October 2000.

- Regulations included in P.U.G., and in stipulations of the local urbanism regulation for P.U.G approved, elaborated by OPUS – Architectural workshop, Bucharest, and other specific law papers or complementary to the domain.

2.2. The local Urbanism regulation details the provisions of the General urbanism regulation according to specific conditions of each of the areas .

2.3. Within the Local urbanism regulation all provisions are taken from the urbanism documentation or from the territory arrangement approved according to the law (all documentations that were at the base of P.U.Z. elaboration).

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**Art.3. Applicability Area**

3.1. The Zonal Urbanism Plan together with the Local urbanism regulation include obligatory norms for the permit of the buildings for all category of land within the intravilan area. The intravilan area is made of land areas for buildings and arrangements within the locality and if the case, of the other existing localities and parts of the administrative territory.

3.2. The functional Zoning is established based on the activity category which it includes and on their presence in the territory according to provisions of art. 14 from General Urbanism Regulation regarding the assurance of the function compatibility and it is presented in the REGULATIONS drawing of the Zonal Urbanism Plan.

Based on this zoning are established the placement and building compliance conditions within each functional area that will be observed.

3.3. The division of the area in reference territory units shall done according to the plan containing the delimitation of U.T.R. which is part of the Regulations. The U.T.R. is a conventional representation containing a territorial area with predominant function, functional homogeneity and unitary characteristics .

3.4. The U.T.R. is bordered through physical limits existing in terrain (streets, property limits, water, etc) and could contain a fully function area, more sub areas from one functional area and is the graphical support for presenting the regulations correlated with drawings proposals.

**I. BASIC RULES REGARDING THE LAND OCCUPATION MODALITY**

**Art.4. Rules regarding the maintenance of the environment integrity and the protection of the built and natural patrimony**

4.1. The permitting of construction work and arrangements on the farm lands from extravilan is allowed for the functioning and conditions established by the law. The Local Public administration authorities will follow at the issuing of the building permit ,the land surfaces grouping impacted by the constructions to avoid the harm to the agricultural activities.

4.2. The permitting of construction work on the farm lands from intravillan is allowed for all types of buildings and arrangements specific to the localities by observing the conditions imposed by the law and by the present regulation. Through building permit the agricultural lands from intravillan will be transferred from the agricultural circuit ,temporary or permanent, according to the law. The destinations of these lands are represented in the plan of REGULATIONS of the P.U.Z.

4.3. The permitting of construction work and arrangements on the lands with forest destination from extravillan and intravillan of the locality is allowed with the specialized public administration authority approval. At the placement of these buildings a surface as small as possible from forestry culture it is to be decommissioned. The afforested lands are shown in drawing of the REGULATIONS of the P.U.Z.

4.4. Permanent building permitting, other than the industrial one, necessary to the exploitation and processing of resources in the areas limited according to the law, that contain identified resources of the underground, is forbidden. Construction work permitting, necessary to the exploitation and resources processing that are identified shall be done by the county councils or local councils, and if the case, with the specialized authorities permitting. In the case of identifying some resources in the intravillan the exploitation way will be the object of an impact study according to the law. The lands with soil resources will be on

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the plan of TERRITORY COMPLIANCE and/or REGULATIONS of the Zonal Urbanism Plan (P.U.Z.)

4.5. Construction work permitting of any kind inside the minor river bed and in the lakes as well as in the meteorological platform protection areas is forbidden except the works for bridges, works necessary for rail ways and roads over rivers crossing, water courses as well as water management works. The building permitting of the works stipulated above is allowed only with authorities permitting of water managing and assuring the measures of protection of the buildings against floods, of measure of preventing and deterioration of the surface and underground water quality, of observing the protection areas from the river banks and water management and intake. These water resources are pointed out in the TERRITORY COMPLIANCE PLAN and/or REGULATIONS of the P.U.Z.

4.6. Constructions and arrangements work permitting that through location, function, volumes, and architectural aspect destroy the value of the landscape it is forbidden in the area with landscape value and protected natural areas.

4.7. Building permitting inside the areas that contain values of built cultural patrimony of local interest, declared and marked according to the P.U.G., will be done with the permitting of the non-governmental services from county and zoning according to the law, released after historical charge research. Building permitting that have the object the research ,preservation ,repairing and placing in value of the historical monuments of national importance shall be done with the approval of the Ministry of Culture and Denominations in conditions established by law. The protected building areas are pointed out in the REGULATIONS of the P.U.Z..

**Art.5 Rules regarding buildings safety and the protection of the public interest**

5.1. Constructions work and arrangements permitting in areas exposed to natural risks (land sliding, swampy land, torrent run - off, erosions, broken stones, flooded areas, etc.) are forbidden, except those that have the purpose of mitigating the effects. The areas expose to natural risks are pointed out in the REGULATIONS of the P.U.Z.

5.2. Construction work permitting in areas exposed to technological risks as well as in the servitude areas and in the protection areas of power supply; gas, water, sewerage pipes; communications, and other infrastructure works, are forbidden, except the buildings and arrangements that have the purpose of preventing the technological risks or the mitigation of these. The areas exposed to technological risks are pointed out in the REGULATION of the P.U.Z.

5.3. Building permitting that through their nature and destination could generate technological risks shall be done only based on an impact study elaborated and approved according to the law.

5.4. The legal constraints of dysfunction of pubic utilities or their lacking of as well as the providing of the pubic utilities are set out on lay outs of public utilities of the P.U.Z.

The building permitting of other buildings on lands that were reserved for the public utilities works, is forbidden.

**Art.6 Mandatory Rules of placement and minimum setbacks**

**6.1. Orientation towards the cardinal points**

The authorization for building work shall done with respect to the conditions and recommendation of orientation towards the cardinal points from the present rules.

**6.2. The placement from the public roads**

6.2.1. In the area of public roads can be permitted with the appropriate endorsement of specialized authorities of public administration :

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- a. Buildings and installations for the public roads, for service, maintaining and exploitation;
- b. Parking, garages and oil supply stations and power resources, including their complementary functions;
- c. Sewerage and water supply pipes, gas transport systems, thermion and power networks, telecommunication networks, other installations or construction of this type.

6.2.2. In this regulation the public road area is understood as road texture, safety and protection strips.

6.2.3. The building permitting with residential function is allowed respecting the protection areas of the roads marked according to the law.

6.2.4. In the present regulation through residential function is understood: housing, holiday houses, permanent or temporary accommodation for social, industrial or defense spaces.

6.3. The placement from the alignment

6.3.1. The buildings will be located at the alignment limit or retired from them by observing the Civil Code's provisions.

6.3.2. In the present regulation through alignment is understood the limit between the private and public property.

6.4. The placement inside the plot

The construction work permitting is allowed only if it is observed the Civil Code's provisions.

**Art.7 Rules for providing the obligatory road accesses**

7.1. Carriageway access

7.1.2. The building permitting is allowed only if there are possibilities of public roads accesses, direct or through servitude, according to the building's destination. The access characteristics for the public roads must allow the access of the fire fighting vehicles.

7.1.2. Any access to the public roads shall be done according to the special endorses and authorization of building, issued by their administrator.

7.2. Pedestrian accesses

7.2.1. The building and arrangements permitting is allowed only if the pedestrian access will be provided according to building's importance and destination.

7.2.2. The pedestrian access will configured so that they will allow the handicap person's traffic and who need special means of movement .

**Art.8 Rules regarding public facilities**

8.1. The branching to the existing public network utilities

8.1.1. The building permitting is allowed only if there is the possibility of connecting the new consumers to the existing water and sewage networks and power grids.

8.1.2. According to provision of the previous paragraph it can be derogated, with the local public administration approval for individual houses in the following conditions:

- a) The development of facilities' solutions in an individual system that observes the sanitary norms and the environmental protection;
- b) The beneficiary commits himself to branching the building according to the Local County rules to the public centralized network when it will be developed.

8.1.3. For other building categories it can be derogated with the approval of specialized public administration authorities if the beneficiary commits himself to extend the

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existing network when this network has the necessary capacity, or commits himself either to increase the capacity of the existing public networks, or to build new networks.

**8.2 The development of Public facility networks**

8.2.1. The connection and branching works to the public facility network will be entirely paid by the investor or beneficiary.

**8.3 Public property over the facility network**

8.3.1. Water networks, sewerage networks, public road networks and other utilities within the public service are public property of the commune, town or county if the law does not say otherwise .

**Art.9 Rules regarding the shape and sizes of the land for construction**

**9.1. Plotting**

9.1.1. Plotting is the operation of dividing some land area in minimum 4 adjacent plots, for the development of new buildings. For a number bigger than 12 plots the development of the plotting could be authorized and the execution of the buildings with the condition of adopting collective facility solutions that observe the legal hygiene and environmental protection norms.

9.1.2. Plotting permitting, based on this regulation is allowed only if for each plot the following conditions are observed:

a) street alignment of minimum 8 m for the aligned buildings and of minimum 12 m for isolated or grouped buildings

b) the minimum plot area of 150 sq. m for aligned buildings and minimum 200 sq. m for isolated or grouped buildings

c) the depth bigger or at least equal with plot's width

9.1.3. Plots for construction are considered only the plots that enter within the provisions of paragraph 9.1.2.

**9.2. The height of the buildings**

9.2.1. The building permitting shall be done according to the Civil Code stipulations, of the medium height of the adjacent buildings and of the area characteristics without the height differences to be over with more than 2 levels the adjacent buildings.

9.2.2. In the present regulation adjacent buildings are those placed on the same side of the street.

**9.3 Exterior aspect of the buildings**

9.3.1. Building execution permitting is allowed only if the exterior aspect does not contravene with their function and does not depreciate the general aspect of the area.

9.3.2. The building execution permitting which through volumetry, conformity or external design enters in contradiction with the general design of the area and depreciate the general accepted values of urbanism and architecture, is forbidden.

**Art.10 Rules regarding the placement of green spaces and surroundings**

**10.1. Parking**

10.1.1. The building execution permitting that through destination need parking lots will be issued only if there is a possibility of executing them outside the public property.

**10.2 Green and planted spaces**

10.2.1. The building permit will include the obligation of maintaining or creating green and planted spaces depending on the building's destination and capacity.

**10.3. Fencing**

10.3.1. In the conditions of the present regulation the permitting of the following fencing categories is allowed:

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- a) Opaque fences, necessary for the protection against intrusions, separation of some functional services, providing visual protection;
- b) Transparent fences, decorative or hedge, necessary for plots delimitation regarding the buildings or /and integration of the buildings in the streets characteristics or in the urban ensemble.
- c) Fences made of concrete pillars of 2m high with 5 parallel and 2 cross rows of barbed wire.

### **III. FUNCTIONAL ZONING**

#### **Art. 11 Functional Areas and sub - areas**

11.1.1. The functional zoning established through P.U.G. depending on the activities category that the studied area include and there share in territory maintained and detailed through P.U.Z. and pointed out on the plan of the REGULATION of P.U.Z. and in the drawings from chap. V of this Local Urbanism Regulation including the reference territorial units.

11.1.2. Based on this zoning the location and conformity conditions have been established for the buildings that will be observed within each functional area.

11.1.3. The functional sub areas are sub divisions of the functional areas with specialized functions.

11.1.4. The territory that has been the object of the present P.U.Z. has the following functional areas and sub-areas:

**I INDUSTRIAL AREA**

With sub - areas :

- **I1** – processing plant
- **I2** – 4 pits

**D THE STORAGE AREA**

With sub - areas :

- **D1** – TMF system
- **D2** – 2 waste dumps
- **D3** – topsoil piles
- **D4** – quarries
- **D5** – explosives storage area
- **D6** – Waste rock disposal area
- **D7** – Low-grade Stockpile
- **D8** – Excavated earth storage area

**TE AREA OF PUBLIC UTILITY LANDS**

**Cr ROADS AREA**

**TH AREA PERMANENTLY COVER BY WATER**

**SPI INDUSTRIAL PROTECTION AREA**

**GC COMMUNAL HUSBANDRY AREA**

**T R NATURAL RISKS AREA**

With sub - areas:

- **Tra** – Land sliding
- **Trc** – Falling rocks

**RHS – 1** Protected area with heritage value

**RHS – 2** Zone for development

**ZP – III** Archaeological site- heritage value requires protection.

**ZP – IV** Protection area with landscape value.

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11.1.5. Each area and sub-area will be detailed depending on the reference territorial unit from where it is part of, with the problems and implications that it has on the existing and proposed areas.

## **IV. THE PROVISIONS OF THE LOCAL URBANISM REGULATION AT THE LEVEL OF THE FUNCTIONAL AREAS AND SUB-AREAS**

### **Content of the Regulation**

For each functional area the provisions of the Regulation include specific regulations, per articles, grouped in three chapters:

1. Generalities,
2. Functional use,
3. Placement and conformity conditions of the buildings.

#### **1. Generalities**

- 1.1. The types of functional sub-areas
- 1.2. The dominant function of the area
- 1.3. The admitted complementary functions of the area

#### **2. Functional use**

- 2.1. Allowed uses
- 2.2. Conditioned Allowed uses

These are established for the areas where it is necessary to obtain some endorsements and approvals, built protected areas of local interest, meteorological platforms protection area, protection area of public roads, protection area around the river flow, lakes, dams, and other protected areas.

- 2.3. Temporary interdictions

The interdictions will be established until the elaboration of urbanism documentation regarding the setting up the construction rules applied for that area, and the necessity of development in the area of some public facility works, archaeological research, preservation, protection, restoration and emphasis of the historical monuments, re-ecologisation of the area.

- 2.4. Permanent interdictions

They are established for the following reasons: predictable calamities, serious technological risks, high level of air, water or soil pollution when the protected area regulation establishes this. The Permanent building interdiction can be lifted together with the cessation of the cause which determined it.

#### **3. Location conditions and buildings conformity**

Are mentioned those areas and sub-areas in that the stipulations of the Urbanism Regulation detailed and completed the stipulation from general Regulation of Urbanism regarding:

- 3.1. Rules of location and obligatory minimum setbacks
- 3.2. Rules regarding the providing of obligatory accesses
- 3.3. Rules regarding the public utilities
- 3.4. Rules regarding the shape and sizes of the lands for buildings
- 3.5. Rules regarding the green spaces and fences .

## **V. REFERENCE TERRITORIAL UNITS**

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The plans that contain the delimitation and distribution of reference territorial units are part of the Local Urbanism Regulation of the present P.U.Z.

The setting up of the three U.T.R. has been made within the P.U.G. Rosia Montana and will be submitted as there is, but will be detailed on functional areas and sub areas. They are :

- **REFERENCE TERRITORIAL UNIT - U.T.R.1, U.T.R.2\*1, U.T.R. 2\*2**  
BASIC FUNCTION – INDUSTRY WITH COMPLEMENTARY FUNCTIONS
  
- **REFERENCE TERRITORIAL UNIT - U.T.R.2**  
The area proposed for temporary function change, during functioning, from residential area into industry protection zone, with connected function compatible with the industrial area.
  
- **REFERENCE TERRITORIAL UNIT - U.T.R.3**  
PROTECTED AREA WITH PATRIMONIAL VALUE FROM ROSIA MONTANA LOCALITY which is detailed in a specialized study run in parallel with the present P.U.Z.

**REFERENCE TERRITORIAL UNIT - U.T.R.1, U.T.R.2\*1, U.T.R. 2\*2**  
BASIC FUNCTION - INDUSTRY WITH COMPLEMENTARY  
FUNCTIONS

**1. General issues**

**1.1. Types of functional sub-areas**

- I** INDUSTRIAL AREA  
With the sub-areas:
  - **I1** processing plant
  - **I2** pits
- D** STORAGE AREAS  
With the sub-areas:
  - **D1** – TMF system
  - **D2** – 2 waste dumps
  - **D3** – topsoil piles
  - **D4** –quarries
  - **D5** – explosives storage area
  - **D6** – Waste rock disposal area
  - **D7** – Low-grade Stockpile
  - **D8** – Excavated earth storage area
- TE** AREA OF PUBLIC UTILITY LANDS
- Cr** ROADS AREA
- T R** NATURAL RISKS AREA  
With the sub-areas:
  - **Tra** – land slide
  - **Trc** – falling rocks

**1.2. Dominant function of the area**

THE BASIC FUNCTION IS INDUSTRY.

1.3. Permitted complementary functions of the area  
COMPATIBLE WITH THE BASIC FUNCTION

**2. Functional use**

2.1. Allowed Uses

In the area with soil resources it is allowed to build industrial buildings, roads and equipment necessary to the exploitation and processing of the identified soil resources.

Constructions can be built so they would serve and be compatible with the established dominant function, fulfill the conditions of execution and exploitation according to the environmental agreement specifications.

2.2. Conditioned Allowed Uses

Engineering work is allowed to be carried out, which would be necessary to the exploitation perimeters, dams, water stream deviation, water shore consolidation, dams.

An impact study would be completed, according to the legislation, for the next stage, for the authorization and initiation.

**Authorization of the constructions that by their nature and destination can generate technological risks can be done only on the basis of an impact study elaborated and approved according to the legal provisions.**

2.3. Temporary interdictions

The authorization for construction will be issued only after completing the research and the archaeological discharge of all sites.

2.4. Permanent interdictions

The constructions that do not fulfill the specifications of the environmental agreement, that present important technological risks and also the ones that could severely impact the environmental factors by pollution, exceeding the limits set out by the law.

**3. Placement conditions and conformity of the constructions**

3.1. Placement rules and obligatory minimum setbacks

Buildings will be placed according to the technological conditions, so as to ensure safety.

3.2. Rules on the mandatory access routes

Access routes will be constructed according to the specific technical norms and standards.

**Road regulation C, Cr**

The placement and use of the constructions will not affect the optimum road traffic and its fluency and safety.

Transport units are recommended to be placed in the area of production units.

It is forbidden to build any construction that through placement, conformity and exploitation would hinder the road traffic, and that presents accident risks. They will be forbidden in the safety and protection area of the roads, with the exception of the buildings serving the roads.

The county road DJ 742 by pass will be carried out by the investor.

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Plant Access roads and the dirt roads will have a platform of at least 30m wide in order to allow safe traffic on two lanes of 200 tones trucks, and they will not cross residential areas.

Dirt roads will be characterized by:

- Road system will be of a dimension corresponding to estimated traffic for the ore exploitation;
- Large capacity and high speed;
- The stationing and stopping of vehicles will be forbidden on the traffic lanes in use;
- There will be special lanes for stationing.

Traffic of light vehicles on the dirt roads will be limited to the ones with relation to the mining activities.

For all types of roads the following general rules will apply:

- the improvement of geometric elements on the existing routes;
- proper marking and signaling;
- periodic maintenance of roads, ditches and art works;
- cross profile of the roads will refer to:
  - Category of the carriageway route;
  - The functional area that the road crosses;
  - Proper dimensioning of the roads;
  - Protective areas along the roads.

### 3.3. Rules regarding the facilities

#### Land regulation for facility networks TE

Any building and arrangement can be done that can connects to the existing infrastructure with an adequate capacity or for which its increment or development funds are provided by the public administration, by interested investors or by funds in agreement with the law.

It must comply with the protection areas of the networks that are in the zones included in the intravilan perimeter.

It is recommended that the sources, buildings and installations, the drinking water supply stations as well as the supply networks to be protected through establishing the sanitary protection areas with strict regime and the restriction areas according to in force regulation. It is forbidden to use in other purposes the connections and communications of the drinking water network and the water network.

In case of existing non tap water networks (industrial) they will be visibly marked according to the standard in order to warn the population not to drink it as if it is drinking water.

The removal of the wastewater will be done only through the network of wastewater.

Open ditches can be used only for storm water removal. They must be maintained in permanent state of functioning.

- According to legal provisions it is forbidden to build in the protection areas.

### 3.4. Rules on the form and dimensions of the land for construction

All constructions and necessary amendments will be made within the limit of the territory proposed for industrial area and storage areas, according to the proposals from the P.U.Z. with the solution of the legal status according to law.

- Maximum percentage of land occupation **POT = 80% m<sup>2</sup> AC/m<sup>2</sup> land;**
- Coefficient of maximum use of the land **CUT = 0.8 m<sup>2</sup> AD/m<sup>2</sup> land;**

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**3.5. Rules on the green area and fences**

There will be a minimum of 20% area of green spaces with protection role.

When possible all existing planted area will be maintained.

All areas free of construction and equipment will be planted.

The re-ecologisation process will take place simultaneously with the exploitation, according to program.

Due to the specific activity that requires guarding and protection, the entire industrial area will be fenced in by an at least 1.80m high fence.

**Regulations for the protected areas Zp**

**Zp-I , Zp-II** - According to project– Completion to the P.U.Z. Documentation Rosia Montana elaborated by OPUS ATELIER DE ARHITECTURA, BUCHAREST for the adjacent protected area UTR 3:

- all types of constructions can be made, compatible with the function of the area in which they are placed, with the condition of compliance with the prescriptions from the central or local administration authorizations, within areas with cultural patrimony, built areas, of national or local interest declared as such (including buildings or sites with museum status).

**Zp- III- Archaeological sites -b2-**

• **Roman Funeral Premises from Tău Găuri area** (point Basil Cosma) – conservation and restoration in situ and on-going classification procedure;

• **Carpeni Hill** – archaeological reservation area

- In the Rosia Montana administrative territory all around the locality, on a 2 km radius there is a Roman settlement and the mining exploitation Alburnus Maior. There are a number of archaeological sites.

The construction authorization will be issued only after the finalization of the research and of the archaeological discharge.

**Zp-IV - Regulations for the areas with landscape value and protected natural areas**

Category A areas – monuments of exceptional national value, from this category according to law 422 from 07.24.2000 regarding the National Territory Amendment Plan – Section III –Protected areas:

• **Piatra Corbului**

According to art.8 from G. R. the conditions for the authorization of construction, fulfilling the environmental protection regulations in the areas indicated as such, the following are indicated:

**Permitted use**

National or local interest public works, authorized in exceptional cases in the conditions of Law no.18/1991, Law no. 26 – Forestry Code and of O.G.nr.96/1999 regarding the regulation of the forest patrimony and the administration of the national forests (modified by Law 141/1999).

**Permitted use with conditions**

In the natural protected areas of national interest delimited by studies of specialty and urbanism documentation, prescriptions are established, depending on the protection status and the types of activities admitted traditionally.

**Forbidden use**

Constructions that can affect specially the protected areas. The interdiction can be set after the impact studies according to Law nr.137/1995

**2.83. Piatra Corbului**

It has been listed as natural monument since 1954 and it is in the category IV.

It is an andesite massive situated on the North-East of Rosia Montana near the haul road from Rosia Poieni.

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In the Cirnic massive there are two natural monuments that require intervention for protection. Through P.U.G. a new placement is proposed for Piatra Despicata in the protection area of the architectural monuments from the territorial unit 3, U.T.R.3 of Rosia Montana and it will include besides the classified patrimonial values, the amendment of an entertainment and tourism area, and a tourism road which will link the protected area with the new museum galleries in the area Catalina and Taul cel Mare.

Piatra Corbului will be preserved within the industrial area all along its functioning, and it will finally be returned to tourism when all mining operations are completed.

**Regulation for areas with natural predictable risks TR**

With the sub-areas :

- **Tra** – land sliding
- **Trc** – falling rocks

According to the provisions of Governmental Order no. 47/94 on disaster prevention, approved by Law no. 124/1995, in the application of the provisions of Law no. 50/1991, republished in 1997, regarding the approval of urbanism and territory amendment documentation and according to the Urbanism General Regulations approved by H.G. 525/1996 on the delimitation of areas exposed to natural risks and the common order of M.L.P.T..L no. 62/N/1998; Department for Local Public Administration 19.0/288/1998 and of the Ministry of Agriculture, Alimentation and Forests with no. 1955/31.08.1998, the following areas with natural risks have been identified on the intravilan territory of Rosia Montana, in the area U.T.R.1 , sub-area D2 – waste-dump:

- land slides;
- falling rocks.

The storage will be made after all measures have been taken to combat the potential natural risk.

**Regulation on areas with technological risks TRt**

The main technological risk is represented by the tailings dam.

The right to safely construct and use dams, as well as the obligations arising from the environmental protection regulations, all must comply with the legal in force provisions as well as the provisions of the international conventions to which Romania has become part of.

In establishing the category of importance for the dams the following will be taken into account:

- Technical characteristics of the work;
- Necessity for the protection of the population;
- The degree of damage that an accident at the dam might cause;
- The social and economic impact of the breaking of a dam;
- The way in which the dam is built, used and repaired;
- The way in which water and industrial waste either liquid or hydraulic is accumulated on the bottom of the accumulation lake.

For new dams, the owners must obtain a safety functioning agreement from the relevant institutions, according to legal provisions.

In order to prevent accidents or damage due to sabotage, vandalism or irresponsible action, the owners of the dams with high risk must come up with a system of security for the dams, which will have to be approved by the Civil Protection County Inspectorate.

In order to ensure the safety and protection of the dams it is forbidden to build constructions, deposits, arrangements or perform activities on the dams or in the protection areas established at the approval of the project or according to legal provisions.

**LOCAL URBANISM REGULATION**

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In the case of dams used for water supply, or in the case of dams supplying water for multiple uses, the owner will submit a report to the relevant institutions on the first accumulation fill done through the dam.

The land for the placement and development of industry must guarantee the protection of the population against landslides and technological risks.

**Regulations for the areas permanently covered by water TH**

Water is part of the public patrimony. The protection, use and sustainable development of water is of general interest.

The right to use, as well as the corresponding obligations resulting from the protection and conservation of water resources will be exercised according to Law 107/October 8 ,1996.

The waters, shores and waterways no matter who will administer them, are all subject to the Law 107, as well as to the provisions of the international conventions to which Romania became a part of.

Also subject to the law are all works carried out on the water, or connected to water directly or indirectly, that result in temporary or final modifications of water quality or water flow.

The construction and arrangements of any kind are recommended, intended to limit natural and technological risks, and the fulfillment of all conditions from the environment and water management agreement.

**Regulations for the industry protection area SPI**

Planted area (buffer area )

The houses in the protection area can remain or can be demolished. They can be used for other purposes, in industry or connected functions, serving the adjacent area, UTR1 and UTR3.

The minimum protection areas will be established through the Environmental Agreement so that to ensure protection of the population against noise, vibration, smell and pollution.

The surface of green areas and plantations will be established in correlation with the hygiene and environment protection norms.

In the vicinity of historical monuments and their protection areas, green spaces and plantations will be made allowing visibility. Trees are to be planted at a safe distance so as not to affect the stability of the soil or damage the protected construction.

To U.T.R. 3 – protected area of national interest a special protection will be made – according to provisions from the regulation charts.

**REFERENCE TERRITORIAL UNIT U.T.R.2 .**

**The area proposed for a change of function from residential to buffer zone, with connected functions compatible with the industrial area comprises the following:**

**SPI - INDUSTRIAL PROTECTION AREA**

**C - ROADS AND ADJACENT CONSTRUCTIONS**

With the sub-areas:

• **Cr** – roads

**SP - GREEN AREA, LEISURE, PROTECTION STRIPS**  
planted spaces – buffer area

**Zp- PROTECTED HISTORICAL AND ARCHAEOLOGICAL AREA**

**TE - AREA OF PUBLIC UTILITY LANDS**

**TH - LAND PERMANENTLY COVERED BY WATER**

**LOCAL URBANISM REGULATION**

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**Regulations on the industrial protection area SPI**

The houses in the protection area can remain or can be demolished. They can be used for other purposes, from residential area into small industry or connected functions, serving the adjacent area, UTR1 and UTR3.

**Permitted use**

Connected functions are permitted for the industrial area UTR1 and the protected area UTR3, utility works and infrastructure.

**Forbidden use**

Residential functions are forbidden.

The minimum protection areas will be established through the Environmental Agreement so that to ensure protection of the population against noise, vibration, smell and pollution.

The surface of green areas and plantations will be established in correlation with the hygiene and environmental protection norms.

In the vicinity of historical monuments and their protection areas, green spaces and plantations will be made allowing visibility. Trees are to be planted at a safe distance so as not to affect the stability of the soil or damage the protected construction.

**Maximum percentage of land occupation (POT – % m<sup>2</sup> AC/m<sup>2</sup> land)**

- POT maximum = 60 %

**Coefficient of maximum use of the land (CUT – m<sup>2</sup> AD /m<sup>2</sup> land)**

- CUT maximum = 0.6

**Regulation for communal husbandry**

The area of communal husbandry includes:

**Cemeteries**

The termination or relocation of a cemetery can be done only 30 years after the last burial and after all bones have been relocated. Any sooner than this it can be done only with the agreement of the County I.P.S.M.P.

The minimum sanitary protection distance recommended between protected areas and the cemetery is of 50m.

Green areas and alleys will be provided for protection for the constructions of the communal husbandry.

For cemeteries the green areas will be fenced in.

Green spaces will be created according to ecological principles, using perennial vegetation in order to ensure in the future low maintenance costs and to favour local ecosystems.

Necessary fencing to separate functional services will be made, and for visual protection.

The fences between properties are recommended to be between 0.40m – 1.80 m high.

**Regulations for roads**

There will be a protection area of the county road according to the law.

New communication routes will be constructed for the areas introduced in the intravilan territory:

- roads;
- units of the transport road companies in the territory;
- public parking.

**LOCAL URBANISM REGULATION**

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All constructions and arrangements in the road protection areas observe the technical prescriptions and urbanism regulations regarding functionality, constructive system, volumetric and aesthetic conformation.

By their placement and functioning, the constructions will not affect the traffic on roads in optimum capacity, fluency and safety.

It is forbidden to build any construction that would hinder by its placement, configuration or use, the traffic on public roads and would present the risk of accidents. Such buildings will be forbidden in the safety and protection area.

Also it is not allowed to place poster boards in the road area without the agreement of the road administrator.

Safety areas of the roads are the areas between the exterior limit of the road and 1.50m from the exterior margin of the ditches for roads at the same level with the terrain, 2m from the base of the slope for the roads at the base of a slope, 3 m from the top of the slope for the roads built on top of slopes of 5m, and 5m from the top of the slope for slopes higher than 5m.

Public roads and other public utilities are public property of the commune if the law does not state otherwise.

For the roads, the height of the adjacent constructions will be of maximum 10 m and in the areas with activity of up to 15 m.

It is recommended that the sites keep account of the image presented by the roads.

**PROPOSALS AND MEASURES FOR WATER, AIR QUALITY PROTECTION**

It is proposed:

- The existence of a water management strategy that will serve to reduce potential impacts associated with mine operations and to include:
  - ↻ Drainage control that will capture contaminated water associated within the Project area and divert water not significantly impacted by mining activities;
  - ↻ Reuse and recycling of treated and untreated site water to reduce the need for fresh water and the need to discharge treated water;
  - ↻ Continual maintenance of the site water balance to help ensure that sufficient water is available for project process use while preventing an excessive build-up of water in the storage facilities;
  - ↻ Provide protection for residential areas in case of calamities, special weather phenomena and protection against technological risks;
- for maintaining the air quality, a number of dust avoidance and suppression measures will be implemented, as follows:
  - Maintaining and sealing road surfaces;
  - Controlling haul vehicle speeds;
  - Attention to haul vehicle design avoiding downward pointing exhausts;
  - Minimizing drop height in material handling;
  - Using coarse blast hole stemming materials (not drilling dust).
  - Haul road watering as appropriate to surface conditions and potential receptors;
  - Dust extraction system on blast hole drilling rigs and removal of dust from blast bench; and,
  - Re-soiling/seeding of bare ground as appropriate.

LOCAL URBANISM REGULATION

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Mitigation against blowing dust and subsequent dusting from the TMF will be achieved mainly via control of the moisture content of the tailings surface, by tailings delivery management (re-positioning delivery points), management of the decant pond area, and surface sprinkling using decant water, as required (e.g., during adverse weather conditions).

**It is recommended:**

- coming up with a modality of providing the water necessary for fire fighting;
- to regulate the running water from the intravilan along its course ;
- to develop constructions and arrangements of any kind that have as purpose limiting the calamities (hydro technical works and flooding diversion, works for fighting depth erosion) and any kind of constructions and arrangements by observing the Law no. 10/1995 and the norms and specific provisions of the lands exposed to moisture, in the cold areas with an aggressive surface water.

**Land regulation for public facility networks**

It can be permitted any building and arrangement that can get connected to the existing infrastructure with an adequate capacity or for which its increment or development there are funds provided by the public administration, by interested investors or by funds in agreement with the law.

It is recommended that the sources, buildings and installations, the drinking water supply stations as well as the supply networks to be protected through establishing the sanitary protection areas with strict regime and the restriction areas according to in force regulation. It is forbidden to use in other purposes the connections and communications of the potable water network and the water network.

In case of existing non potable water networks (industrial) they will be visibly marked according to the standard in order to warn the population not to drink it as if it is drinking water.

The good function of the local water supply networks will be provided by the owners through placement of sanitary protection perimeters and hygienic arrangement as follows:

- placement upstream of any polluting source;
- fence on a 3 m radius;
- the land to be gradient (4-5 cm to meters) towards the exterior and impermeability (by concrete);
- impermeability of the walls against lateral infiltration.

The owners of installations of drinking water supply have the obligation to provide through their own resources the water quality monitoring and to supply it only if it fulfils the established quality conditions.

All the stages of the water treatment process will be observed according to the sanitary permitting conditions and any change or omission is forbidden.

The disposal of the wastewater will be done only through the waste waters sewerage network.

The open sewers will be used only for storm water. These sewers must be permanently maintained in a functional status.

**Connection to existing facility networks**

Permitting the construction performance is allowed if there is the possibility of connection new consumers to the water existing networks, sewerage and power.

The development of facility networks.

LOCAL URBANISM REGULATION

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It will be only if the correlation with other basic rules results that there are conditions of necessary facilities.

Public property over the facility networks

Water, sewage networks, public roads and other utilities being in the public service are public property of the comuna if the law disposes otherwise.

Power supply and communication networks are the public property of the State unless the law requires otherwise.

The works foreseen at the previous paragraphs no matter the financing modality enter into the public property.

Regulations for protected areas

According to project no 1/2001 – The Completion of the Documentation P.U.G. Rosia Montana elaborated by OPUS ATELIER DE ARHITECTURA, BUCHAREST and approved by M.C.C. – D.M.I. with no.61 from 14.02.2002, for protected area adjacent to UTR 3, for:

**b) Category B - local interest**

**b.1. architecture**

- |                                       |             |
|---------------------------------------|-------------|
| - Church “Adormirea Maicii Domnului “ | 01B176      |
| - Church “Pogorarea Sfantului Duh “   |             |
| - Parish House 18th century           | 01B 177     |
| - Simion Balint Tomb                  | 10B (D) 106 |

It is foreseen their resettlement in the protected area– U.T.R.3 – or in the area for the resettlement according to P.U.G.\_

Regulations for land area permanently under water TH

Waters are part of the public patrimony. The spatial development and emphasizing the water resources are actions of general interest.

The right of use as well as the adequate obligations resulted from the water resources protection and conservation will be in agreement with Law 107/October 8, 1996.

Waters, and their riverbanks no matter the legal or natural person that manages them are submitted to the provisions of Law 107 as well as the provisions of the International Conventions of which Romania is part of.

Also, there are subject of the Law, the works that are built on water or have a connection with it and through which directly or indirectly temporary modifications or permanent ones on the water quality occur or on the flow regime.

REFERENCE TERRITORIAL UNIT U.T.R.3

- INCLUDES: : RHS – 1** Protected area with heritage value – Historic Center  
**RHS – 2** Zone establish for future development

The regulation represents a basic piece in applying the P.U.Z., and its provisions are mandatory for permitting the construction works for the entire territory area. It represents together with the other pieces of the P.U.Z. an authority document of the local public administration.

- Regulations included in P.U.G., and in the local urbanism regulation provisions afferent to P.U.Z., elaborated by OPUS – Atelier de Arhitectura, Bucharest.

**LOCAL URBANISM REGULATION**

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**APPLICATION FIELD**

This regulation applies in the protected area and the protection areas of the protected area within the administrative territory of Rosia Montana commune.

**CORRELATION WITH OTHER DOCUMENTATION**

- P.U.Z - Historic Center of Rosia Montana documentation, designer OPUS Atelier de Arhitectura, Bucharest;
- P.U.G. Rosia Montana, designer PROIECT ALBA, Alba-Iulia
- „Inventory of buildings and historical structures from Rosia Montana locality” elaborated by the Designing Center for the National Cultural Patrimony;

**THE PURPOSE OF THE REGULATION IS FOR PUTTING INTO APPLICATION THE INTENTION OF THE LOCAL AUTHORITIES IN ORDER TO PROTECT AND REHABILITATE THE HISTORICAL AREA OF THE ROSIA MONTANA COMUNA**

**REFERENCE TERRITORIAL UNIT – U.T.R. 3**

**SOLE ARTICLE**

Any investment in reservation and into its protection area requires specialized approvals according to law.

The Area is entirely under the regime of historical monuments protection and any type of intervention can be done only with the approval of the National Commission of the Historical Monuments or of the Zonal Commission depending on the case.

According to the in force legislation, the restoration documentation of the buildings declared historical monuments can be elaborated only by the certified experts for works of this kind; the execution can be done only by certified companies with experience in the field of restoration.

Previous to any type of diggings is required the archaeological discharge of the site. The Discovery during work of fragments from the old architecture (arches, sculptures, decorations) unknown up to the moment of permitting must be immediately declared to the person issuing the permit. The works will not continue unless they would not harm the discovered elements, and measures will be taken in order to emphasize the discovered old traces.

For the purpose of permitting the construction work adjacent to the architectural monuments listed or proposed to be included in the list of the historical monuments for the protection and their emphasis, supplementary justifications are necessary (designs, photo settings, models) that argues the placement, volumetric configuration, and the architectural aspect of the intervention compare with the historical monument.

**For UTR3 the provisions of the Local Urbanism Regulation for PUZ protected area will be complied with, set up by OPUS Atelier de Arhitectura, Bucharest, in addition to the present document.**