

Regulation No. (1) of 2006
Concerning
Occupancy of Pavements and Areas
Surrounding Buildings and Commercial Establishments in the Emirate of Dubai¹

We, Hamdan bin Mohammed bin Rashid Al Maktoum, Chairman of the Executive Council,

After perusal of:

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

Law No. (17) of 2005 Establishing the Roads and Transport Authority; and

Local Order No. (112) of 1997 Concerning Occupancy of Pavements and Areas Surrounding Buildings and Commercial Establishments in the Emirate of Dubai and the resolutions issued in implementation thereof,

Do hereby issue this Regulation.

Article (1)

This Regulation will be cited as “Regulation No. (1) of 2006 Concerning Occupancy of Pavements and Areas Surrounding Buildings and Commercial Establishments in the Emirate of Dubai”.

Article (2)

The following words and expressions will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
RTA:	The Roads and Transport Authority.
Executive Director:	The executive director of the RTA.
DM:	The Dubai Municipality.
Person:	A legal or natural person.

Pavement:	The area extending from the edge of a road to the adjacent building line as demarcated in the drawings approved by the DM, which is designated for passage of pedestrians, connection of utility lines, landscaping, and future road extension works. This includes traffic barriers and road median strips for dual carriageways.
Occupancy:	Performing any act or conducting any activity that may affect or limit the use of a Pavement for its intended purpose.

Article (3)

Unless a prior written permit is obtained from the RTA in accordance with the requirements stipulated in this Regulation or the resolutions issued in implementation hereof, no Person may temporarily or permanently occupy Pavements or areas surrounding buildings and commercial establishments in any stationary or mobile manner, regardless of the materials used in such Occupancy, and whether such materials are placed horizontally, vertically, or suspended overhead.

Article (4)

Types and methods of Occupancy to be permitted in accordance with this Regulation are as follows:

1. placing moveable tables, chairs, and sunshades; and display cabinets, boards, and windows;
2. parking and displaying manually, mechanically, or electrically operated vehicles and carts;
3. placing or displaying food, beverage, and refreshment vending machines, photo booths, newspaper and magazine stands, and similar manually, mechanically, or electrically operated structures;
4. placing mechanical or electronic gaming and amusement machines;
5. placing flower and plant pots, small lamp posts, and ornamental fences; and
6. placing stalls, boxes, shelves, and racks for displaying and selling commodities and products only during shopping and entertainment festivals held in the Emirate.

Article (5)

This Regulation will not apply to the following cases of Occupancy:

1. utility line connection works performed by utility service providers in the Emirate;
2. placing or installing advertising boards and information signs on the roads of the Emirate;

3. temporary protection fences and passageways installed during the performance of construction works; and
4. loading and unloading of goods and materials in front of shops and houses, provided that such loading or unloading is performed in the shortest time possible and in a manner that does not affect the use of Pavements.

The cases of Occupancy stated in this Article must be governed by the provisions and requirements stipulated in the relevant RTA and DM legislation in force.

Article (6)

1. For purposes of this Regulation, the RTA will be responsible for reviewing and approving applications for Occupancy, and for issuing relevant permits.
2. An Occupancy permit will be valid for a term of one (1) year renewable for the same period. The RTA may issue permits valid for less than such period in certain cases of Occupancy.

Article (7)

During the validity of an Occupancy permit the RTA may, for the exigencies of public order and morality, for purposes of compliance with planning, construction, environmental protection, or public health and safety regulations, for road-traffic-related considerations, or for preserving the general appearance of the Emirate, revoke or reduce the validity of an Occupancy permit, modify the authorised Occupancy area, or otherwise amend the terms of the Occupancy, without any liability or legal consequences on the part of the RTA.

Article (8)

The implementing bylaw of this Regulation will determine the locations and areas of Pavements where Occupancy is permitted, the technical terms of such Occupancy, and the requirements and procedures for obtaining a permit.

Article (9)

The RTA will collect the following fees and security deposits in return for issuing Pavement Occupancy permits:

1. an application fee for issuing a new Occupancy permit or renewing an existing Occupancy permit: Two hundred Dirhams (AED 200.00);
2. an application fee for issuing a replacement of lost or damaged Occupancy permit: One hundred Dirhams (AED 100.00);

3. a road occupancy fee of no less than three thousand Dirhams (AED 3,000.00) and no more than one hundred thousand Dirhams (AED 100,000.00), depending on the type and duration of the occupancy applied for; and
4. a refundable cash security deposit of ten thousand Dirhams (AED 10,000.00) to guarantee the Occupancy applicant's compliance with the provisions of this Regulation and the bylaws and resolutions issued in implementation hereof.

The implementing bylaw of this Regulation will determine the fee prescribed for each type of Occupancy, the method of calculating such fee, and the cases where the security deposit may be confiscated.

Article (10)

Without prejudice to any stricter penalty stipulated in any other legislation, a person who violates the provisions of this Regulation or the bylaws and resolutions issued in pursuance hereof will be punished by a fine not exceeding ten thousand Dirhams (AED 10,000.00). Where the violation is not remedied within the prescribed time frame, or upon repetition of the same violation within the term of the permit, the amount of the fine will be doubled without exceeding ten thousand Dirhams (AED 10,000.00), and the Occupancy permit will be revoked.

The implementing bylaw of this Regulation will determine all the violations and their corresponding fines.

Article (11)

The RTA may remedy an Occupancy violation where such violation is not remedied by the permit holder or by violating Person within a prescribed time frame. In this case, such entity or Person will incur the remedy and repair costs in addition to twenty-five per cent (25%) thereof as administrative fees.

Article (12)

The entity permitted to occupy a Pavement will be liable for the payment of compensation for any damage that may be caused to any public road, any operational equipment, or any structures built within the right of way, including lamp posts, electric panels, traffic lights, road signs, crash barriers, plants, and any other public or private property.

Article (13)

The fees and fines collected pursuant to this Regulation will be paid to the RTA.

Article (14)

Employees of the RTA nominated pursuant to a resolution of the Executive Director will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Regulation and the bylaws and resolutions issued in pursuance hereof. In such capacity, they may conduct inspections and issue the necessary violation reports and fines.

Article (15)

The RTA may, for the purpose of implementation of the provisions of this Regulation and the resolutions and bylaws issued in pursuance hereof, seek assistance from local Government departments, authorities, and corporations, including police personnel.

Article (16)

Local Order No. (112) of 1997 Concerning Occupancy of Pavements and Areas Surrounding Buildings and Commercial Establishments in the Emirate of Dubai is hereby repealed. Any other legislation or resolution will also be repealed to the extent that it contradicts the provisions of this Regulation.

Article (17)

The Executive Director will issue the implementing bylaws and resolutions required for the implementation of the provisions of this Regulation.

Article (18)

This Regulation will be published in the Official Gazette and will come into force on the day on which it is published.

Hamdan bin Mohammed bin Rashid Al Maktoum

Chairman of the Executive Council

Issued in Dubai on 18 October 2006

Corresponding to 25 Ramadan 1427 A.H.