

## Law 28 de Junho de 2006

### Definition of population cluster...

(a) a set of nearby or contiguous buildings, separated between each other by a maximum of 50 meters and with 10 or more lots, making its perimeter the closed polygonal line that encompasses all buildings, and delimits the least possible area

### Protection of persons and property

#### Article 15

Secondary networks of fuel management bands

1 - In the forest areas previously defined in the municipal forest fire defense plans it is mandatory that the entity responsible:

- a) By the **road network** provide the fuel management on a lateral strip of confining land a width not less than 10 m;
- (b) the **rail network** provides for the management of fuel in a side band of confining land counted from the external rails a width not less than 10 m;
- c) For the **transmission lines** and distribution of energy **very high voltage** and **high voltage** fuel management in a range corresponding to the vertical projection outer conductor cables plus a width not less than 10 m each side;
- d) For the transmission lines and distribution of energy **medium voltage** power supply of fuel in a corresponding range to the vertical projection of the outer conductor cables with a wide band not lower for each side.

2 - **The owners, tenants, usufructuaries** (*the right of one individual to use the property of another*) **or entities which in any capacity hold confining land to buildings, namely dwellings, shipyards, warehouses, workshops, factories or other equipment, are obliged to carry out the management of within a 50 meter range around those buildings or facilities measured from the exterior masonry of the building,** accordance with the standards set out in Annex of this Decree-Law and which forms an integral part thereof.

3 - In case of non-compliance with the previous numbers, the municipal council notifies the responsible for the work.

4 - Once the non-compliance has been verified, the can carry out the work of fuel management, with the power to reimburse, triggering the mechanisms reimbursement of the expenditure incurred.

5 - In the absence of intervention, in accordance previous numbers, between the 15th of April of each year and until October 30, the owners or other entities which hold, in any capacity, the of houses, shipyards, warehouses, workshops, factories or other social and service facilities can be substituted for owners and

other producers forestry, by carrying out the planned fuel in the previous paragraph, by means of owners and, in the absence of a reply in 10 days, notice to be posted at the place of business within a less than 20 days.

6 - In the event of replacement, owners and producers are obliged to allow of the owners or managers of the adjacent buildings to their land and to reimburse them for the costs incurred with fuel management.

7 - Where the materials resulting from the action management system referred to in the previous have a commercial value, the product thus obtained is owned by the respective forest owner or producer, but can be sold by the owner or entity that conducted the fuel management, retaining the corresponding amount up to the reimbursement of the costs incurred.

8 - In inserted or confining **population clusters** with forest areas and previously defined in the municipal forest fire defense plans fuel management is required in a range protective exterior of a minimum width not less than to 100 m, and, in the event of fire risk, another be defined in the respective municipal plans of forest defense against fires.

9 - The owners, tenants, usufructuaries or entities that, in any capacity, hold lands included in the strip referred to in the previous number the management of fuel in these areas.

10 - It shall be verified, by 15 April of each year, the non-compliance referred to in the preceding paragraph, it is the responsibility of the city council to carry out of fuel management, with the possibility of reimbursing, unleashing the mechanisms necessary to reimburse of the expenditure incurred and may, protocol, delegate this competence to the parish board.

11 - In **campsites, infrastructures and recreational forest equipment in parks and industrial estates, on the logistics platforms and in landfills inserted or confined with forest areas** is mandatory for the management of fuel, and its maintenance, of a surrounding band with a minimum width of not less than 100 m, competing the respective management entity or, in its absence or non-compliance with their obligation, to the municipal council to carry out the respective work, which may, to this end, trigger the necessary mechanisms reimbursement of the expenditure incurred.

12 - Where, by virtue of the provisions of paragraph above, the areas to be submitted for management are intersected, the entities referred to in in that number which are responsible for the management of fuel.

13 - Owners and other forest producers are obliged to provide the necessary access to the entities responsible for fuel management work.

14 - The intervention provided for in the previous be posted at the place of not less than 10 days.

15 - The afforestation or reforestation comply with the fuel management provided for in this article.

16 - The provisions of the preceding paragraphs prevail provisions to the contrary.

17 - On areas subject to fuel management the criteria set out in the Annex of this Decree-Law, and which forms an integral part thereof.

## **Article 21**

### **Non-compliance with preventive measures**

1 - The owners, the forest producers and the entities which, on any grounds, hold the administration land, building or infrastructure referred to in in this Decree-Law are required to develop and implementation of actions and management accordance with the law.

2 - Without prejudice to the provisions of administrative law, in case of non-compliance with the in Article 12, in Article 15 (1), (2), (8), (9) and (11) and in Article 17, the supervisory authorities shall, in not later than six days, inform the in breach of Article 15, Directorate-General for Forest Resources, within the Articles 12 and 17.

3 - The town hall or the Directorate-General of Forest Resources, in accordance with the provisions of above, notifies, within a maximum of 10 days, the or the entities responsible for carrying out of the work, setting an appropriate deadline for this, shall further notify the owner or the entities responsible following procedures, in accordance with Code of Administrative Procedure, giving the Republican National Guard.

4 - After the deadline referred to in the previous number without the work being performed, the chamber municipality or the Directorate-General for Forestry shall be carried out without any need for any formality, after which it notifies the missing entities responsible for carrying out, within 60 days, the payment of the corresponding costs.

5 - After the 60-day period has expired without payment has been verified, the town hall or the Directorate of Forest Resources extracts a certificate of debt.

6 - The debt is collected through a process of execution, in accordance with the Code of Procedure and Tax Procedure.