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Problems of Economic Activities in Coastal Protection Zones

Nowadays, land parcels near water objects are very attractive for living as well as for business entities. The purpose of this article is to show in what cases building in the coastal protection zones is possible or not.

All Ukrainian lands are divided into categories according to their purpose. One of them is the lands of water fund. To protect water objects from pollution, littering must be created water protection zones. A part of this zone of certain width and with strict regime of economic activity calls a coastal protection zone. Its width is regulated by Article 88 of the Water Code of Ukraine: for small rivers, streams, ponds less than 3 ha – 25 meters; for medium rivers, reservoir on them and ponds more 3 ha – 50 meters; for big rivers, storage reservoir on them and lakes – 100 meters. Size and boundaries of coastal protection zones are determined by land development projects; in towns, villages – according to planning documentation.

Building any installations, except hydrotechnical, hydrometric, and linear, is prohibited on coastal protection zones. If coastal protection zone of the sea is included in the sanitary protection zone of this sea, it can be used only for building of sanatoriums, recreation centers, etc.

At the present time, the important question is: how coastlines in cities, towns were overgrown with restaurants, recreation centers, hotels and residential buildings?

Enterprising businessmen take advantages of the fact that building hydrotechnical structures are allowed. As a result, this leads to peninsula formation. The next stage is inventory of lands, their registration and allocation for building with restrictions. Likewise, if the coastal protection zone is not displayed in planning documentation or in land development projects, that means that land parcel does not belong to the protected zone and building is not prohibited. But if the land parcel is in this zone, some constructions could be built like hydraulic structures according to the law. A widespread situation is registration of houses built on the banks of rivers and seas as slipways (storage space for ships). A future owner buys a parcel or a building in the boat cooperative, which has a usage agreement on the parcel. Usually the first floor is really used as intended; the other floors are hotels, cafes, and commercial establishments. Movable property does not need permission for building. Therefore, building of prefabricated cottages without foundation could become a good solution for owners of entertainment centers and hostels on the banks.

Thus, there is a situation when according to the legislation, building on the coastal protection zones is prohibited, but its interpretation is ambiguous. The solutions considered do not contradict the law, but also satisfy needs of businessmen. Protection of lands from pollution, erosion, flooding is the most important thing in any situation.