

Preservation of San Miguel de Allende, A.C. (PSMA)

GENERAL OBJECTIVES

Article 1. The Association's main objective is to preserve, protect and defend the cultural heritage and to promote the responsible and sustainable development of the City and County of San Miguel de Allende, Guanajuato ("SMA"). SMA'S cultural heritage is defined as the tangible and intangible elements of SMA, including its buildings, architecture, and monuments; its historic, artistic, scientific, and archaeological sites, as well as its customs, habits, traditions and spirit which enliven and identify it. The Association may also directly or indirectly contribute to the preservation and protection of the cultural heritage of other cities or places where organizations with similar objectives exist with which our Association may be affiliated or related.

The preservation and protection of SMA's cultural heritage will also extend to acts of governmental authorities or of private parties which may negatively affect SMA's natural heritage and environment.

To accomplish its objectives the Association will make use of all legal, scientific, technical and financial means necessary and work with all national and international individuals and entities necessary, to identify, preserve, protect, conserve, and rehabilitate SMA's cultural heritage.

Article 2. The main principles which guide the actions of the Association will be:

Community participation. To seek the participation of citizens and civic organizations in the activities and projects of the Association.

Cooperation with authorities. To cooperate and be ready to work with governmental authorities towards the preservation and protection of the cultural heritage as well as to resolve differences or conflicts which may arise as a result of governmental actions contrary to the objectives of the Association.

Respectful interaction with authorities. To (use respectful expressions of dissatisfaction) to respectfully express its dissent with the acts or proposals of governmental authorities that exceed or alter the limits set by the laws and principles of preservation and protection of SMA'S cultural heritage and the rights of the citizens related to the cultural heritage.

Reliance on the law. National laws at all levels as well as international treaties and conventions will be our banner, fundamental instruments and means by which we will assert our rights and the rights of the citizens related to the cultural heritage before governmental authorities.

Focus on the social objectives. We will take those actions that will help us to complete our objectives, aware that our achievements in this regard will elevate the Association to a position

of trust and competence and earn the respect of the community.

Proposal before protest. We do not believe in protest for the sake of protest. Instead, we believe that when possible, we will make proposals in a respectful and resolved manner that are serious, well researched and factual.

Concentration in the root causes. We will analyze and respond to all facts, criteria and acts of governmental authorities or private parties that does or could degrade the integrity of the cultural heritage.

MAIN OBJECTIVES

Article 3. Historic Center. Considering the fact that SMA's cultural heritage, both tangible and intangible, is concentrated in the Historic Center and that the Historic Center is also the hub of social activity, making it the mainstay of SMA's economy, our focus will always be to preserve and protect the integrity and authenticity of this invaluable resource; this place where the historical legacy of San Miguel lives.

The conservation and protection of the Historic Center is not simply the conservation of its image. The challenge of its conservation will be in maintaining SMA's essence as a city inscribed in history and as a city that is socially and culturally dynamic.

We adhere to the definitions and values of the Historic Center's integrity and authenticity that are set forth in the UNESCO's International Council of Monuments and Sites document. This document refers to integrity as the unity of SMA'S cultural treasure viewed in its historical context in harmony within an urban environment, balancing its symbols and its active urban structure. Authenticity is defined as the equilibrium between the preserved elements of SMA's cultural heritage, its traditions and the Historic Center within a functioning city.

Article 4. A living Historical Center. - Accordingly we will always strive for the SMA Historical Center to be a living historical center primarily devoted to a residential purpose, where residents characteristically live in their homes and carry out their family and social activities. Therefore we will endeavor to:

To prevent this social life from being displaced by commercial saturation.

To keep the Historic Center's services and businesses compatible with its essentially residential character.

To prohibit the establishment of any new franchise business and formula business inside the Historic Center.

To preserve and widen the Historic Center's pedestrian zones.

To put special emphasis on decongestion of vehicular traffic in the Historic Center and adjacent areas.

To reserve and protect the Historic Center, with due adherence to the law. Avoid the building of or establishment of businesses and services which distort the image and social life of the Historic Center and proceed with the updating and implementation of the Partial Plan for the Urban Development of the Historic Center.

To enforce the Regulations for the Protection, Improvement and Conservation of the Urban Image of the Cultural Heritage of the Historic Center.

To promote with the Federal Government an extension of the limits of the Historical Monuments Zone to ensure that all SMA historical monuments are protected by federal laws and authorities.

To diversify tourist attractions beyond the Historic Center to avoid it being overrun and congested by mass tourism.

In general we will endeavor to assure that private parties and governmental authorities are required to abide by the recommendations made by the *International Council of Monuments and Sites, ICOMOS*, to the municipal authorities which are included in the inscription of the *Villa Protectora de San Miguel el Grande y del Santuario de Jesús Nazareno de Atotonilco* and the World Heritage of Humanity registry.

To stress that the participation of the community is absolutely indispensable to the protection of the cultural heritage.

Article 5. Citizen Participation. Recognizing that for there to be an effective participation by the citizens in the protection of SMA's cultural heritage, awareness of this heritage and of the laws that protect it as well as the rights of the citizens and the obligations of the governmental authorities is essential. As such, the Association will seek to compile and communicate information (educate the community) about SMA's cultural heritage and related laws in order to further widen civic consciousness of cultural values.

To accomplish this, we will seek to obtain relevant information from governmental authorities and we will insist that they comply with their legal obligation to provide such information to interested parties and to make it public by means of the legal gazette.

Article 6. Community participation. An important part of this objective will be to promote, propose and stimulate the participation of the community in the preparation and introduction of laws and regulations (or its reforms) with the aim to preserve the cultural values and the integrity and authenticity of the tangible and intangible elements of SMA's cultural heritage.

Article 7. Legal issues.We shall also be an organization that brings lawsuits or joins in lawsuits, according to the respective laws, with the purpose to preserve and defend SMA's cultural legacy and its values.

Article 8. Consulting.We shall participate in local, regional, sectorial councils, committees or similar groups relating to world heritage, Mexican heritage, heritage of the State of Guanajuato and the cultural heritage of SMA.

Article 9. Referendums.We propose to request from the State Governor, the Municipal Government or both, depending on the issue, to submit to a citizens vote the approval or rejection of acts or decisions of the State Government or Municipal Government which are deemed to be contrary to the protection of the cultural heritage of San Miguel de Allende. We will also propose to submit to a referendum any laws enacted by the State Congress or any Regulations and Dispositions issued by the Municipal government that are deemed in contravention to the protection and preservation of SMA's cultural heritage.

Article 10. Law watch.To promote and create organizations, panels and committees for the investigation, monitoring and follow up related to acts of authority, laws and regulations whose compliance would conflict with current laws, rules and regulations directly or indirectly that protect the cultural heritage or that otherwise would defeat the objectives of the Association.

Article 11. Claim watch.To submit and track, under the applicable laws, all claims and complaints, which in one way or another relate to the general and specific objectives of the Association.

Article 12. Suggestions regarding laws.To collect, receive and bring to the attention of the community and the governmental authorities, opinions, suggestions, proposals and demands of individuals and different sectors of the community that in any way relate to the objectives of the Association.

Article 13. Propose measures.To propose measures for the rendering of public services and for the execution of public works and to propose a community need to be declared a public service project in order for the Municipal Government to initiate the corresponding proceedings.

Article 14. Assist in law changes. To participate with and assist the municipal, state and federal authorities with the drafting and changing of laws, regulations, government plans and land use ordinances, urban development programs and action programs to achieve sustainable development and growth and the conservation of SMA's cultural heritage and to be vigilant of their compliance.

Article 15. Educational aims.An important element in achieving the goals of the Association will be to promote and organize meetings, conferences, workshops, seminars and scientific,

technical, cultural and social activities with the participation of public and private organizations and individuals, both national and foreign.

The Association will also spread via all available means everything that can help to educate the public regarding SMA's cultural heritage and increase the community's awareness of our efforts and the need to preserve and protect our valuable cultural heritage.

Article 16. Stimulate Discussion of Issues. We will stimulate the participation of all sectors of society, both local and foreign, to preserve and defend SMA's cultural heritage, setting up effective temporary or permanent mechanisms to interact for this purpose.

Article 17. Alliance with other associations. We will associate and establish alliances with other state, national and foreign associations and civil societies with shared (social) objectives and will support and encourage the creation of other similar civil associations which increase legitimate initiatives and petitions to authorities and raise the general awareness of and in the interest in preservation and protection of cultural heritage.

Article 18. Actions to fulfill objectives. In general terms we will carry out all actions that will assist the fulfillment of the objectives stated in this Association's charter and to pursue and achieve its general and particular goals.

Article 19. Economy and finances. The Association may undertake any act or enter into any contract, agreement or operation of a civil or mercantile nature, with local individuals or corporations, private or public institutions, local or foreign, which may be directly or indirectly related to the Association's above stated objectives and which are deemed necessary or convenient for the Association.

Article 20. Owning Property. The Association may own or rent property, obtain or provide loans, and enter into any other type of contract in order to meet the goals of the Association.

Article 21. Receive contributions. The Association may receive any kind of contribution, support and donations in cash or via other instruments (checks, debit, or credit card donations) either as simple or tax deductible donations from national or foreign individuals or entities (public or private) in order to achieve the objectives of the Association. It can also receive real property, vehicles, equipment or materials, professional or manual services from national or foreign individuals or entities (public or private) in order to achieve the objectives of the Association.

Article 22. Raising funds. The Association may organize performances, events and any other legal activity to generate funds to enable the pursuit of the Association's objectives.

Article 23. Not for Profit. The above mentioned objectives shall not serve an economic purpose per se and any profits that may be obtained will be applied to the promotion of the nonprofit aims of the Association and in no way will be distributed among its *members* nor turned over to

individuals or *entities* except to those specified in the *income tax law* or in payment of services rendered.

Article 24. Liquidation. Should the Association be *liquidated* the totality of its assets shall be distributed to entities authorized to receive tax free donations.

Article 25. Politics. All activities that the Association has as its purpose, will be carried out without participating in political parties or groups, nor in electoral politics either local, state or national nor become involved in political electoral propaganda.