

constructions - draft laws published in April 2017

Draft Government Emergency Ordinance for amending Art. 4 par. (1) let. c) of Law no. 50/1991 regarding the authorization of the execution of construction works was published on the website of the Ministry of Regional Development, Public Administration and European Funds on 6 April 2017.

The draft was submitted for public debate on the need to overcome the existing functional blockage at the level of the local public administration authorities of Bucharest regarding the issuance of zoning certificates and building permits for the buildings located in the historical monument protection areas. In practice, in the case of works for which zoning certificates were issued by the district town halls, the authorization procedures were resumed at the level of the City Hall of Bucharest.

Under these conditions, the draft emergency ordinance was submitted for debate, with the aim of clarifying the competences of issuance of zoning certificates and building permits, by specifying the competencies of the general mayor of Bucharest regarding buildings classified as historical monuments and areas protected by the law and, implicitly, the delimitation of its competencies from the situations in which the competent authority with power to issue zoning certificates and building permits is the district town hall.

Under the new provisions, the zoning certificates and building permits shall be issued by the general mayor of Bucharest, with approval from district town halls, for:

- construction works for investments made on lands exceeding the administrative-territorial limit of a sector and/or outside the city limits (i.e. *extra muros*);
- performance of construction works at buildings classified individually as monuments, including their dependencies and/or other buildings identified within the same property as plot of land and/or building, and at buildings located in protected construction areas, according to law;
- modernization, rehabilitation, extension works for municipal utility networks, public underground or surface transport, water supply, sewage, gas, power, heat, communications - including fiber optics, executed on public or private property of the Bucharest municipality, as well as modernization/rehabilitation of streets managed by the General Council of Bucharest.

Therefore, all investments not included in the three previously mentioned cases, including those in archaeological sites and historic monuments protected areas for which there is no official separation, would be authorized by the district town halls.

The draft emergency ordinance is published on the website of the Ministry of Regional Development, Public Administration, European Funds, and can be accessed at:

[http://www.mdrap.ro/proiect-de-oug-pentru-modificarea-art.-4-alin.-\(1\)-lit.-c\)-din-legea-nr.-50-1991-privind-autorizarea-executarii-lucrarilor-de-construcții](http://www.mdrap.ro/proiect-de-oug-pentru-modificarea-art.-4-alin.-(1)-lit.-c)-din-legea-nr.-50-1991-privind-autorizarea-executarii-lucrarilor-de-construcții)

For additional details on this material, please do not hesitate to contact us.

Voicu & Filipescu SCA

31 General Ernest Brosteanu Street

010527, Bucharest, Romania

Tel: +40 21 314-02-00

Fax: +40 21 314-02-90

E-mail: office@vf.ro

Web: www.vf.ro