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DECISION

No. 408, dated 13.5.2015

ON THE ADOPTION OF THE REGULATION FOR TERRITORY DEVELOPMENT

(Amended by Decision No. 672, 29/07/2015)

(Amended by Decision No. 1043, dated 16/12/2015)¹

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)²

(Amended by Decision No. 355, 19/04/2017)

Pursuant to Article 100 of the Constitution and letter “b”, of point 2, Article 6, Law No. 107/2014, dated 31.7.2014, “On territory planning and development”, upon the proposal of the Minister of Urban Development, the Council of Ministers

DECIDED:

1. Adoption of the regulation for territory development, as per the text, which is attached to this decision and is an integral part of it.

¹ *Based on this decision*, the words “Mayor/Chairperson of the NTC” in the text are substituted by “Mayor/Secretary of the NTC”

² *Based on this decision*: In Articles 3, 4, 9, 12, 27 and 33, the words “...planning authority...” and “...local planning authority...” is substituted by “...development authority...; and In Articles 21, points 4 and 5, and Article 27, point 6, the words “...responsible planning office/body...” are substituted by “...responsible office/body...”.

2. Planning authorities, determined in Law No. 107/2014, dated 31.7.2014, “On territory planning and development”, as amended, are responsible for the implementation of this decision.

This decision shall enter into force after the publication in the Official Journal.

PRIME MINISTER
Edi Rama

REGULATION
OF TERRITORY DEVELOPMENT

PART I
GENERAL PROVISIONS

Article 1
Object and scope

(Amended by Decision No. 271, dated 06/04/2016)

1. The scope of this regulation is to set out detailed conditions and procedures for the implementation of development management instruments, and the content, structure and procedure for the approval of development control documents.

2. The purpose of this regulation is to determine the rights and obligations of development authorities for the exercise of the territorial development control function, in accordance with Law No. 107/2014, "On territorial planning and development", and ensuring the use of the electronic system of permits by all applicants and institutions involved in order to simplify procedures and provide one-stop service.

Article 2
Definitions

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

I. In the present regulation, the following terms have the following meanings:

1. "Law", Law No. 107/2014, dated 31.7.2014, "On territorial planning and development".

2. "Ordinary maintenance works", interventions to repair or replace existing building refinishinges, and those necessary to maintain existing technological facilities efficiently.

3. "Extraordinary maintenance works", works and alterations necessary for the renovation or replacement of parts, and structural works of buildings, and for the provision of hygienic-sanitary and technological services, provided that such works do not bring increase to the number of units and/or change of use, volume or surface of the units

4. "Individual unit", a part of a residential building, destined or being in individual ownership, which, together with the shareholding share, constitutes a special part of immovable property.

5. “Reconstruction works”, works that conserve, consolidate or transform the existing object through systematic works where the object subject to reconstruction may be subject to changes, including replacement, elimination, alteration of its structural parts and new elements.
6. “Reconstruction”, works consisting in the demolition and reconstruction of the same volume and form of the former object.
7. “Service Desk”, one stop service desk, according to point 6, Article 3, of this regulation.
8. “Developer” means any natural or legal person who invests and makes a development in an area or unit where development is permitted.
9. “Complex development” means the type of development that includes, due to the specificity of development, the state interest and/or its complexity, one or more constructions according to Article 19 of this Regulation.
10. “Conditions of development”, in this regulation, have the same meaning with the term “development conditions”, as defined by the law.
- 10/1. “Electronic permit system” is the state database for all applications and permits, according to territorial planning and development legislation, and performs the interaction of all entities involved in the process, including the applicant, the authorities responsible for issuing permits and public institutions that have the legal obligation to provide information or consent regarding the application for a permit.
11. The other terms used in this regulation have the same meaning as those set forth in Article 3 of Law No. 107/2014, dated 31.07.2014, “On territorial planning and development”.

PART II
TERRITORY DEVELOPMENT

TITLE I
GENERAL PROVISIONS

Article 3

One-stop service desk

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. A one-stop service desk for construction activities is set up at each basic local government unit, which takes care of all relations between the interested party, the local planning authority and other public administration bodies that have the obligation to give their opinion related to the works, subject to a request for a construction permit or a declaration for preliminary works.
2. The service desk is the only contact point of the interested party with public administration regarding the permit application and the relevant interference in the territory.
3. The Local Planning Authority is responsible for coordinating work with all state institutions and public service operators covering the respective area of activity in the territory where development is carried out, to ensure that the design for which the provision with a permit is required, does not interfere or damage protected areas, cultural monuments, cultural heritage or infrastructure networks. For this purpose, the service desk shall, as appropriate, receive the acts of consent, designated by the legislation in force, by the authorities responsible for environmental protection, cultural and historical heritage, public health and safety.
- 3/1. Coordination of work, according to this Article, with all state institutions and public service operators, and obtaining information or consent from the institutions that have to express themselves for permit applications, according to the legislation in force, is carried out through the electronic permit system.
4. Communications with applicants are held only by the service desk.
5. The Service Desk performs, in particular, the following actions:
 - a) Provides the interested persons, through the development permit as well, with all the necessary information for the realization of the construction, before the delivery, and during the review of the application, including:
 - i) fragments from the map of the existing state of the property/ies;
 - ii) maps of existing engineering infrastructures in the area for the identification of connection points, respectively for water supply, sewage disposal, electricity network, electronic communications network and surrounding waste disposal spots;
 - iii) maps with public green areas and tree stock around or on development parcel/parcels;
 - iv) information on specific sectoral limitations or constraints in the study area, such as those of cultural monuments, environment, etc., as appropriate;
 - v) any other information necessary to carry out the design.
 - a/1) Provides information and assistance to the persons concerned with the application method, completing the application, the content of the documentation, and any other issues necessary for submitting the application for a permit.

- b) Takes over the preliminary statements for works, developmental permit requests, requests for construction permits, and any act of consent, whatever its name, in the field of construction activity;
- c) Issues developmental permits, construction permits and usage certificates.

6. State institutions and public service operators have the obligation that within 10 working days from the application notify the responsible authority, electronically, the acts of consent/approval regarding the proposed development. In the absence of a response within the 10-day term, consent/approval is considered given in accordance with the principle of silent approval, and the planning authority has the obligation to proceed with the examination of the application for permit, except for the cases specified in point 3, Article 44, of the Law.

7. For permits approved by the National Territorial Council, the functions of the service desk as above are performed by the Secretariat of the TAC.

Article 4 **Documentation of public administration**

The development authority is obliged to collect all the documentation, information or data, including the cadastral and immovable property registration offices, which are owned by the public administration, for the purpose of the relevant review and decision making. The planning authority may not require certifications from the person concerned regarding the verity or authenticity of such documents or data.

Article 4/1 **Services provided by the electronic permit system** *(Added by the Decision No. 271, dated 06/04/2016)* *(Amended by Decision No. 231, 21/03/2017)*

1. Any entity, which requests to obtain a permit or to submit a preliminary declaration for performance, is obliged to submit a permit application or declaration and accompanying documentation through the electronic permit system.

2. The responsible authorities, pursuant to Articles 28 and 29 of the Law on Planning and Development of the Territory, as well as all public institutions that have to provide information or opinion on the request for a construction permit, have the obligation to accept, review, approve and electronically submit acts of approval through the electronic permit system.

3. The electronic permit system serves as the only point, through which:

- a) the application for a permit is electronically submitted, according to the territorial planning and development legislation;
- b) the process of inter-institutional co-ordination is carried out during the procedure for reviewing the applications provided in letter “a” of this paragraph;
- c) institutional decisions on the requirements set out in letter “a” of this paragraph are communicated;
- ç) the unification of the application and review procedures for permit applications, as determined in Law No. 107/2014, “On territorial planning and development”, as amended, is realized;
- d) it is conducted the monitoring of the construction permits issued by the responsible bodies of local government and by the National Territory Council;
- dh) applicants are informed about the status of their applications;
- e) statistics are generated to help problem analysis in the field of territory planning and development, and orientation of process and problem improvement.

4. By applying to the electronic permit system, the applicant shall be deemed to have given the necessary authorization for the responsible authority to act in his name and on his behalf for the submission of any request or application to public institutions.

Article 5

Local regulations of development control

(Amended by Decision No. 231, 21/03/2017)

The fundamental local government units, in the exercise of their autonomy, may adopt local development control regulations to discipline the construction activity in their administrative territory. These regulations contain the rules, conditions and method of construction, in particular the compliance with the technical-aesthetic, hygienic-sanitary and safety provisions of the premises, in every case, in accordance with the provisions of this regulation.

Local development control regulations cannot determine procedures or requirements that are in contradiction with those provided in this regulation and in the law for issuing permits in the construction field.

TITLE II

DOCUMENTS AND PROCEDURES OF DEVELOPMENT CONTROL

CHAPTER I

GENERAL PROVISIONS

Article 6

Interventions that do not require a construction permit

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

Without excluding the obligation to comply with the provisions provided by the legal framework in force for construction activities, including, in particular, regarding anti-seismic stability, fire protection, security and health hygiene, the following interventions are made without being provided with a construction permit and without prior written declaration of works:

- a) Common maintenance interventions, according to Article 2, of this regulation, which include:
 - i) external interventions for the repair and replacement of external refinements of buildings, provided that their original characteristics are preserved, as follows hereunder:
 - refreshment of painting, plastering and coating of facades with materials having characteristics and colors similar to those existing;
 - cleaning of the facades;
 - repair and replacement of windows and doors, shutters and blinds (including the use of different materials) without altering their characteristics, such as the shape, color, design and dimensions of the open and transparent parts;
 - partial replacement of roof covering, without any change in shape, slope and coating characteristics;
 - repair and replacement of gutters and chimneys, with various materials as well;
 - repair of balconies, terraces and basements or protective barriers;
 - the installation of window steel bars;
 - placing sunbeds and mosquito nets;
 - arrangement of yards;
 - repair existing fencing.
 - ii) internal interference:
 - repair and renovation of floors;
 - repair and restoration of plaster, clothing and colors;
 - repair and renovation of doors and windows, including the installation of double glazing.
 - iii) interventions in hygiene-sanitary facilities:
 - works of repair and replacement of hygiene-sanitary and repairs of the facilities;
- b) Works for the elimination of architectural barriers and adaptation of buildings for persons with disabilities;
- c) Land movements that are specifically related to the exercise of agricultural or livestock activity, including interventions in agricultural hydraulic plants.

Article 7

Works carried out upon a preliminary declaration of works

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

Without excluding the obligation to comply with the legal provisions provided by the legal framework in force for construction activities, including, in particular, regarding stability, fire protection, security and health hygiene, the following works are carried out without being provided with a construction permit, after the notification of the preliminary declaration of the commencement of works at the competent planning and development authority, by means of which it is made the change of space organization in the object, the replacement of existing devices and equipment, and the changes which do not affect the stability and security of the object and the retaining construction elements do not change, including:

- i) External works, such as:
 - common maintenance interventions when it comes to changes in existing characteristics, forms and colors;
 - placement of layers to increase the energy efficiency of the existing buildings.
- ii) Internal works, such as:
 - reinforcement of internal bearing/retaining structures;
 - opening and closing of internal doors;
 - creation, elimination or alteration of interior (non-retaining) walls, premises for hygienic services;
 - repair, maintenance and rehabilitation works for the infrastructure of irrigation, drainage and protection from flooding;
- iii) Other works, such as:
 - ramp construction works for the adaptation of buildings for persons with disabilities;
 - structures installed for instant and temporary needs, without foundations, with demountable materials, without using reinforced-concrete structures, concrete blocks, masonry and slabs, which are removed in any case within a maximum term of 6 months;
 - the installation of solar, photovoltaic panels, in service of buildings, in accordance with the architectural regulation of the city and the restrictions that may arise from the legislation on the protection of cultural, historical or environmental heritage;
 - repair, replacement and maintenance works for public infrastructure networks and electronic communications, which do not affect their constructive system, do not change the use and size of the infrastructure and the development conditions in the surrounding area;

- repair, maintenance and rehabilitation works of irrigation, drainage and flood protection infrastructure;
- setting up sun tents and pergolas, in accordance with the law regulating co-ownership in residential buildings and architectural regulation of the city;
- interventions in order to maintain or increase the energy and acoustic efficiency in an existing structure that does not affect the constructive system of the building (i.e., intervention in foundations, retaining walls, beam-columns, etc.);
- demountable greenhouses, without on-going foundations, to the service of agricultural activities;
- installation of elevators;
- placement of advertising on the external facades for the purpose of promoting private economic activity. Their placement is regulated according to the specific regulation of each local planning authority, with the exception of the placement of advertisements outside urban areas, including, but not limited to, interurban roads, railways, airport facilities, customs points, which are regulated by acts of the responsible ministries.

Article 8

Documentation for works upon preliminary declaration

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. The documents to be filed by the person concerned for the notification of the preliminary declaration for the performance of the works are:
 - a) The form of the declaration, according to this regulation and the format determined in the electronic permit system, and, as appropriate:
 - b) A document certifying the ownership or legitimate rights of the declarant on the property where the works are carried out, in accordance with the legislation in force, including a contract of entrepreneurship/order, legalization permit and the like.
 - c) Technical design for the implementation of works, signed by licensed designers.
2. The documents referred to in point 1 of this Article are the only documents that the applicant must submit for the performance of the works.
3. When the works carried out with a preliminary declaration for the performance of works extend to the territory of more than one municipality, the applicant shall submit the relevant documentation to each municipality for the works included within the administrative competence area.

4. Within five working days of the submission of the preliminary declaration for the performance of the works through the electronic permit system, the responsible local authority shall carry out the necessary verifications and, if it finds non-compliance with the conditions and legal requirements governing the preliminary declaration of works, objects it with a reasoned decision.

5. In the absence of a response from the responsible local authority, within the 5-day term referred to in point 3 of this Article, the confirmation shall be deemed given in silence and the system generates the relevant act and shall notify the declarant of the possibility of commencing the works.

Article 9

Development Permit

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. The development permit document precedes the issuance of a construction permit for new constructions by the local authorities and contains the following level of property or group of properties:

- a) land use and allowed structures;
- b) construction intensity;
- c) land utilization coefficient for constructions;
- ç) maximum height in meters;
- d) distances;
- dh) public greenery;
- e) parking;
- ë) extract of the map in the existing state (updated genplan);
- f) information about specific restrictions or conditions in the respective property.
- g) map of the engineering infrastructure in the area;
- gj) architectural development preliminary design.

2. In cases when, a detailed local plan is approved for the area, the development permit consists of the extract of the detailed planning document. In cases when the development right is transferred or redistributed to another property, according to Articles 31 and 32 of Law No. 107/2014, "On territorial planning and development", the development permit also contains the volume of the development right and the property or construction where it will be exercised.

3. The planning authority may also determine in the development permit architectural rules and applicable instruments of development management, including those provided in Articles 30 to 36 of the Law.

4. The development permit is not required for the provision with a construction permit for works under letters “b”, “c” and “ç” of Article 11.

6. In case of change of the property status or boundaries, the developer must apply for a new development permit.

Article 10

Documentation for Provision with Development Permit

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. The only documents that the owner or developer has to provide for obtaining a development permit are:

- a) the application for a permit, according to the application format specified in this regulation and in the electronic permit system;
- b) the power of attorney or authorization, in the name of the natural or legal person, if the request is submitted by a representative of the owner or developer;
- c) a document certifying the property rights of the developing property and, if any, copies of the property agreements;
- ç) property survey plan, scale 1:500, by a licensed topographer;
- d) architectural development preliminary design;
- dh) a copy of the surveyor and designer’s license, according to the letters “ç” and “d”;
- e) the payment receipt of the application fee, if provided.”

2. In the case of an application for development permit at the National Territorial Council, the applicant shall, in any case, also submit the relevant feasibility study.”

Article 10/1

Review of Applications for Development Permits

(Added by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. The responsible local authority and secretariat of the NTC, according to the respective area of competence:

- a) review the application for a development permit, by coordinating the work through the electronic permit system, with all the specialized public authorities, if the property, for which the development permit is required, is located in the area or is subject to special sectoral restrictions or conditionalities due to monumental, archeological, natural or environmental values;

- b) receive, ex officio, and administer, through the electronic system of construction permits, all the documentation or information required by the immovable property registration offices, as applicable;
- c) provide road infrastructure updating, sewerage, electrical, telephone pipes, waste disposal locations, intensity of the seismological study, as a one stop service.

2. If the documentation is incomplete, the responsible authority shall notify the applicant to complete the documentation as provided in point 1 of Article 10 of this Decision within 15 days. Upon delivery of notification, as above, the calculation of the review period of the application is suspended until the completion of the documentation by the applicant. If the entity fails to complete the documentation within the specified period, the responsible authority shall take a reasoned decision to reject the application for a development permit.

3. If the responsible authority does not notify the applicant within 5 working days of any deficiencies in the documentation, the application shall be considered to have been approved in silence regarding form issues and the responsible authority shall have the obligation to proceed with the review of the application.

4. Within 20 working days from the receipt of the application for a development permit, along with its accompanying documentation, the responsible local authority or NTC, according to the scope of competence, shall take the decision to:

- a) issue a development permit;
- b) reject a development permit.

5. The responsible local authority or NTC, according to the scope of competence, has the obligation that, along with the issuance of a development permit, to express within the same period if the project is drafted in accordance with the planning documents and designing rules and, if it is the case, give its remarks.

6. If, any other public authorities, within the competence conferred by the law, have to express themselves, in advance, the responsible local authority or the NTC, within the scope of competence, delivers them an application for opinion through the electronic permit system. Upon the delivery of the application, the calculation of the application review period, according to point 4 of this Article, shall be suspended until the respective opinion/approval is given. In the absence of public authorities' response through the electronic system of construction permits within 10 working days, the application is considered to be approved in silence and the responsible development authority has the obligation to proceed with the review of the application for a permit.

7. When, due to the legal obligations deriving from the legislation in the field of cultural, monumental or archaeological heritage, it is necessary to carry out in-depth observations of the property or decision-making of specialized councils regarding the proposed project, the term for issuing the consent/approval is 30 working days from the submission of the application to the respective secretariat. In the absence of a response, within 30 days, the consent or approval is considered granted. Until the issuance of the response by the responsible institutions, as above, it is suspended the calculation of the application review period by the local authority.

8. The development permit or the decision to refuse is delivered to the applicant through the electronic system of construction permits.

CHAPTER II CONSTRUCTION PERMITS

Article 11

Works for which a Construction Permit is required

The works for which a construction permit is required, according to Article 39 of the Law, are those that:

- a) result in the set-up of new constructions, including temporary ones, with the exception of the cases provided in this regulation;
- b) result in reconstruction, repair and restoration that lead to the set-up of a structure wholly or partially different from the previous one and consequently increase the units and/or change the construction volume, the construction surface, the external view of the building, use or constructive system;
- c) realize exceptional maintenance according to this regulation, accompanied by changes in the constructive system of the object/facility;
- ç) result in the demolition of objects, if the demolition is not accompanied by a new construction. If the demolition is accompanied by a new construction, the permit for demolition is part of the construction permit and is noted in the terms of the permit document.

Article 12

Change of Activities/Functions

1. The permit to change the activities and functions of the individual unit is given by the planning authority provided the non-modification of the constructive system, based on the compatibility with the categories and sub-categories of land use defined by the PPV (General Local Plan - GLP) or the PDV (Detailed Local Plan - DLP).

2. In the absence of PPV or PDV, the change of activities and functions should be made in accordance with the categories and sub-categories of the existing land use.

Article 13

Features of the Construction Permit

(Amended by Decision No. 271, dated 06/04/2016)

1. The construction permit shall be issued to the developer or to a person authorized by him/her, in accordance with the rules determined in the legislation in force.
2. The construction permit is transferable, with the change of the beneficiary entity of the construction permit, and it is made by the authority that has approved the permit, at the request of the entity provided with a construction permit.
3. The transfer of the construction permit during the period of its implementation shall be communicated, through the electronic permit system, to the issuing authority, along with the official acts proving the transfer of the title on the construction permit.
4. The responsible office shall, at the competent authority, carry out verifications concerning the transfer of the permit and, if it does not detect any irregularities, carries out without delay the registration of the data of the new licensee in the respective registers and notifies the interested parties through the electronic permit system.
5. For structures procured with public funds, the permit is received by the body that conducts the procurement, before giving in entrepreneurship the construction of the structure.

Article 14

Conditions for Issuing a Construction Permit

(Amended by Decision No. 271, dated 06/04/2016)

1. The construction permit shall be issued in accordance with the designations of the development permit, planning documents, development and construction regulations, and the legal provisions governing the construction activity in the Republic of Albania.
2. The granting of the construction permit is conditioned by the existence of the main and secondary infrastructure in the unit where construction is required. Infrastructure construction may be carried out, according to the agreement with the planning and development authority, with a financial or in-kind contribution, according to the forms set out in this regulation.

3. Construction permits shall be issued only after the relevant permits and authorizations have been obtained for the construction in question pursuant to the special legislation in force.

Article 15

Documentation for provision with a construction permit

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. The documents to be submitted by the applicant for obtaining a construction permit are:

- a) Application for a construction permit, according to the application format, determined in the electronic permit system;
- b) Documents proving the property rights of the developing property/ies, including agreements through owners and developers and/or third parties;
- c) The construction plan on the extract of the map in the existing state;
- ç) Detailed construction design and the relevant report in PDF format, signed electronically, and in PDF format, regarding the architectural design;
- d) Preliminary graphic of works and schedule for the submission of objects, according to implementation phases;
- dh) Bill of Quantities;
- e) A licensed designer's statement according to the format of the application determined in the electronic system of construction permits, through which it is confirmed the design compliance with the development permit, development planning and control documents in force, and the legislation that governs the construction activity in the Republic of Albania, including anti-seismic, security, fire protection and hygienic-sanitary provisions;
- ë) Permits, licenses, authorizations or acts of approval necessary for the exercise of the activity, pursuant to the special legislation on permits, licenses and authorizations, in cases when it is necessary to submit them before obtaining the construction permit;
- f) Payment receipt/s of the application fee, if provided;
- g) A copy of the insurance policy of the designers for the coverage of professional responsibilities.
- h) A copy of the development permit, when it is necessary the provision with it in advance, in accordance with Article 9.

1/1. The construction design is drafted in accordance with the conditions set out in the development permit/planning documents and based on it, the construction permit is issued. Depending on the type of construction, the design contains:

- i) architectural design, including the elimination of architectural barriers, in cases when it is legally binding;
- ii) a constructive design;
- iii) designs of sanitary, electrical and heat-cooling installations;

- iv) the design for fire protection, in cases when it is legally binding;
- v) energy efficiency design, in cases when it is legally binding.

1/2. For the demolition of objects, if the demolition is not accompanied by a new construction, the applicant must submit a special application. The documents that the applicant must submit in order to be provided with a demolition permit are as follows:

- a) The application for a construction permit, according to the application format, determined in the electronic permit system;
- b) Documents proving the applicant's property rights over the object to be demolished;
- c) The Technical Report of experts on the physical and construction condition of the object to be demolished;
- ç) Payment receipt/s of the application fee if provided.

1/3. For new constructions or extensions, with a total surface area of up to 250 m², installation designs, insurance policies for professional liability, and supervision and inspection of works are not mandatory, provided that the applicant submits a notarial declaration, in order to confirm, under its full civil and criminal responsibility, that the object was constructed in conformity with the construction permit and the respective design.

1/4. For infrastructure construction permits, the technical construction design shall contain only the technical execution design, according to the respective field.

2. The responsible authorities are required to publish, on the official website of the institution, the complete list of documents required for obtaining a construction permit.

3. The application for a construction permit, the accompanying documentation and the permit document must use terminology or meanings of the terms provided by the legislation in force and terminology, unless otherwise provided by the legal provisions in force, shall be in Albanian language.

Article 16

Content of the Construction Permit

(Amended by Decision No. 231, 21/03/2017)

The construction permit document contains information on:

- a) the responsible authority that issues the act and the identity of the official representing the authority;
- b) date and number of the construction permit, corresponding to the number of practice in the register;
- c) date and number of decision of the Chairperson for approval of the permit;

- ç) deadline for commencement and completion of works;
- d) identification data of the landowner;
- dh) addresses and boundaries of the property;
- e) developer's identification data;
- ë) description of approved construction and development conditions.

Article 17

Review of the Construction Permit Terms

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

(Amended by Decision No. 19/04/2017)

1. The cases in which the construction design may be amended according to Article 48, of the law, in accordance with the planning documents in force, are the following:

- a) constructive system of the object or technical works in implementation;
- b) the number and form of units within the object;
- c) to improve energy efficiency;
- ç) in installations as long as the quality of works increases;
- d) to add architectural elements for the equal and independent use of spaces designed by all persons, including those with disabilities;
- dh) changes to the façade.
- e) changes resulting in the alteration of the construction surface of the object, on the ground and under the ground, within the urban development boundaries and conditions, provided that the change of the construction area on land does not exceed 2% of the construction area on the land approved in the construction permit.

Article 18

Extension of the Construction Permit Term

1. The extension of the construction permit term is made by the authority that approved the permit, at the request of the developer specified in the construction permit.

2. The procedure for the extension of the construction permit term is determined in Article 40 of the Law.

3. For construction permits, which have expired and no work has begun, an application for a new permit shall be made.

Article 19

Construction Permits for which the NTC is responsible

(Amended by Decision No. 231, 21/03/2017)

(Amended by Decision No. 19/04/2017)

1. Types of complex development for whose decision-making is responsible the National Territorial Council, based on Article 28 of the law, are:

- a) power generation plants, part of the country's power system, in accordance with the special legislation in force;
- b) gas, oil and bitumen production and processing plants, oil pipelines and gas pipelines, depots of oil, gas and oil derivatives with a capacity exceeding 500 tons;
- c) treatment plants and storage facilities for solid waste and liquid waste of any kind, and wastewater treatment plants used according to the classification of the special legislation in force;
- ç) airports, passenger ports, ports and terminals, of any kind and size according to the special legislation in force;
- d) university corps, university and research centers, including campuses;
- dh) hospitals, centers and hospital complexes;
- e) structures of penitentiary and educational institutions;
- ë) resort complexes and villages, water park, entertainment or recreation complexes, containing water in the basin of more than 5 000 m³, ski resorts, cableways and ancillary infrastructure;
- f) national museums and theaters, monumental works of national importance, objects in protected areas in accordance with sectoral law;
- g) customs and border points;
- gj) mines, saltworks, borrow pits, points for extraction and utilization of inerts;
- h) military structures and infrastructures under special legislation;
- i) stations and objects of State Police or intelligence services;
- j) fire service stations;
- k) Bank of Albania;
- l) Cemetery of Martyrs of the country;
- ll) structures and manufacturing and processing centers of the metallurgical, pharmaceutical, chemical industries, weapons, explosive or high tech;
- m) centers or institutions in which activities are carried out, including research and experimental activities in the field of chemical industry, nuclear physics and others, which are classified by special legislation in force as high risk;
- n) components of networks or national infrastructure systems (railways, subways, tramways, roads, highways, underwater, underground and airborne cable networks, facilities and networks of water supply, electronic communication facilities and networks with national or regional expansion or impact);

- nj) structures and networks of water supply, collection and treatment of waste waters, etc., which are under the responsibility of the ministries in the fields of transport, energy, water management, electronic communication, land protection and public and national safety protection;
- o) artificial water basins with capacities above 10,000 m³;
- p) stadiums with a capacity of 10,000 or more seats for spectators;
- q) bridges and tunnels with a length of over 50 m;
- r) public parking lots with a capacity of over 5,000 vehicles 4+1 or equivalent;
- rr) fuel supply points;
- s) strategic investments, according to the relevant law.

2. The components of the developments referred to in point 1 of this Article are determined in the special legislation in force.

3. The National Territorial Council is the authority responsible for the approval of construction permits for:

- a) issues, areas or objects designated as of national importance;
- b) complex developments or their reconstructions, according to the categories defined in point of this Article;
- c) state objects or their reconstructions when they are built in state properties untransferred to local government units.”

Article 20

Application and process of reviewing permit applications by the local authority

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. Permit applications, according to this regulation, are submitted for review through the electronic permit system, which also enables the easy uploading of the accompanying documentation of the permit application.

2. The responsible authority shall, within five working days of their submission, review the documentation filed for issues of form and conformity of the design with the development permit/planning documents.

Within this term, it reviews:

- a) the identity of the signatory and the fact whether he or she is a legitimate person to file an application;
- b) complete and accurate completion of all mandatory data required in the form;
- c) the submission of all accompanying documents, mandatory according to this decision;
- ç) conformity of the proposed design with the development permit/planning documents;

3. If the design is not in compliance with the development permit/planning documents or the person is not legitimated to submit the application, the responsible authority shall make a reasoned decision to reject the application and notify the applicant.
4. If the documentation is not complete, the responsible authority informs the applicant to complete the documentation within 15 days. Upon delivery of the notification, as per above, the calculation of the review period of the application is suspended until the completion of the documentation and/or payment of the fees by the applicant. If the entity fails to complete the documentation within the specified term, the responsible authority shall take a reasoned decision to reject the application.
5. If the responsible authority, within five working days, does not notify the applicant of any deficiencies in the documentation, the documentation shall be considered to be approved in silence and the responsible authority is obliged to proceed with the review of the application.
6. If the documentation is complete, the application is considered accepted for further review.

Article 21

Review of applications for construction permits by the local authority

(Amended by Decision No. 271, dated 06/04/2016)

1. Within 15 working days from the receipt of an application for a construction permit, together with its accompanying documentation, the responsible local authority shall complete the technical review of the application and notify the applicant of the respective decision-making according to Article 22.
2. At the conclusion of the technical review of the design compliance with the legislation in force, the relevant planning office/body, at the local authority, prepares the technical evaluation report and transmits it for decision-making through the electronic permit system to the mayor. The technical evaluation report and the result are notified to the applicant through the system, and are taken into account for the purpose of generating the decision in silence, in the absence of a response.
3. In case that changes are required in the design submitted, the relevant planning office/body, at the local authority, shall send notice to the applicant for their performance, giving the respective legal reasons. These changes shall be made by the interested party within 5 days of the notification of the application and shall be verified by the respective institutions that have requested them within 2 days. In case the changes are not submitted within the 5-day term or are not accurately reflected in the design, the local authority will decide to reject the application.
4. The request for the change of the original design suspends the calculation of the term for conducting the technical review until the respective change of the documentation is made. This term may be

terminated only once and only based on a reasoned request for the completion or specification of documents that are not possessed/available by the public administration.

5. The terms set out in this Article shall not apply to constructions pursuant to Article 24 of this Regulation.

6. If, regarding the application for permit, any other public authorities, within the competences conferred by the law, have to express themselves, in advance, the responsible local authority or the NTC, within the scope of competence, sends them a request for opinion through the electronic permit system. Upon the submission of the request, the calculation of the application review term, according to point 4 of this Article, shall be suspended until the respective opinion/approval is given. In the absence of public authorities' response through the electronic system of construction permits, within 10 working days, the request is considered to be approved in silence and the responsible development authority has the obligation to proceed with the review of the application for a permit.

Article 22

Decision for Permit by the Local Authority

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. At the end of the technical review the mayor notifies the applicant, through the electronic permit system, regarding:

- a) the approval of the application for a construction permit and the obligation to pay the infrastructure tax;
- b) rejection of the construction permit.

2. Within 15 days from the receipt of the notification, through the electronic permit system, for the approval of the application for a construction permit, the applicant shall upload in the system the acts proving the payment of the infrastructure impact tax from new constructions.

3. The responsible authority shall, within five working days of the fulfillment of the conditions set out in point 2 of this Article, send to the applicant, through the electronic system, the construction permit, electronically signed by him. The applicant is also entitled to request the physical handover of the construction permit at the one-stop service desk.

4. In the absence of the fulfillment of the conditions referred to in point 2 of this Article, the responsible authority shall send the applicant, through the electronic system, the decision to reject the construction permit.

Article 23

Content of the Decision

(Amended by Decision No. 271, dated 06/04/2016)

1. The decision on the approval of the application for a construction permit contains the value of the tax to be paid according to the legislation in force.
2. The decision to reject the application for a construction permit contains all the reasons for the rejection.
3. Re-submission of a construction permit application after its non-acceptance or rejection is handled as a new application.

Article 24

Accelerated Procedure

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. The responsible authority shall decide, within 10 working days from the date of submission of the application for construction permit with accelerated procedure, for the cases:
 - a) of works having a limited construction volume or low impact on the territory such as:
 - i) stairs;
 - ii) enclosures/fencing;
 - iii) structure of light and demountable materials;
 - iv) façade changes etc.
 - b) when the applicant pays the application fee equal to ten times the fee anticipated for the construction permit.
2. The local authority may, in the local regulation of the development control, determine other additional cases that are subject to the accelerated procedure based on the criteria of letter “a” of point 1 of this Article.

Article 25

Review of Applications for Construction Permits approved by the NTC

(Amended by Decision No. 1043, dated 16/12/2015)

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. The application for a construction permit is submitted for review through the electronic permit system, which also allows the easy uploading of the accompanying documentation of the construction permit application.
2. The NTC secretariat reviews the applications for construction permits, in a formal manner, within 5 working days from the date of their submission.
3. In the event that the documentation is complete, the responsible authority, as above, notifies the applicant to pay within 15 days all the fees for reviewing the application by the authorities that shall express themselves regarding the application. If the documentation is not complete, the responsible authority notifies the applicant that within the same term, to complete the documentation and payment of service fees, if any. By submitting such notices, as per above, it is suspended the calculation of the term for application review until the completion of the documentation and/or payment of the fees by the applicant. If the entity fails to complete the documentation or fails to pay the service fees within the specified term, the responsible authority shall make a reasoned decision on the rejection of the application.
4. If the documentation is complete and the payment of all service fees of the responsible institutions is made, the application is considered accepted for further review.
5. Upon acceptance of the application for review, the NTC secretariat carried out the technical review of the application for a construction permit within 30 working days of its submission.
6. The NTC secretariat co-ordinates the work, through the electronic permit system, with all responsible authorities, which must express themselves within 10 working days regarding the application. It receives and administers, through the electronic system of construction permits, all opinions and acts of consent/approval that may be required, as appropriate. In the absence of a response within the 10-day term, consent or approval shall be considered to have been given and the secretariat may continue to review the application for a permit. If it is necessary the decision-making of specialized collegial councils regarding the construction project, the term for issuing the consent/approval is 30 days from the submission of the application to the respective secretariat. In the absence of a response within the 30-day term, consent or approval shall be considered to have been given.
7. The responsible line ministry and relevant subordinate institutions shall review compliance with the policies, strategies and sectoral legislation, and the specific technical criteria for the respective object, within 10 working days of receipt of the notification/application by the Secretariat of the NTC. In the absence of a response within the 10-day term, consent or approval shall be considered to have been given and the secretariat may continue to review the application for a permit.

8. If the secretariat deems it necessary to make changes to the original design, it is entitled to request the applicant to make them, giving the reasons why they consider it necessary. These changes must be made by the interested party within 15 days of the notification of the request. If the changes are not submitted within the 15-day term or are not exactly reflected in the design, the secretariat notifies the applicant of the rejection of the request. The request for the change of the initial design terminates the term for conducting the technical review until the respective change of the documentation is made.

9. Within 20 working days from the submission of the technical evaluation report by the NTC Secretariat, through the electronic permit system, the NTC decides on:

- a) the approval of the construction permit;
- b) the rejection of the construction permit;
- c) conditional approval.

10. The NTC's decision is notified via the electronic system of construction permits and is published in the register by the NTC Secretariat, no later than 5 working days from the date of the decision-taking.

11. Within 90 days of receipt of the notice of approval of the construction permit, through the electronic permit system, the applicant shall upload the acts proving the payment of the infrastructure impact tax from new constructions and the fulfillment of the conditions set out in the decision, in the case of a conditional approval decision.

12. The NTC Secretariat shall, within 30 working days from the approval of the construction permit and upon receipt of confirmation of the fulfillment of the conditions of point 11 of this Article, issue the construction permit document through the electronic system and send it to the applicant, through the electronic system of construction permits, the NTC's decision on the construction permit. The applicant is also entitled to request the physical handover of the construction permit, at the Secretariat of the NTC.

13. If the applicant fails to meet the conditions set forth in the NTC's decision, under point 11 of this decision, the secretariat issues the document for the rejection of the construction permit.

Article 26

Common Rules for Permit Applications

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. Permit applications are reviewed through the electronic permit system.

2. The application for a permit shall be submitted in the format specified in the electronic permit system, completed by the applicant and accompanied by the required documentation, according to this

regulation.

3. The template form contains at least the following data:
 - a) The name/designation of the property's owner;
 - b) The name/designation of the developer/investor;
 - c) Property Identification Data;
 - ç) Address, including electronic address, for communication;
 - d) Data on licenses, authorizations and permits received by the entity for carrying out the activity, based on the respective sectoral legislation;
 - dh) List of accompanying documents to be submitted.

5. All the documentation submitted by the applicant for the applications through the electronic permit system shall be electronically signed by the relevant persons.

6. Article 20 for the review of applications for issues of form, shall apply to all applications for permits, according to Articles 9, 11, 12, 17 and 18 of this Regulation.

Article 26/1

Approval in Silence

(Added by Decision No. 271, dated 06/04/2016)

1. The electronic permit system shall calculate and signal the body or structure responsible for the termination of the term, at least 24 hours before its termination.

2. With the expiration of the 60-day term, from the electronic submission of the permit application, the application is automatically considered silently approved, unless, subject to the legislation in force, the principle of silent approval is not applied. The electronic permit system generates and automatically sends to the applicant the act, which contains the application data, the date of its submission, and the fact that the public body has not notified its response within the specified term. The act of approval in silence is automatically published by the electronic permit system in the register as well. The act of approval in silence, upon the submitted application, is, together with the payment receipt of the infrastructure impact tax, the only documents necessary for the commencement of the works.

3. The approval in silence and the rules set forth in point 1 of this Article shall also apply in the case of applications that the responsible body submits to the specialized public authorities that should express themselves regarding the application. Opinions and acts that are required under sectoral legislation are considered to have been given or approved, if the term within which they should express themselves terminates.

CHAPTER III
USE OF BUILDINGS

Article 27
Certificate of Use

(Amended by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

(Amended by Decision No. 355, dated 19.4.2017)

1. At the end of the development process, the applicant submits a request to be provided with a certificate of use, along with the minutes of the inspection and accompanying documentation, including the technical statement that the object was constructed in accordance with the design and the technical conditions in force, at the development authority.

The change of the general construction area, ascertained at the end of the construction works of a new object, is not considered a violation but a margin of error, if it does not exceed 1% of the total construction area allowed with the construction permit provided that the construction complies with the other urban development conditions.

2. For permits approved by the NTC, the certificate of use confirming the completion of the works is issued by the NTC secretariat, as it has co-ordinated the process with the local development authority and the line ministries in accordance with the law and the legislation on the discipline of construction works. All specialized public authorities that must express themselves in relation to the performance of the works, in accordance with the norms and standards in force, are obliged to notify the NTC Secretariat through the electronic permit system, opinions, reports and acts of confirmation. In the absence of a response, within 15 days from the moment of receipt of the request, consent or approval is considered granted and the responsible authority has the obligation to proceed with the relevant procedures.

3. In the case of permits for a group of constructions, according to point 8 of Article 42 of the Law, the certificate of use is given upon completion of the works, even before the term determined according to the schedule of works and the handing over of the objects. The schedule of works and the stages of handing over the objects may vary upon the request of the developing entity, on whose behalf the construction permit is issued, even during the time of the permit execution, according to the performance of the works.

4. The responsible authority shall, within 5 working days of the application through the electronic permit system, review whether the documentation is complete and accurate. In case the documentation is incomplete, the responsible authority notifies the applicant to complete the documentation within 15 days. Upon the delivery of the notice, the calculation of the term for application review is suspended. In the absence of notification of deficiencies in the documentation, within 5 working days, the application is

deemed to be approved in silence for form issues and the responsible authority has the obligation to proceed with the review of the application.

5. If the applicant fails to complete the document within the 15-day term, according to point 4, the responsible authority shall take a reasoned decision on the rejection of the application for the issuance of the certificate of use.

6. Within 15 working days from the receipt of the application for a certificate of use, together with its full accompanying documentation, the responsible authority shall, within the scope of its competence, review the application in its entirety and submit the evaluation report, as appropriate, to the secretariat of the NTC or the mayor for a decision.

7. Within 10 working days, from the submission of the evaluation report and in any case not later than 30 working days, from the date of submission of the inspection report, appropriate, the mayor or secretariat of the NTC decides:

- a) issuance of the certificate of use of the object/facility, certifying the completion of the works in accordance with the terms of the construction permit or the preliminary declaration for execution of works, and the implementation of the criteria of the planning and development control documents;
- b) for the issuance of the act on non-compliance observance, in cases when it is observed the discrepancy of the works carried out, which gives suggestions and the term, and, if the timeline is not respected, the sanctions for ensuring compliance by the developer.

8. In the event that the responsible authority fails to issue the certificate of use within the term set out in point 7 of this Article, and the control acts are without a violation, then the application under point 1 is considered silently approved and the electronic permit system the building generates the approval decision. The decision of approval in silence, upon the submitted application, constitutes the only necessary document, along with the acts of inspection, to register the property in the registers of property, according to the legislation in force.

Article 27/1

Supervision of Works

(Added by Decision No. 271, dated 06/04/2016)

(Amended by Decision No. 231, 21/03/2017)

1. During the supervision of the works, the control acts for the construction process are held by entities, natural and legal persons, provided with license in the field of supervision of construction works, according to the following phases:

- a) Establishment of the worksite, including the surrounding wall;

- b) Setting/picketing the structure;
- c) Completion of foundations and quota 0;
- ç) Completion of the carcass for the whole building/object;
- d) Completion of facades and finishes of the new structure, including electrical installations, heating, cooling, hydraulic, electronic communication;
- dh) Completion of external systemization, in the establishment plan of the new structure, including the placement of the mailbox and connection with the existing public infrastructure.

2. The control acts referred to in point 1 of this Article shall be deposited with the local unit, accompanied by a statement of responsibility, completed by the natural/legal person/entity that has drawn them up, according to the phases of the schedule of works and the permit term.

3. The local authority may verify the conformity of the control acts according to letters “a”, “c”, “ç” and “dh” of point 1, according to the factual situation of the object/facility, within 15 working days from their filing. In the absence of verification by the local authority, within the above term, the building entity may move to the next phase. If the discrepancy of the fact is verified with the control acts carried out, it takes the necessary measures against the building entity, and the licensed entities that have expressed themselves in the control acts.

TITLE III **APPLICATION OF PDV (LOCAL DETAILED PLAN)**

Article 28 **Implementation of the PDV**

1. After approval, the drafting entity of the detailed local plan informs and/or registers in the Immovable Property Register as a basis for conducting transactions with the property:

- the map of new parcels created by subdivision and/or merger of existing parcels and which are the subject of a transaction only after the infrastructure has been registered in the immovable property register owned by the relevant public authority.
- the map of infrastructure, which is transferred to the ownership of the respective public authority.

2. Entities benefiting from development rights based on the approved PDV shall be provided, on the basis of an application, with a development permit, in the meaning of Article 38, of the law, under the terms and rights of development determined by the PDV for each of them.

Article 29

Subdivision of Parcels for Development Purposes and Respective Obligations

1. All cases of the subdivision of parcels, on the basis of which a development process is carried out, are defined as subdivisions for development purposes.
2. The conditions for the realization of the subdivision of parcels for development purposes are determined by each planning authority in the planning documents and pursuant to the development conditions.
3. The subdivision plan of the parcel for development purposes is carried out as part of the detailed local plans and detailed plans for areas of national importance.
4. New parcels generated from the subdivision process are registered in the Immovable Property Register only after the road network and infrastructure for each new parcel created by the subdivision are constructed in accordance with the approved subdivision plan and registered in the Immovable Property Register, in accordance with the agreement between the developer/owner and the local planning authority.
5. Infrastructures that are registered in the ownership of private parcel owners are necessarily maintained by them in accordance with time, technical and quality conditions set for this purpose by the local government unit which continuously controls the quality of these infrastructures.
6. It is not permitted to subdivide georisk lands or where subdivisions may provide opportunities for georisks, flooding and barriers to the water drainage system.

Article 30

General Conditions of Subdivision of Parcels for Development Purposes

The general conditions for granting and realizing the subdivision of the parcel for development purposes are:

- a) The parcel must be located within the boundaries of the urban system (green line) or those parts of the natural and agricultural system that have been designated to be converted to “land” by the planning document and relevant legal acts in force;
- b) Each parcel that has sufficient area to be subdivided several times and in more than two parcels, in accordance with the definitions of the overall local plan;
- c) Parcels that do not meet the development requirement under the general planning document are developed only if they are merged with neighboring parcels to reach the required size for development;

- c) New parcels created after the subdivision process should have direct links to the public road and infrastructure. The size of the exit of each parcel in the road is conditioned by their location in relation to the road, determined in accordance with the standards of the Road Code and in any case is not less than 6 m;
- d) The area of parcels for infrastructure, obtained from the subdivision process for development purposes, is determined in accordance with the needs of the public infrastructure being built.

Article 31

Merger of Parcels for Development Purposes and Respective Obligations

1. The merger of parcels for development purposes is carried out with the will of their owners, as part of the detailed local plans or areas of national importance or through permits when:
 - a) the new development changes the use and/or the planning indicators and development conditions in the parcel created by the merger, from the existing ones;
 - b) new development requires the creation of a new parcel, with different forms and sizes from the existing parcels that are merged.
2. Each planning authority shall determine the rules of merging parcels for development purposes in the relevant local planning and development regulations.
3. In cases when the merger of parcels is made through a permit, the parcel merger plan, the implementation phases of the merger and the financing instruments are part of the project accompanying the application for a permit.
4. In implementing the merger for development purposes, the financial instruments of the development management according to law are applied.
5. New parcels created after the merger process shall have direct links to the public road and infrastructure. The size of the exit of each parcel in the road is conditioned by their location in relation to the road, is determined in accordance with the standards of the Road Code and in any case not less than 6 m.

TITLE IV

DEVELOPMENT CONDITIONS

Article 32

Basic conditions of development at unit level

1. The basic conditions of unit-level development are determined by the PPV (General Local Plan) and/or PDV (Detailed Local Plan) planning authority and are as follows:

- The allowed category and/or subcategory of land use;
- Type of intervention in the territory (according to the planning regulation definitions);
- Allowed construction intensity;
- Territorial utilization coefficient;
- Number of floors;
- Height of the structures;
- Distance Indicators;
- Typology of construction;
- Red/construction line;
- The minimum coefficient of land use per public space per unit;
- Minimum number of public parking spaces in accordance with the planning regulation;
- The minimum coefficient of territory use per road per unit;
- Conditions for infrastructure;
- Other conditions, as appropriate, as set out in the planning regulation and the special sectoral legislation.

2. The development conditions, mandatory for a unit, shall be determined in the development permit in accordance with the definitions provided in point 1 of this Article.

Article 33 **Distance Indicators**

1. The basic indicators established by this regulation are mandatory to be implemented by planning authorities when drafting and implementing planning documents.

2. Distances under this Article shall be such as not to affect the freedom to use property, to create public and/or functional spaces necessary for community service and to guarantee individual and health security.

3. The distances specified in this regulation are:

- a) distances between constructions;
- b) distances between construction and parcel/property boundary;
- c) distances between the construction and the boundary of the road body as defined by the Road Code.

4. The determination of the distances shall be made by the planning authority according to the provisions of this regulation, the regulation of the plan and detailed local plan, in accordance with this Article, unless otherwise provided in the special sectoral legislation in force.

5. For the determination of the distances, the following shall be evaluated:

- a) orientation and sunlight;
- b) state of adjacent constructions;
- c) hygiene-sanitary, environmental and safety standards according to the special legislation.

6. The orientation, according to the definition of letter “a”, of point 5 of this Article, is made towards the south to its limits of up to 40 degrees, as appropriate, preferring the longitudinal direction of the structure against orientation, and the guarantee of at least 3 hours of sun in the period 22 September - 22 March, for the object/facility.

Article 34

Minimum distances between constructions

(Amended by Decision No. 231, 21/03/2017)

(Amended by Decision No. 19/04/2017)

1. The minimum distances between the two sides, where at least one window, according to this Article, guarantee the minimum requirements of lighting and fire protection standards and are defined as the perpendicular line length between the closest plans of sides facing each other.

2. The minimum allowed permissible distance between the two constructions shall be measured by the sum of the number of floors on the ground of constructions facing plus 2m, according to the formula below:

$d = \text{no. f. obj.A} + \text{no. f. obj.B} + 2\text{m}$, where:

d - the minimum distance between the two constructions.

no. f. - number of floors.

3. If the building faces an existing building constructed contrary to the urban condition of the relevant legislation, then the new construction is excluded from the obligation to comply with the distances under point 2 of this Article and carries the obligation to comply with the distance from property boundary, according to Article 35. For the effect of implementing this provision, existing objects constructed before the 1990s will not be taken into consideration, from which the minimum distances specified in point 2 will be respected.

4. The minimum distance for sides without windows and facade cracks of any other type, which are opposite each other and for which there is no declaration of the two parties for the side without doors or windows, in the conditions of not affecting the security of each object, shall be not less than 2 (two) meters, where each building carries the obligation to respect the distance not less than 1 (one) meter from the property boundary.

5. For constructions along the road, each console output will be called construction side and must comply with the distances from the road body. The architectural facade elements are not required to respect the distances of this Article, as they do not constitute usable surfaces and do not go outside the facade more than 0.5 meters.

6. In the case of historic and protected areas, cultural monuments, according to the special legislation in force, the existing distances of the historic architectural typology in the area are respected.

7. Construction distances for nurseries, kindergartens, schools and health facilities should be in south direction, not less than 1.5 times the number of floors on the ground of constructions facing, plus 2m, [d = 1.5 (no. f. obj.A + no. f. obj.B + 2m)] where: d - minimum distance between two constructions and no. f. - number of floors. In other directions of the horizon, points 2 and 3 of this Article shall apply.

8. Distances for industrial constructions shall be determined in accordance with the construction safety and the activity performed therein, in accordance with the special legislation and in any case shall not be less than the provisions of points 2 and 3 of this Article.

9. Construction distances within a hotel-use area shall be determined according to the design, in accordance with this Regulation, unless otherwise specified in the special and environmental legislation.

10. Notwithstanding the provisions of this Article, the spaces created by the distances shall be such that for each construction direct access by the fire protection service to at least 2 sides of construction and between buildings is ensured. The tunnel underpasses of long buildings are minimally 5 meters wide and 5 meters high, allowing the ambulance or fire extinguishing vehicles to pass freely.

11. If the sides facing each other are proposed without windows and without facade cracks of any other kind, the two constructions may be placed attached to these sides on the basis of the design for attached buildings and the respective agreement between the adjacent/boundary parties concerned. In the absence of agreement, the distances under this Article are respected.

12. For facilities within the competence of the National Territorial Council, pursuant to Article 19 of this Regulation, distances between objects may be determined by the National Territorial Council with special regulations approved by it.

Article 35

Allowed distances between the construction and the property's boundary

(Amended by Decision No. 231, 21/03/2017)

Unless otherwise provided in the overall local plan, the minimum allowed distance of construction from the boundary of the property is defined as the length of the perpendicular line from the side of the construction structure to the property's boundary and is equal to the number of floors on the ground of the construction plus 1m ($d = \text{no. f.} + 1\text{m}$) where: d - minimal construction distance from the property's boundary and no. f. - number of floors."

Article 36

Allowed distances between the construction and the road body

(Amended by Decision No. 231, 21/03/2017)

1. The minimum distance of a building from the road body is measured by the closest plan of the construction site to the road border.
2. Allowed construction distances, in relation to the road body, are determined by the respective planning authorities in PPV and/or PDV, taking into consideration the needs of road infrastructure expansion, in proportion to the new developments.
3. Unless otherwise specified in the PDV, the minimum distances of the structure sides from the roadside border or the parcel property border to the road body, within the existing urban system areas or those that are urbanized shall be determined on the basis of the actual condition of the road body, but in any case no less than the legal definition in the Immovable Property Register for the road body and, unless otherwise provided in Law no. 8378, dated 22.7.1998, "Road Code of the Republic of Albania", are:
 - a) for road width, with or without sidewalks, less than 7 (seven) meters, the minimum distance shall be 2,5 (two point five) meters;
 - b) for road width, including sidewalks, 7 (seven) to 15 (fifteen) meters, the minimum distance is 3 (three) meters;
 - c) for road width, including sidewalks, greater than 15 (fifteen) meters, the minimum distance is 4 (four) meters.
4. For developments that may affect "A" category roads, highways, "B" category roads, main interurban roads and "C" secondary interurban roads, the regulations of the Road Code of the Republic of Albania shall apply.
5. For railroad constructions, the distances according to the Railway Code are applied."

Article 37

Height of Constructions

(Amended by Decision No. 231, 21/03/2017)

1. For the calculation or evaluation according to the definitions of this Regulation, the height of constructions is always expressed at the same time in the number of floors and meters.

The height of constructions expressed in meters is measured as appropriate:

- a) From the average quota of the perimeter construction pavement to the highest point of the perimeter parapet of the object's flat covering; For industrial objects is, at a minimum, 3.5 (three point five) m;
- b) From the average quota of the perimeter pavement of the object in flat ground, to the top of the outer cover, for inclined covers;
- c) In the case of buildings set in sloping terrains, the height in meters shall be given in particular for both sides of the structure on each side of the steep terrain and in accordance with letters "a" and "b" of this point .
- ç) According to the provisions in sectoral legislation for specific objects.

2. The height of the building on the ground, expressed in floor number, is equal to the sum of the floors on the ground, including the floor or half floor under the roof, in accordance with this Article.

3. For the calculation of the height of construction in meters, unless otherwise stipulated by the construction regulations in force, is used as appropriate:

- a) Floor-to-floor height is 3.00 m.
- b) The underground floor, which may have been also named "Basement", is the construction volume of the object's floor, which is entirely or substantially underground, provided that its upper quota measured in the finished floor of the storey above the underground floor, not be more than 1 meter above the paved sidewalk quota level or outer perimeter of the structure;
- c) Ground floor, when used for service use, the minimum floor height - floor is 5.00 m.
- ç) The floor under the roof is a usable living space or human activity, which constitutes the volume of end construction at the upper end of a building and is covered by steep construction covering.
- d) In roof constructions, the roof space is considered as a floor when, its slope allows the use of at least 50% of the total floor area covered. When the space under the roof is at least 30% and less than 50%, this space is estimated to be half the floor.

4. For uses, functions and other activities, the height of the floor is determined by the special legislation in force and by the construction regulation.

5. Maximum allowed height in historic areas and cultural monuments is determined according to the special legislation.

Article 38
Intensity of Construction

1. Intensity (i) is determined by the planning document at the structural unit level.
2. The existing intensity (i) at the structural unit level is equal to the ratio of the total surface area of the floors on the ground for the entire unit with the sum of the surfaces of the parcels built therein. In calculating (i) for the unit, roads and public spaces are not included, except as determined in the sectoral legislation in force.
3. The intensity (i) for each unit without PDV is determined by the planning document and applies to each parcel where construction may be carried out within the respective unit, excluding roads and public space.
4. Intensity (i) for an area is determined in accordance with this regulation, the special law and legislation in force.
5. Intensity (I) as a rule is measured in m^2/m^2 , but for constructions in function of agricultural and industrial-economic activities, (I) can be measured in m^3/m^2 according to the special legal acts in force.

Article 39
Utilization coefficient of the territory for construction

1. The utilization coefficient of the territory (Uct) for construction is the ratio of the surface of the construction track to the total area of the building parcel.
2. Uct for construction is measured in percentage (%).
3. Uct for construction is determined by the planning documents per unit and area and applies as such to each parcel where construction may take place.
4. In the case of infrastructure for public services, the Uct for construction is determined independently of other constructions and according to the needs of the function and the special legislation.

Article 40
Land utilization coefficients for roads and public spaces

1. The land utilization coefficient for roads or Ucr is the ratio between the trackway area that the roads will occupy in a unit or area and gross area of the unit/area.

2. Ucr is presented in% and is defined in the planning document per unit/area, in accordance with:
 - a) the estimated number of housing units and other constructions;
 - b) the distances allowed under this regulation;
 - c) the need for sun and noise elimination;
 - ç) the space required for the passing of underground and air infrastructure;
 - d) the need to establish the connection of each single object with the road;
 - dh) meeting the conditions for subdivision and merging of parcels under this regulation;
 - e) internal and transit traffic needs;
 - ë) the need for connection of the unit/area with other parts of the city;
 - f) the need for urban transport, pedestrian and bicycle movements.

3. The land utilization coefficient (Luc) for public space is the ratio of the public space area per unit/area with the gross area of the unit/area.

4. Luc is presented in% and is determined per unit/area in the planning document.

5. As a rule, the percentage amount occupied by parcels where constructions may be carried out in a road utilization coefficient and land utilization coefficient area is equal to 1 (one).

TITLE V

INSTRUMENTS FOR THE MANAGEMENT OF TERRITORIAL DEVELOPMENT

Article 41

Intensity of construction upon conditions

1. The construction intensity program upon conditions is drafted by the local planning authority subject to the purpose under point 1 of Article 30 of the law.

2. The Local Planning Authority shall prepare a map of residential areas that may be subject to a conditional construction intensity program as part of the overall local plan when drafting or revising it. Determination of the intensity upon conditions for units/areas is associated with the study of holding capacity, and a detailed plan of implementation and public transparency of the program.

3. For areas under point 2, the local planning authority shall determine the maximum allowed intensity of unconditional construction and the value of the additional construction intensity that may be permitted upon conditions. The maximum value of additional construction intensity that may be permitted under conditions may never exceed the maximum intensity of unconditional construction allowed.

4. Other developmental conditions shall remain unchanged or altered in a proportionate manner with the change in the intensity of construction, without prejudice to planning standards, when the planning authority implements the construction intensity program upon conditions.
5. Developers interested in benefiting from the conditional construction intensity program may compete in order to participate in this program.
6. The Local Planning Authority shall grant the right to implement the additional construction intensity under point 3 of this Article, against the respective value as defined in points 7 and 8 of this Article, through agreements with interested parties, organization of competitions or public auctions.
7. The value of the right to implement the construction intensity under conditions is obtained by the additional construction intensity based on the market value in the area where the new building surface will be built, given by the additional construction intensity.
8. The value, as defined in point 7 of this Article, may be monetary value, land, investment in infrastructure and public services and areas built for social housing or other public purposes.
9. The procedures for the implementation of the construction intensity program under conditions as set out in this Article shall be published in the register and through one or more means of public information.

Article 42

Transfer of the right to development

1. The program on the transfer of the right to development is carried out subject to the purpose under point 1 of Article 31 of the law in the relevant areas when the territorial planning process prohibits or restricts the development thereof.
2. The transfer of the right to development is carried out between landowners found in the units and/or areas subject to transfer, or between natural or legal persons authorized by them and the local planning authority only within the framework of a program undertaken by the local planning authority for this purpose and with the will of the owners.
3. The program for the transfer of the right to development under point 2 of this Article shall be drafted and implemented in accordance with this Regulation and with the general local plan.

Article 43

The program on the transfer of the right to development

1. The local planning authority decides to allow the implementation of a program for the transfer of the right to development based on a study for the units and/or areas between which the transfer of these rights is made.
2. The study, as defined in point 1 of this Article, is drafted as part of the overall local plan, during the drafting or the following, by reviewing the PPV. Units and/or areas are the subject of a program for transferring the right to development after the adoption of the PPV.
3. The Program for the transfer of the right to development contains:
 - a) the purpose of the program in accordance with this decision;
 - b) the map of the units/areas where it is transferred from (giver) and the units/areas where this right is transferred to (receiver), including the records of the Immovable Property Register for each property;
 - c) conditions and procedures of the transfer process, the identification data of the parties involved in the process, the respective obligations and benefits to the parties, and the formula for calculating the value of the compensation for the right to development that is transferred, including taxes and any other costs, in accordance with this decision and the legislation in force;
 - ç) description of the process of public transparency, monitoring the progress of the program, and publication in the Register, in accordance with the law.

Article 44

Minimum mandatory conditions for the transfer of the right to development

1. The transfer of the right to development under this decision is carried out between two or more units of an area and between units of different areas and, in no case, within the same unit.
2. The transfer of the right to development applies only to the intensity of construction and only to the use of “housing”.
3. Units among which it is allowed the transfer of the right to development are:
 - a) giving areas of the right to development that belong to the category of land use, agriculture, natural and cultural monuments and heritage and where the overall local plan does not allow or maximally limits the development;
 - b) receiving areas of the right to development, which belong to the housing category of land use, and may be some or all of the residential areas according to the general local plan.
4. In the receiving areas, apart from the maximum permitted construction intensity, the overall local plan determines, after studying the retaining capacity and the socio-economic and environmental impact, the additional construction intensity that these areas may benefit as a result of the implementation of the program on the transfer of the right to development.

5. The additional intensity under point 4 of this Article may never be greater than the maximum allowed intensity of construction in the area, in the absence of the program on the transfer of the right to development.
6. The total value of the additional area of construction in the receiving areas created by the implementation of the program on the transfer of the right to development may never be greater than the total value of the construction area that is subject to the intensity determined by the overall local plan for giving areas.
7. The compensation value of the construction intensity that is transferred is determined by the formula prepared for this purpose by the local planning authority and re-evaluated for each giving and receiving area. This formula is based on the value of land according to the market price in the giving areas if they were allowed to use the construction intensity set by the plan for the purposes of the program on the transfer of the right to development.
8. The land use categories and the relevant sub-categories provided by the general local plan for the receiving and giving areas do not differ with the implementation of the program on the transfer of the right to development.
9. During the implementation of the program on the transfer of the right to development, the other development conditions in the receiving areas remain unchanged or improve in a proportionate manner with additional development, in accordance with planning standards.

Article 45

Transitory Provisions

(Amended by Decision No. 672, 29/07/2015)

(Amended by Decision No. 231, 21/03/2017)

1. Until the adoption of the General Local Plan for the administrative territories of municipalities:
 - a) the requirements for development/construction permits will be reviewed by the responsible authorities only for proposed developments in local territory areas for which territorial planning documents have been approved, according to the attached map, with the exception of areas of national importance of cultural and historical heritage and the coastal belt, according to decision no. 1, dated 8.10.2013, of the National Territorial Council, in which any new construction will be subject to review by the National Territorial Council.
 - b) for all other areas not covered by letter “a” of this Article, the construction permit requirements shall be reviewed by the responsible authorities only in accordance with the rules and procedures established by the decision of the National Territorial Council.

- c) for objects over 6 floors, according to letters “a” and “b” of this Article, the construction permit is issued by the National Territorial Council.

2. The detailed local plans and development permits approved before the date of adoption of the Local Government Plans, whose execution term has not terminated, remain in force. Requirements for construction permits, based on planning instruments adopted before the entry into force of the Local General Plans for new administrative territories, will be reviewed in accordance with planning documents and development conditions in force at the time of their approval.”

Article 45/1

Start of the electronic permit system operation

(Added by Decision No. 271, dated 06/04/2016)

1. The electronic permit system shall start the operation throughout the territory of the Republic of Albania, on 20 April 2016.

2. During the period 20 April 2016 to 31 August 2016, the applications for permits under this Regulation may also be filed through their deposit and accompanying documentation at the one-stop service desk. In this case, the obligation of on-line uploading of the application file is the responsibility of this authority and is carried out immediately upon filing the application at the desk and in the presence of the applicant on his/her own. In this case, the applicant submits the application for permit and documents in hard-copy and CD. Upon completion of uploading into the system, the desk submits to the applicant the application’s identification number, enabling the tracking of it.

3. As of 1 September 2016, the application, acceptance and review of applications for permits and preliminary declarations under this regulation, and the issuance of permits and institutional interaction, shall be carried out exclusively through the electronic permit system.

4. Requests submitted in writing by 31 August 2016 shall continue to be reviewed by the responsible authorities in writing, in accordance with the rules and procedures provided in the legislation in force at the time of application.

5. Within 10 days of the entry into force of this decision, the one-stop service desk performs the role of the Assistance Center at:

- a) the Municipality, to assist citizens for information related to application through the system;
- b) the ministry responsible for the development of the territory, which will coordinate the work with all responsible institutions to assist the municipalities and other state bodies in the process of using the electronic permit system.

6. The Territorial Development Agency shall take all measures that, by 20 April 2016, all the authorities responsible for the development of the territory shall submit to the National Agency of Information

Society the information and the required material for the provision of employees involved in the process of reviewing permit applications, with entry codes for system access, and with electronic signature, in accordance with the legislation in force.

7. The Territorial Development Agency shall take all measures that, by 20 April 2016 and in cooperation with the centers of assistance of the authorities responsible for the development of the territory, to develop the training of administrative personnel, designated as users of the electronic permit system.

8. The electronic signature, qualified for entities, natural and legal persons, licensed in the fields of design, supervision, implementation and testing of construction works, is provided through the public key infrastructure, which is administered by the National Agency of the Information Society. Detailed rules on the use of the system, the application process, the rights and responsibilities of the administering institution and entities using the system are determined by mutual guidance of the Minister of Urban Development and State Minister for Innovation and Public Administration within one month from the date of entry into force of this decision.

II. Annexes A, B and D, attached to the text “Territorial Development Regulation”, are repealed on 1 September 2016.

Article 45/2

Acts of Conformity by the NTC

(Added by Decision No. 355, dated 19/04/2017)

For each application for construction permits for objects over 9 floors, the local development authorities should in each case take the conformity act from the NTC in advance. The procedure for issuing the conformity act is determined by the decision of the National Territorial Council.”

II. The terms anticipated in the regulation are calculated in working days.

This decision shall enter into force after its publication in the Official Journal.

Annex A

REPUBLIC OF ALBANIA
Application Form for Development/Construction Permit

Local government unit/municipality no.	Responsible planning authority no.	Prot. No. ___/date
<i>Official address of the local government unit/municipality</i>	<i>Official address of the responsible institution</i>	Seal

First Deposit **Second Deposit** **Third Deposit** **Other Deposits**

Application Form for Development/Construction Permit

Application for development permit

Application for new construction
Application for temporary construction
Application for performance of reconstruction works
Application for performance of repair works
Application for performance of restauration works
Application for performance of works for extraordinary maintenance
Application for performance of works for demolition
Additional data for wood cutting
Application for performance of works with preliminary declaration

SECTION I – GENERAL DATA

I. INFORMATION ON THE DEVELOPER

The Developer	Entity's Name	NIPT (if applicable)	
	Address: Rr. " _____ " Residence No.: postal code:		
	Tel. #	Mob. #	Email:
	Project document of the developer's identification		

Representative of the developer with power of attorney:

Name, surname

Address: Rr. " _____ " Residence No.: Postal code:

Tel. # Mob. # Email:
Representative's identification document No.

2. PROJECT'S INFORMATION

Designing	Project's name
	Accurate description of the project
	Description if the project requires provision with other permits referred to sectoral legislation
	The project has been processed/previous application/expired permit/rejected permit/prot.no. ____

3. INFORMATION ABOUT THE PARCEL WHERE CONSTRUCTION SHALL BE MADE

The Developer	Cadastral Zone No.	Property No./Type	Volume:	Page:
	Address of the property:			
	Cadastral Zone No.	Property No./Type	Volume:	Page:
	Address of the property:			
	Issuance date of property documents:			
	Area in m ² of the parcel/s			
	Are there any existing buildings in this property? YES <input type="checkbox"/> NO <input type="checkbox"/> If YES, give the function for each.			
	If the parcel is included in a planning document.			

4. INFORMATION ABOUT THE DESIGNER/S

Design/s	Name, surname, design license/NIPT No.		
	Address:		
	Tel.#	Mob.#	Email

5. DATA ON THE PERFORMANCE OF WORKS

Duration of works' performance _____ months in TOTAL. (Give the execution phases in the schedule of works).

Financing of works

Type of financing of proposed works - PUBLIC <input type="checkbox"/> PRIVATE <input type="checkbox"/> PUBLIC-PRIVATE PARTNERSHIP <input type="checkbox"/>
--

TOTAL COST OF works' financing in ALL _____ (ALL)

Financing source _____

6. Documentation containing the application for permit:
1. Development conditions (Conditions, construction intensity, distance indicators, etc.)
2. Parcel's alignment from the cadastral genplan (IPRO)
3. Construction's alignment on the fragment of the current existing map (by licensed surveyor)
4. Technical architectonic and landscape project, including the elimination of architectonic barriers.
5. Constructive project
6. Project of installations including the hydro sanitary ones
7. Project of electrical installations, heating, ventilation
8. Project of fire protection, energy efficiency, emergency level
Graphic of works and handing over works, according to execution phases
9. Bill of Quantities
10. Declarations of responsibility of licensed designers, as per annex B
11. Required permits for the exercise of the activity, if such are anticipated.
12. Payment receipt of the application fee, which covers all one-stop service processes
13. Copy of payment receipt certifying the settlement of liabilities to professionals that have drafted the projects listed above.
14. Environmental impact assessment report
15. Permits or documents which make the exception from different obligations
<i>Response declaration by the construction entity for the compliance with technical conditions and security of employees' and people's life, during the period of works' execution.</i>
<ul style="list-style-type: none"> • In absence of full deposition of the documents above, the review of request for execution of works cannot be made.

7. CONNECTION WITH INFRASTRUCTURE

7.1 Connection with road network

a) Connection with the road/access

<i>Connection with existing road</i>
<i>Road passes through the developer's parcel</i>
<i>Road passes through a foreign parcel (public property)</i>
<i>Road passes through a foreign parcel (private property)</i>

b) Connection with the network of canalizations

The network of canalizations exists

The network of canalizations does not exist, but a request is made to the responsible directorate for the construction of this network (Request and approval to be submitted)
A septic tank is used
Other method (its documenting)

c) Connection with the water-supply network

The electrical network exists
The electrical network does not exist, but a request is made to the responsible directorate for the construction of this network (Request and approval to be submitted)
Own supply (generators or wind mill)
No need for electrical network

d) Connection with the telephone network

The telephone network exists
The telephone network does not exist, but a request is made to the responsible directorate for the construction of this network (Request and approval to be submitted)
No need for telephone network

7.2 Deposit and collection of waste during the execution of works

Indicate in the plan of structure connection with the infrastructure, the nearest point to deposit and the type.

If the nearest for waste disposal does not meet the technical conditions for the service and protection of environment, based on the load increase after the realization of the development, the collection spot and the type should be mandatorily stipulated in the project.

7.3 Public servitudes

Indicate in the plan of structure connection with the infrastructure, the location of servitudes and the type.

SIGNATURE

Developer or legal representative

Investor or legal representative

Signed at (institution)

Signature

_____/_____/_____

Date

Annex B

DECLARATION OF PROFESSIONAL RESPONSIBILITY

THE ARCHITECT

“I, the undersigned _____, with the profession of architect, with professional licence no. _____, hereby declare with my free and unconditioned will and under my full responsibility, that I have drafted the architectonic/constructive design for the object “_____”, in conformity with all the applicable development planning and control documents and with the legislation governing the construction activity in the Republic of Albania, including anti-seismic, security, fire protection and hygiene-sanitary provisions.

Name Surname:

Signature:

Date:

Annex C

(Municipality's logo)

REPUBLIC OF ALBANIA
MUNICIPALITY _____/KKT (National Territory Council)

PERMIT OF CONSTRUCTION

IS CONFERRED ON:

THE DEVELOPER _____

REGISTERED AS AN ENTITY WITH THE FOLLOWING DATA:

CONSTRUCTION PERMIT FOR WORKS: _____

ADDRESS FOR THE REALIZATION OF WORKS _____

THE DEADLINE OF THIS PERMIT IS UNTIL THE DATE OF _____

The construction permit is given with the following requirements:

1. To comply with the development destination for the construction of the structure and development indicators.
2. To comply with the order of works according to the approved design and schedule of works.
3. The area where construction is carried out, to be fenced and to keep the surrounding environment clean.
4. For any intervention in the network of public infrastructure according to the approved design, to contact the relevant institutions so that no concerns are produced in the public network.
5. To comply with the norms and standards stipulated in the legislation in force for the execution of works and safety at work.
6. During the execution of works, the object shall be controlled by the authorities of development control and the relevant inspectorate in the field of construction.
7. In case of infringement of the legal conditions of this permit, measures shall be taken in conformity with law up to its rejection.
8. The term for the commencements of works is 1 (one) year from the date of issuing this permit.

9. This permit is valid for a period of _____ months from the date of its issuance, referring to the schedule of works attached.

The date of permit's approval Mayor/ KKT (National Council of Territory)

Annex D

X	Mark the correct one PRELIMINARY DECLARATION FOR THE EXECUTION OF WORKS		
1	Design (according to Article 8 of the development Regulation)	File for the supervisory authority	
		Access and seal of authority	
2	Parcel (Where the object is located)	Street, house no., commune, neighbourhood	
		Ownership certificate or the legal right for the structure in use	
		Object's alignment Technical design for the realization of works, signed by a licensed designer	
		File number for the responsible authority/construction permit/letter according to § xxx	
3	Object (according to the type and use)		
	Types of works		
4	Commencement of works	<p style="text-align: center;">Date</p> <p>The design starts with: Supervision of the design realization shall be made by the authorized expert _____</p>	
5	Developer	Name, surname/Company (legal representative or speaker)	Telephone
		Street, house number, postal code, location	Fax
		By means of this certification, I hereby indicate the commencement of works according to the date noted above. The works shall start ____ days after the submission of the present declaration. I am aware that a deviation from the approved construction plans and from the requirements of the laws in force for public interest	Developer

		may open procedures for offences against me.	
6	Technical Director	Name, surname	Telephone
		Street, house number, postal code, location	Fax
		By means of this document, I hereby certify as the person responsible for the realization of the design, by undertaking the legal obligations, in compliance with the laws according to Article xxx for the duration and execution of the above design. I am aware that a deviation from the approved construction plans and from the requirements of the laws in force for public interest may open procedures for offences against me.	