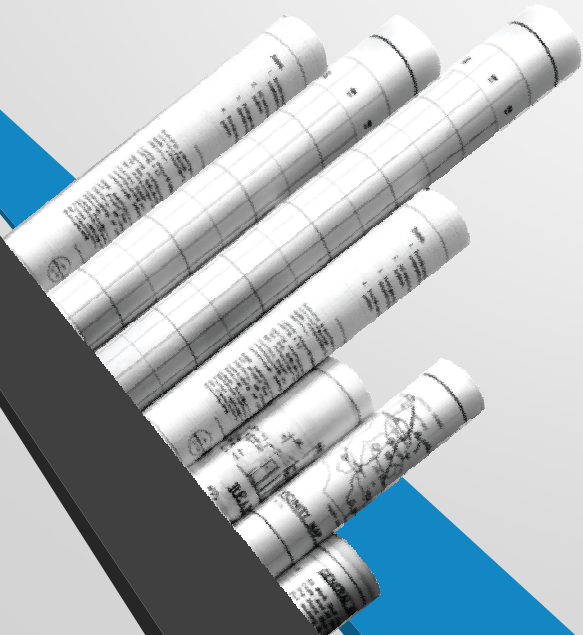




Guide for Building Permits

**Department of Construction
and Spatial Planning, Maglaj**



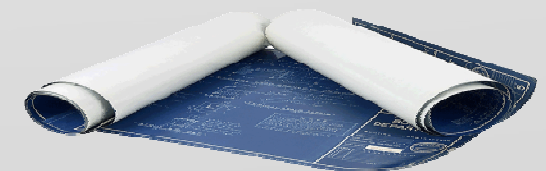
1. Step SPATIAL PLANNING CONSENT

Spatial planning consent is an administrative act issued by the municipal department, which defines requirements for the design and approval of future use in space, where there is no detailed planning document for that area.

LEGAL BASIS FOR ENACTMENT OF SPATIAL PLANNING CONSENT

The basis for defining prerequisites in spatial planning consent is: spatial plan of the municipality and urban plan and exceptionally parcellation plan. Urban-technical and other conditions that are not defined by planning documents and are prescribed by law or regulations adopted on the basis of the law, are determined by the responsible municipal department.

- Spatial planning consent is issued within **30 days of receipt of a completed application.**
- **Fifteen days from receipt** of spatial planning consent party / investor / receives clause of finality on the decision / issued by the Presiding Officer/.
- Spatial planning consent is **valid one year from the day it becomes legally binding**, and in that period request for the issuance of Construction permit must be submitted.
- The validity of the spatial planning consent **can be exceptionally extended, but no more than one year.**



URBAN PLANNING CONSENT FOR TEMPORARY STRUCTURES AND OPERATIONS PERFORMED IN THE SPACE

This consent is issued only in exceptional cases and with limited validity period, i.e. longest until implementation of the land to its final use. The investor is obliged, after the expiration, to remove the temporary building and to return the land to its original condition at his own expense. These are objects necessary for construction, research, etc., for fairs and public events, no longer than three years.

SPATIAL PLANNING CONSENT FOR INITIATED AND BUILT STRUCTURES

Spatial planning consent for initiated and built structures shall be issued exceptionally, if the building is started and / or built according to planning documents and conditions prescribed by applicable law.

SPATIAL PLANNING CONSENT FOR UNURBANIZED SETTLEMENTS

For the construction of buildings and performing other operations in the space on construction sites outside urban areas in rural and settlements of mixed type for which there is no detailed plan, urban planning consent is issued on the basis of the conditions from the spatial plan of the municipality.

- A copy of the cadastral plan with an indication of occupants of the subject and neighboring plots, title deed or land registry excerpt /cadastre of municipality/
- The proof of ownership, proof of title or land registry certificate, not older than six months / cadastre or land registry office/,
- Preliminary design of the building,
- Description of the proposed technology of work, if it is a production facility or a specific intervention in the space,
- Excerpt from spatial planning documentation /obtained from the relevant municipal department/
- Other data or consents which, in accordance with applicable regulations, the responsible municipal department determines as relevant to the preparation and development spatial planning consent,
- Administrative fee of 50.00 BAM for residential buildings, support or commercial buildings, which together with the residential building form one unit,
- Administrative fee of 100,00 BAM for commercial buildings / gross developed area up to 150 m²/,
- Administrative fee of 300.00 BAM for commercial buildings / gross developed area to 150-400 m²/,
- Administrative fee of 1000.00 BAM for commercial buildings / gross developed area over 400 m²/.

Interventions that do not require Construction permit and are carried out on the basis of received Spatial planning consent

- Auxiliary buildings intended for regular use of family residential building, which was built on the land for which Construction permit was given: a garage for cars, storage, sheds and shelters gross area of up to 20 m² and a height of up to 3m, fences and retaining walls towards neighbors height above 1 to 3 meters from the ground level, water tanks and septic tank volumes up to 10 m³,
- A greenhouse for plants gross area up to 30 m²,
- Prefabricated buildings and kiosks gross area up to 20 m²,
- Children's playgrounds and stable foundation playgrounds,
- Shelters for people in public transport,
- Advertising panels surface up to 12 m²,
- Cable and air connections to low voltage, telecommunication and CATV network, as well as the connections of the building with valid building permits to utility installations,
- Sports fields without the stands which are in their entire surface resting on the ground / tennis, football, etc./,
- Works on stairways, hallways, etc., on the change in approach to the building and inside the building to allow unimpeded access for people with reduced physical abilities,
- Works on replacing and supplementing equipment, if it is in accordance with the purpose of the building,
- Monuments,
- Family residential and mixed-use buildings whose gross developed area does not exceed 200 m² and buildings intended exclusively for agricultural activities with gross developed area not exceeding 400 m² and whose activities do not affect the environment.

Procedures are performed on the basis of obtained Spatial planning consent, previously resolved property relations and paid liabilities to the municipality. The party must possess the appropriate detailed design with the record of staking of building

These works are subject to review of performed works by the relevant municipal department, on the basis of which a certificate of completion of construction is issued.

SUBMISSION OF REQUEST:

Request for issuance of Spatial planning consent with the other documents shall be submitted to the Protocol of Maglaj municipality or by mail.

2. Step

CONSTRUCTION PERMIT

The investor can start the construction of a new building on the basis of Construction consent issued, except in cases where for the beginning of construction a spatial planning consent is enough. Construction consent is issued for the construction of the entire building or a part of the building that makes the technological whole

ATTACHMENTS TO THE APPLICATION FOR CONSTRUCTION PERMIT

- Spatial planning consent or location information /where there is a detailed plan of the municipality/
- Excerpt from the cadastre for the plot on which the facility is being build, which is in the name the investor
- Evidence of the right to build on the location / deed or land book excerpt, contract or decision of the competent authorities on the basis of which an investor acquired the right to build or right to use or partnership agreement concluded with the owner of the land or real estate whose aim is to commonly build or contract a concession, written and notarized consent of all co-owners of the property, etc. /
- Two copies of the main project in analog form and one copy in digital form,
- Written report on the revision of the main project. Revision is not necessary if the building requires only spatial planning consent and in the case of residential and agricultural buildings of gross surface area up to 400 m².
- Consents obtained in the process of issuing spatial planning consent for the building,
- Study on research works, if the data have been used for the development of the main project, and technological study, if necessary,
- Proof of payment of administrative fee,
- Other attachments stipulated by special laws.



PROCEDURE FOR ISSUANCE OF CONSTRUCTION PERMIT

Construction permit is a administrative act issued by the relevant municipal department no later than 10 days from receipt of a complete application, if it is determined that all the conditions prescribed by law, as well as the conditions from Spatial planning consent or location information are met.

Construction permit is necessary for: newly planned building, for reconstruction, extension, upgrade, change of use of the building and conservation of the building, removal of the building / demolition, dismantling of buildings or parts of the building / and for temporary / support / buildings.

The main project must be made in accordance with the conditions set out in the spatial planning permit or the location information, i.e. spatial planning and technical conditions specified by law.

In the process of issuing construction permit the responsible municipal department, as a preliminary issue, resolves compensation for land development, and compensation for the convenience and use of building land.

The investor shall, within 10 days after receiving the decision, submit evidence that expenses for the development of construction land and compensation for the benefits and use of building land are paid.

MODIFICATION AND / OR AMENDMENT OF CONSTRUCTION PERMIT

- The investor is obliged to submit a request for amendment and / or supplement to the construction permit if during construction he plans to make such changes on the building which differs significantly from the technical solutions in the main project, based on which Construction permit was given.
- The request must be submitted before any works and activities on the building.
- If during construction the investor is changed, the new investor shall, within 30 days apply for a modification of construction permit.

CESSATION OF VALIDITY OF CONSTRUCTION PERMIT

Construction permit expires if the works on the building for which Construction permit was given are not started within one year following legal validity of the object.

The validity of construction permit can be with a special decision, at the request of the investor, extended for another year, entering the clause on the extension of validity of the permit, if the terms on which it was preliminary issued have not changed.

Construction permit ceases to be valid if the investor does not complete the infrastructure and facades of the building which is being built in an urban area within four years from the date of issue.

REGISTRATION OF CONSTRUCTION

The investor is obliged to provide to municipal department, as well as the competent inspection written report on the commencement of works, no later than eight days before the start of the works.

The competent inspection shall ex officio carry out the inspection on site to verify the fulfillment of technical and security conditions for conducting of construction.

STAKING

- Before the start of construction staking of the building in accordance with the conditions set out in the construction permit and based on the main or detailed design is carried out.
- Staking out of the building is carried out by the authority authorized for Cadastre, legal or physical entity registered for performing geodetic activities.
- A record with the sketch layout about the staking out of the building is done and the originals are delivered to the investor, who is obliged to deliver one copy to the competent authority and competent inspection.
- The supervisory authority is obliged to check whether the excavation of foundations was done in accordance with the record of staking and approve the continuation of works.

3. Step

CERTIFICATE OF OCCUPANCY

- Each built building for which construction permit was given, can be used and put into operation after the competent authority issues a certificate of occupancy for its use, based on previous technical inspection of the building and completion of review by the construction inspection.
- For individual housing and residential-commercial buildings and buildings for whose construction permit is not necessary, a certificate of completion of the building is issued after the technical inspection and completion of construction inspection.
- In the case of complex structures, individual certificates of occupancy for a part of the building are issued according to the conditions stipulated in principle approval, the main design and construction permits for that part of the building. After the completion of complex structures, ex officio, a single certificate of occupancy of the entire building is issued, which unifies all previously issued approvals.



ATTACHMENTS TO THE APPLICATION FOR CERTIFICATE OF OCCUPANCY

- A copy of the construction permit, including any and all amendments,
- Geodetic footage of the building and the plot made on the cadastral surface, in analog or digital form, by the authorized person registered for performing geodetic activities
- The written statement of the contractor on performed works
- Written report of construction supervision, with confirmation of the completeness of works

TECHNICAL INSPECTION

- A technical inspection determines that the building is constructed in compliance with the technical documentation based on which the construction permit was issued, technical regulations and standards, as well as the conditions of the building determined by special legislation. T
- The technical inspection shall be carried out upon completion of the building, after all the work planned by the construction permit and major, i.e. execution project are finished.

- If during construction, there were minor amendments which are not subject to modification and / or amendment to the construction permit, the investor is obliged to prepare for technical inspection the project of built condition.
- The technical inspection shall be carried out within a maximum of 20 days from the date of submission of the request for certificate of occupancy or a maximum of 8 days after the appointment of the Commission for technical inspection.
- The competent committee, no later than 8 days before the technical inspection, notifies of the place and time of technical inspection investors, the President and members of the committee.
- The President and members of the technical inspection make a report on the inspection, in which the opinion of each member on whether constructed building can be used, or whether any deficiencies must be removed or the building cannot obtain certificate of occupancy is noted. The minutes are signed by the President and all members of the committee.
- The costs of technical inspection, which are determined for each individual case on the basis of the criteria from a special decision of Municipal Mayor, shall be borne by the investor.

COMMITTEE FOR TECHNICAL INSPECTION

- Technical inspection is performed by the commission from among qualified experts which by the decision, within 8 days of receipt of a complete application for certificate of occupancy, is appointed by the competent municipal department that issued the construction permit.
- Number of members of the commission depends on the type and complexity of the building and the type of work that the commission views. One of the committee members is the president and he coordinates the work. For less complex buildings committee can have up to three members.
- For buildings, for whose construction a spatial planning consent was sufficient, the commission for technical inspection consists of two technically qualified architectural or building engineers employed in the authority which issued the construction permit, except for persons who participated in the process of adoption that permit.
- Members of the committee may be engineers of appropriate profession with five years of professional experience and passed professional exam.
- The competent municipal department, which appoints Commission for technical inspection, is obliged at least once every two years to publish a public call for professional persons to submit proof of eligibility to participate in commissions. Public call must be published in at least one daily newspaper

DUTIES OF THE INVESTOR IN THE PROCESS OF TECHNICAL INSPECTION

- The investor is obliged to provide during the technical inspection the presence of all participants in the construction, working conditions, and free and unhindered access to all parts of the building with the necessary professional assistance of supervision and contractors.
- The investor shall, not later than 8 days before the technical inspection, to the committee during its operation, submit for review and disposition, documentation based on which the building was built, and detailed design, as well as all documentation defined by regulations depending on the type of the building.

ISSUANCE OF THE CERTIFICATE OF OCCUPANCY

- Certificate of occupancy is issued in the form of a decision pursuant to the Administrative Procedure Act, on the basis of a positive assessment from the minutes of the technical inspection, not later than 7 days from the delivery of the minutes on the technical inspection.
- President of committee for technical inspection shall, upon the completion of the technical inspection, deliver the minutes on the inspection to the competent municipal committee not later than 5 days after the technical inspection.
- If in the minutes shortcomings in the structure are identified, which should be removed, a temporary certificate of occupancy may be issued and set a deadline for removal of these shortcomings. Deadline and duration of temporary certificate of occupancy cannot be longer than 90 days.

4. Step

REGISTRATION IN THE CADASTRE

- The final phase in the process of building represents the registration of the building in the Cadastre in the Municipality of Maglaj and registration in the Land Registry, which is situated at the competent municipal court.
- The legal deadline for the registration of the building is 30 days (depending on weather conditions). The costs of registration amount to 192,00 BAM.

BUILDING FOR WHICH THE CERTIFICATE OF OCCUPANCY IS ISSUED, I.E. DECISION OF COMPLETED CONSTRUCTION, IS REGISTERED IN THE LAND REGISTER.





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