

PROCEEDINGS BY A BUILDING AUTHORITY

**The proceedings and the controlling
by a building authority**

312/2012. (XI. 8.) Order of Government

GENERAL ORDERS AND RULES

To whom it relates?

Who is in command of the property?

The person who has the rights

- to own,
- to decide and
- to use the property.

- *Official siteplan,*
- *Proprietorship register of land*

GENERAL AND COMMON RULES OF THE PROCEEDINGS OF A BUILDING AUTHORITY

CONTENTS, STEPS

- starting of the proceedings
- send word (e-mail, ÉTDR) to the client, investor at the start of
- identify a deficiency
- which special authorities are needed for an advisory opinion
- planning commission (by the region, district)
- duration of the proceedings
- review the building site
- contents of the decision
- communication of the decision

STARTING OF THE PROCEEDINGS

Upload the main items of the proceedings to the ÉTDR.

Ask about the proceedings, and that's conditions, by ÉTDR.
(Is it sufficient, any other supplement, payment of the fee ...)

The authority has to answer in 15 days, and answer more, if it is needed.

The starting day is the first day after that the first document of the proceedings (the request) is received by the authority.

On paper or on ÉTDR.

The client of the authority is the owner who is in command of the property. (accreditation)

INFORMING THE BUILDER ABOUT THE START OF THE PROCEEDING

The authority has to inform the client about the start and:

- The date of the start,
- The type of the proceedings,
- The duration of the proceedings,
- The date of the visit to the building site,
- „every important thing, that the client has to know and has to do about the proceedings.“

IDENTIFY A DEFICIENCY

Two steps:

- a. The authority – in **5** days – sends an e-mail to the client about the deficiencies of the documentation that was handed in.

The client has **10** days to supply.

- b. *If the documentation – after the previous supplement – is incomplete, the authority has to send a new e-mail, and the client has to supply the missing documentation.*

The time of supplying the necessary documentation is not taken into account of the duration.

SPECIAL AUTHORITIES

EXAMPLES, there is a chart in the order:

- Fire Departments,
- National Public Health and Medical Officer Service,
- Chimney-sweeping,
- National Office of Cultural Heritage,
- National Inspectorate for Environment, Nature and Water,
- Public utilities
- ...

PLANNING COMMITTEE

In special cases, it depends on...

- Size of the building,
- Function of the building,
- Location of the building,
- ...

The provost asks for an advisory opinion from the planning committee about the

- *Architectural value,*
- *Protect the architectural heritage,*
- *Assimilation of the building into the environment.*

The authority can make a decision based on the opinion of the committee.

TIME-LIMIT OF THE OFFICE WORK (ADMINISTRATION)

It depends on the type of the permit

a) in **21** days after the last supply,

- the last document from the special authorities,
- or the last another supplied plan, paper...

VISITING THE BUILDING SITE

The authority is obliged to visit the building site or the existing building that someone wants to rebuild.

The authority has to check and survey

- The sizes of the site,
- The distance between the existing and the designed buildings
- The environment of the designed building,
- The access to the building site,
- The slope of the surface,
- The terms of build are given,
- Safety of the building process,
- The building process and the plans are the same,
- ...

IN WHICH CASES IS A BUILDING PERMIT NEEDED

In the governmental order there is a special supplement, that describes when the client doesn't need a permit:

- Type,
- Size,
- Function,
- Type of the building process,
- Scale, dimension of the reconstruction
- Thermal insulation, count of units, chimney, swimmingpool,
- Fence, plantinghouse...
- Declare of the static
- Under 300 m² and new building, only a simple documentation of statement is needed

THE CONTENTS OF THE REQUEST

- Address,
- Type of the request,
- Subject of the request,
- Number of buildings, functional units,
- Previous permits of the building or the site;
- Annexes, supplement:
 - *Verification of the rights of using the property,*
 - *Architectural documentation,*
 - *Sign of the architect, and other...*
 - *Advisory opinion of the planning committee,*
- How (on paper, or not) the client needs the permit,
- Verification of the payment of the fee;
- Signatures

THE CONTENTS OF THE BUILDING PERMIT

main contents:

- Conditions of the permit,
- Type of the request,
- Subject of the request
- Length of validity,
- Where can the client, and others inspect the documentation,
- Conditions of the start,
- Justification of the decision,
- Premonition, what the client has to do, and must not to do,
-

VALIDITY OF THE PERMIT

Building permit: 3 years,

- needed to start in 2 years,
- become useable in 5 years.

The client can prolong the validity of the permit ...

Deviation is allowed only in special cases:

- Do not change the main sizes of the building (height, contour...
- Do not changes the parameters of the building site
- Do not change a frame (but declare...)

TYPES OF BUILDING PERMITS

Types of permit proceedings:

- preliminary building permit,
- building permit,
- demolition permit,
- continuance permit,
- complex permit.

PRELIMINARY BUILDING PERMIT

For a special part of the permit:

- Location,
- Form,
- Function,
- ...

The permit especially depends on the advisory opinion of the planning committee!

(visit the building site)
(can not start the building process...)
(deviation from the rules...)
(faster...)

„CLASSICAL“ BUILDING PERMIT

By the **supplement** of the order of government.

The allowable maximum duration of the proceeding is **21 days** .

The permit and also the architectural documentation is needed for the start of the building process.

The client may has a request for deviations from the main order.

In special cases (before) deviation (from the plans) is allowed without a new proceeding.

COMPLEX BUILDING PERMIT

This type of building permit has two parts:

- The first part is a preliminary, the second part is a „classical“ building permit.
- The authority takes a visit at the building site, and takes a consultation with the special authoritys after the start of the proceeding
- The authority gives a special preliminary „frame“ permit.

The main advantage of this type is the next:

- **If the rules will change during the proceeding, the client is allowed to use the previous rules, that was existing at the time of the conceptual permit.**

DEMOLITION PERMIT

Cases – in which doesn't needed the permit – is in the supplement of the order of government.

Validity of the building demolition permit: 1 years.

- if it had started, and the process is permanent, the validity is 3 years
- the authority can prolong the permit.

The client has to send a word to the authority when the process ended.

„More“ important is the waste-management, and it's justification.

CONTINUANCE PERMIT

In case of deviation in building process...

Is it possible to permit the existing (deviated) state?

Visit the building site.

Inform the client on the conditions of the permit, and prescribe a new proceeding.

If the client does not start a new proceeding the authority starts the demolition.

IN EMERGENCY CASES

acceptance of building activities:

- In emergency cases, without any suspences, the client starts constructing activities,
- It may be demolition,
- It may be subsistence (continuance permit),
- In justified cases without a scot.

CONTROLLING BY THE AUTHORITY

- Usually once a year, when the building process is reported,
- Sometimes in random sample,
- Controlling the authority of the architect, and the other attendances,
- Is there any deviation from the permitted plans.
- Is there any deviation from the rules and orders of the process.

CONTENTS OF THE PLANS, AND DOCUMENTATIONS

Main contents of the documentation:

- Technical description, achitectural, engineering, statics, electricity, technology...
- Fire-protection description
- Architectural plans,
- Architectural programme,
- Advisory oppinions,
- Special plans,
- *Declarations about the cost, the waste-material,*
- *Sign of the architect, and other designers,*
- *Official siteplan,*
- *(Proprietorship register of land not)*
- ...

CONTENTS OF THE PLANS, AND DOCUMENTATIONS

Contents of the architectural plans

- Siteplan,
- Floorplans of all storeys,
- Sections, minimum two different directions,
- All elevations, facades,
- *Technological plans in special cases,*
- *Landscape architectural drawings,*
- ...

CONTENTS OF THE PLANS, AND DOCUMENTATIONS

Technical descriptions

- Values of calculations, size, height, green area...
- Technologies,
- Functions,
- Descriptions about all structures,
- Transport and ways,
- Specifications of the structures,
- Descriptions about the Chimneys and the engineering,
- Descriptions about the statics, in special cases (more than the basic building, especially renovation and reconstruction)
- Connection with the roads.

CONTENTS OF THE PLANS, AND DOCUMENTATIONS

Analysis of the soil:

- *More than 4 level,*
- *Higher than 10 m,*
- *More than 1000 m²,*
- *More than 7, 0 m span,*
- *The basement deeper than 4 m.*

CONTENTS OF THE PLANS, AND DOCUMENTATIONS

Siteplan

- Direction of the north,
- „neighbourhood”,
- **All of existing and designed buildings,**
- Distances between the buildings and the bordering buildings,
- Values,
- Entrances and parking places,
- Absolute height,
- Trees,
- Levels and slope
- ...

CONTENTS OF THE PLANS, AND DOCUMENTATIONS

Floorplans

- All different storeys,
- Built-in furnitures,
- Doors and windows,
- Stairs and ramps,
- The levels of the connecting ground,
- Chimneys,
- In all rooms: the area, the covering, and the function,
- The location of the sections

CONTENTS OF THE PLANS, AND DOCUMENTATIONS

Sections

- All sectioned and visible structures,
- In special cases the neighbouring buildings,
- The connection to the ground and structures,
- All different layers of all different structures,
- Inclination of the surface.

CONTENTS OF THE PLANS, AND DOCUMENTATIONS

Elevations

- Building parts under the ground,
- All of openings,
- Chimneys,
- Heights of bordering ground, roof, other parts of the building
- Materials and colors of the facade structures,
- In special cases the „neighbourhood“.