

ACT
N° 50/1976 COLL.
ON TOWN & COUNTRY PLANNING
AND ON BUILDING REGULATIONS
(THE BUILDING ACT)
IN THE WORDING OF LATER REGULATIONS

DECREE
N° 132/1998 COLL.
ON DETAILED SPECIFICATION
OF SOME BUILDING ACT STIPULATIONS

DECREE
N° 135/2001 COLL.
ON NON-STATUTORY PLANNING MATERIALS
AND PLANNING DOCUMENTATION

DECREE
N° 137/1998 COLL.
ON GENERAL TECHNICAL
CONSTRUCTION REQUIREMENTS

DECREE
N° 369/2001 COLL.
ON GENERAL TECHNICAL REQUIREMENTS
RELATED TO THE OPERATION AND UTILISATION
OF STRUCTURES BY THE HANDICAPPED PERSONS
WITH LIMITED ABILITY TO WALK AND TO ORIENTATE

MINISTRY FOR REGIONAL DEVELOPMENT



INSTITUTE FOR SPATIAL DEVELOPMENT

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Dear readers,

Herewith we present you the second edition of the English translation of the Town and Country Planning and Building Regulations Act in its effective wording, as amended in 2001, including its four legal regulations. The translation was done by the Institute for Spatial Development in Brno, entrusted to do so by the Ministry for Regional Development.

It is a working translation, not officially authenticated. The translators were led by the effort to use concise, understandable and realistic terms that are based on well-established practice in English speaking countries and, at the same time, to respect the Czech concept of town and country planning and building regulations. For the purpose of this translation, the Institute of Spatial Development elaborated a working dictionary of 250 key words occurring in the Act. These expressions were translated by three independent translators and consulted by an expert committee. Not only was the knowledge of English the criterion for the choice of experts but, above all, experience in town and country planning and building regulations both in the Czech Republic and abroad.

The aim of the translation of the Building Act into English was to facilitate the communication between Czech specialists and foreign experts at giving information on principles and mechanisms of the Czech building legislation. It will be an aid for those who need to get acquainted with the concept of town and country planning and building regulations in the Czech Republic, especially public authorities, international organisations, foreign investors, developers and entrepreneurs as well as scientists and researchers.

Hoping that the publication will be a helpful tool for you,

Martin Tunka,
Planning Department Head
Ministry for Regional Development

FULL WORDING OF THE ACT

Nº 50/1976 Coll.

on town & country planning and building regulations (the Building Act)
(as amended by the act Nº 103/1990 Coll., act Nº 425/1990 Coll., act Nº 262/1992 Coll.,
act Nº 43/1994 Coll., act Nº 19/1997 Coll., act Nº 83/1998 Coll., findings of the Supreme Court
published under the Nº 95/1998 Coll., findings of the Supreme Court published
under the Nº 96/1998 Coll., act Nº 132/2000 Coll., act Nº 151/2000 Coll., act Nº 239/2000 Coll.,
act Nº 59/2001 Coll., act Nº 254/2001 Coll., findings of the Supreme Court published
under the Nº 405/2002 Coll., act Nº 422/2002 Coll., act Nº 320/2002 Coll., act Nº 362/2003 Coll.,
act Nº 218/2004 Coll., findings of the Supreme Court published under the Nº 300/2004 Coll.,
act Nº 437/2004 Coll.)

The Federal Assembly of the Czechoslovak Socialist Republic passed the following act:

PART ONE TOWN & COUNTRY PLANNING

DIVISION ONE OBJECTIVES AND TASKS OF TOWN & COUNTRY PLANNING

Section 1

- (1) Town & country planning (transl. note – hereinafter only planning) deals systematically and globally with the land use, sets the principles of area arrangement and co-ordinates the construction and other activities influencing the land development as to their time and contents.
- (2) Planning provides the background for sustaining the permanent harmony of all natural, civilisation and cultural values within an area, particularly with respect to the care of environment and the protection of its elements – soil, water and air.

Section 2

- (1) Planning includes the following tasks and activities:
 - a) defines the land use limits,
 - b) regulates the functional and spatial dispositions of an area,
 - c) determines the necessary clearance, restoration or reclamation interventions in an area and defines the way of its further use,
 - d) delimits preserved areas, preserved entities, zones of restricted activities and protective zones, unless they are delimited otherwise according to specific regulations, and ensures the protection of all preserved areas, preserved entities, zones of restricted activities and protective zones,
 - e) specifies the principles and conditions for co-ordination of locally concentrated construction activities that one or several developers carry out, as to the time and contents of these activities,
 - f) assesses and predicts the area technical impacts of projected structures and other measures in an area and proposes the necessary extent of structures and measures to be taken that implicate their full utilisation,
 - g) deals with the locations of structures; sets the technical, urban and architectonic principles of their design and erection,
 - h) proposes the use of land's resources and reserves for its socially most effective urban development,
 - i) provides source information for creation of development and area technical infrastructure concepts,

- j) proposes the sequence of construction activities and land use,
 - k) proposes the technical and arrangement measures that are necessary to be taken for achieving the optimum area disposition and land use,
 - l) delimits the areas that are important for protection of inhabitants.
- (2) Planning draws from the achievements of sciences, technology and arts, from its own surveys and analysis in the area investigated as well as from other materials that were elaborated for the area investigated.
- (3) The non-statutory planning materials, planning documentation and planning permission are the principal planning tools.

DIVISION TWO NON-STATUTORY PLANNING MATERIALS

Section 3

Categories of non-statutory planning materials

- (1) Non-statutory planning materials serve especially for making or changing the planning documentation and, in case that this documentation is not elaborated, for planning decisions and for monitoring of evolution as well as for assessments of the area state and possibilities of its development.
- (2) Non-statutory planning materials are:
- a) an urban study that deals with technical, urban and architectural conditions for land use,
 - b) an area specialised analytical study that deals in details with the development of individual settlement and landscape components,
 - c) a prognosis that serves for examination of the area long term development potential and that is based on the analysis of area technical conditions, area environmental conditions, demographic and sociological materials and area economic development conditions,
 - d) area technical materials that are represented by purpose oriented and systematically updated data files and records specifying area state and conditions.

Sections 4 through 7

Deleted

DIVISION THREE PLANNING DOCUMENTATION

Section 8

Planning documentation comprises

- a) regional plan
- b) local plan
- c) regulatory plan.

Section 9

Regional plan

- (1) Regional plan determines the disposition and the limits of an area concerned, defines important development areas, major transport and infrastructure corridors, territorial systems of ecological stability and other areas of special purposes.
- (2) Regional plan is made for a combined territory of several municipalities or possibly districts.

Section 10

Local plan

- (1) **Local plan determines the urban planning concept, deals with admissible, inadmissible and possibly conditional land use as well as with its disposition, specifies the fundamental area regulation and demarcates the limits of municipal areas with development potential. Currently developed municipal areas shall be marked out in the local plan.**
- (2) **Local plan is made for the entire municipal territory, or for several municipal territories together if the respective approving authorities agree so; it can be made for a separate part of the capital of Prague and of the territorially subdivided statutory cities.**

Section 11

Regulatory plan

- (1) **Regulatory plan determines the use of single grounds and specifies the regulatory elements for layout and spatial disposition. In case that there is no local plan approved the regulatory plan demarcates areas with development potential and marks out the currently developed municipal areas.**
- (2) **Regulatory plan is made for a municipality part or for the entire municipal territory where the area technical and urban conditions are clearly defined.**

DIVISION THREE / a

PLANNING AUTHORITIES

Section 12

Planning authorities are:

- a) **municipalities,**
- b) **administrative regions,**
- c) **Ministry for Regional Development,**
- d) **Ministry of Defence.**

Section 13

Municipality, on the basis of a state-delegated power, procures the local plan, regulatory plans and non-statutory planning materials.

Section 14

- (1) **The municipality with the state-delegated power procures local and regulatory plans, and non-statutory planning materials if a municipality asks so.**
- (2) **Regional office**
 - a) **works as a superior planning authority to municipalities,**
 - b) **procures the regional plans,**
 - c) **procures the non-statutory planning materials that are necessary for its activity.**
- (3) **Ministry for regional development**
 - a) **procures the non-statutory planning materials that are necessary for its activity; procures the area technical materials for the entire territory of the Czech Republic that regularly check the land disposition state and aims,**
 - b) **works as a superior planning authority to the capital of Prague and to the administrative regions.**

Section 15

Ministry of Defence procures the non-statutory planning materials and planning documentation for military areas.

DIVISION FOUR PLANNING DOCUMENTATION PROCUREMENT PROCESS

Section 16

Deleted

Section 17

- (1) Planning authorities are obliged to procure the planning documentation in accordance with the needs of land development.
- (2) Each respective planning authority, based either on its inner motivation or external stimulus, decides on the procurement of its respective planning documentation.

Section 18

Deleted

Section 19

Procurement expenses

Expenses related to the planning documentation and non-statutory planning materials procurement are paid by the respective planning authority that procures it or by the municipality on the application of which they are procured. Planning authority is, however, entitled to ask a partial or full reimbursement for the planning documentation and non-statutory planning materials procurement expenses from natural persons or corporate bodies whose exclusive needs initiated the planning documentation procurement.

Section 20

Specification

- (1) Planning authority that procures the planning documentation (hereinafter only „the procurer“) shall propose its main objectives and requirements for its elaboration in the form of draft specification which is based on the preparatory works, on the assessment of already elaborated materials for the respective area and on area surveys and analysis.
- (2) The procurer shall use the public notice to inform about the place and date, where and when this draft specification is to be discussed. Draft specification must be displayed for public inspection at the procurer and, possibly, at other places listed in the public notice, for a period of 30 days. Everyone can submit his comments on it by 15 days from the last day of its display.
- (3) The draft specification shall be sent by the procurer to each of the respective authorities separately. These authorities shall submit their assessments by 30 days after their receiving the draft specification. Assessments, that will be submitted later, shall not be taken into account. Draft specification must be settled on by the procurer and those respective authorities, that submitted their assessments in time.

- (4) Procurer shall always inform the planning authorities of the neighbouring districts about the draft specification and, according to their requirements, he shall inform them about the further progress of the planning documentation procurement.
- (5) Procurer shall always send the draft specification of a regional plan separately to the respective planning authorities, which can submit their comments in 30 days after receiving it.
- (6) Draft specification of the planning documentation must be discussed with the superior planning authority.
- (7) Draft specification shall be approved by that authority which will be approving the planning documentation.

Discussion

Section 21 Conception draft

- (1) Procurer ensures elaboration of the planning documentation conception draft according to the draft specification approved.
- (2) The conception draft shall be discussed at the publicly accessible meeting. One part of this meeting shall be devoted to a professional explanation of the conception draft and shall be organised by the procurer. The procurer shall use the public notice to inform about the place and date of this meeting at least 30 days in advance and ensures that the conception draft will be displayed for public inspection during this period. Respective state administration authorities and the superior planning authority shall be notified about this public meeting by the procurer separately in the same term and they shall be asked to submit their assessments, at latest, by 30 days after this public meeting. The same term is applicable to anybody, who wishes to submit his comments. Assessments and comments, that will be submitted later, shall not be taken into account.
- (3) Notification about the public meeting on a conception draft of a regional plan shall be sent by the procurer to each of the respective planning authorities which can submit their objections by 30 days after this public meeting.
- (4) Land and structure owners, whose rights are affected by the conception draft of a regional plan or a local plan and by public works that are defined in this conception draft, can submit their objections by 30 days after the public meeting. Objections, that will be submitted later, shall not be taken into account.
- (5) The procurer shall elaborate an assessment report with instructions for finalising the draft plan according to the results of the meeting on the conception draft. The assessment report shall be settled on by the procurer and those respective state administration authorities that submitted their assessments in time. The procurer shall submit this report together with an opinion of the superior planning authority for approval (Sec. 26). The assessment report includes a proposal of decision on the objections raised. Municipalities and owners, who submitted their objections in time, shall be informed by the procurer by 30 days after approving the assessment report that their objections were accepted or about the reasons, why their objections were rejected.
- (6) The elaboration of a local plan or a regulatory plan conception draft can be omitted when approving the draft specification, according to the procurer's proposal, in case that such conception is verified by a urban study that has been discussed according to the paragraphs 2 and 4. The elaboration of a regional plan conception draft can be omitted when approving the draft specification, according to the procurer's proposal, in case that such conception is verified by a prognosis that has been discussed according to the paragraphs 2, 3 and 4. The draft specifications in these cases must comply with functions of an assessment report according to the paragraph 5.

Section 22
Plan before approval

- (1) Plan before approval must be displayed at the procurer, possibly at other specified places, for its public inspection for a period of 30 days and the procurer shall use a public notice to inform about it. Everyone can submit his comments on it by 15 days from the last day of its display.
- (2) The procurer shall inform, separately, in a written form, the respective state administration authorities about the plan display at least 15 days in advance. These authorities can submit their assessments by 15 days from the last day of the plan display. The plan before approval shall be settled on by the procurer and those respective state administration authorities, that submitted their assessments in time. Settling of disputes is governed by the Section 136.
- (3) Notification about the regional plan display before its approval shall be sent by the procurer to each of the respective planning authorities 15 days in advance. The planning authority can submit its objections to the plan or disagreement over the treatment of its objections to the conception draft by 30 days from the last day of the plan display.
- (4) Land and structure owners can submit their objections to the regulatory plan, to the local plan or to the public works defined in the regional plan or they can submit their disagreement over the treatment of their objections to the conception draft by 15 days from the last day of the plan display.
- (5) If the respective state administration authorities do not submit their assessments in the term according to the paragraph 2, the procurer shall appeal to them to do so. If the procurer does not receive any assessment from the respective state administration authority even by 15 days from the date of the delivery of the appeal, it shall be assumed that there are no objections to the plan from this authority.

Section 23

- (1) The procurer shall submit a report on the planning documentation inquiry together with all assessments and comments analysed and with a proposal for a decision on objections accepted and rejected to the approving authority.
- (2) The procurer shall inform those planning authorities and owners, that submitted their objections to the planning documentation or their disagreements over the treatment of their objections to the conception draft, whether their objections were accepted or the reasons why they were rejected, by 30 days after the approval.

Section 24
Deleted

Section 25

- (1) Plan before approval shall be reviewed by the superior planning authority as to the implementation of interests going behind the region or municipality area, the coordination of the use of adjacent areas and the contents and the inquiry procedure whether they conform to this act and to other laws ¹⁾, including the conformity of:
 - a) the local plan with the regional plan,
 - b) the regulatory plan with the local plan and the regional plan
- (2) The findings shall be given to the procurer by the superior planning authority by 30 days. In case of any imperfections according to the paragraph 1, only after the superior planning authority certifies that the procurer has corrected them can be the planning documentation approved.
- (3) If the superior authority does not express its assessment in the term according to the paragraph 2, it can be assumed that it agrees to the planning documentation reviewed.

DIVISION FIVE PLANNING DOCUMENTATION APPROVAL PROCESS

Section 26

- (1) Regional plans shall be approved by the administrative region for its territory.
- (2) Local plans and regulatory plans shall be approved according to the territories by the respective municipalities.
- (3) Planning documentation for military areas shall be approved by the Ministry of Defence.
- (4) The government shall approve the regional plans comprising territories of several administrative regions. Government can reserve a right to approve the planning documentation as described in the paragraph 3.

Section 27

Deleted

Section 28

The general regulations on administrative proceedings are not applicable to the planning documentation inquiry and approval process.

DIVISION SIX OBLIGATORY NATURE OF PLANNING DOCUMENTATION

Section 29

- (1) Planning documentation consists of the binding and guiding parts. Fundamental area disposition principles and land use limits that are formulated in the regulations are binding; other parts are guiding.
- (2) The approving authority specifies the binding part of the planning documentation including the public works for which the land, structures and related rights can be expropriated (Sec. 108, par. 2a and 3).
- (3) The binding part of a regional plan and its alterations, if they are to be approved by the administrative region or municipality independently, shall be declared by their authorities in a form of generally binding decree. The binding part of planning documentation is an obligatory material for elaboration and approval of the related planning documentation and for decision making in an area.

Section 30

Planning authority, that is competent for the procurement of planning documentation, monitors permanently, whether the circumstances, that enabled the planning documentation approval, did not change. If there occurs any change in the circumstances the planning authority shall procure the change in planning documentation. A thoughtful consideration shall be given to the use of the so far demarcated areas with development potential. The planning authority is obliged to maintain the conformity of a local plan with subsequently approved regional plan or of a regulatory plan with subsequently approved local and regional plans. It is impossible to make decisions according to those parts of related planning documentation which do not conform to the subsequently approved planning documentation until the conformity is reached.

Section 31

- (1) A change in planning documentation shall be approved by the authority that is competent for the approval of the planning documentation.
- (2) The approving authority, on the basis of the procurer's proposal, approves the procurement of changes in planning documentation, their specification and sets the procedure of their procurement. It can also, in well-founded cases, combine elaboration and inquiry of the conception draft with the changes in planning documentation before approval. The contents of specification, conception draft and changes in planning documentation before approval are subject to conform, at a reasonable level, to the stipulations in the Sec. 20 through 29. The procurer shall always, prior to the approval of changes in planning documentation, ask for the assessment of the superior planning authority.
- (3) Changes in the guiding part of a planning documentation shall be decided by the authority that is competent for the procurement of this planning documentation.

Section 31 a

- (1) In case of flood occurrence, the planning authority competent for the approval of the planning documentation can nullify the planning documentation elaborated for the flood affected area (further on, 'demarcated respective area').
At the same time, the planning authority shall decide on the procurement of the change in planning documentation, which shall take into consideration the flood consequences within the demarcated respective area. The Sec. 31 par. 2 does not apply for the nullification of planning documentation for the demarcated respective area.
- (2) If the superior planning authority assumes that the planning authority competent for the approval of the planning documentation, had to, according to the par. 1, nullify the planning documentation but did not do so, this superior planning authority shall invite it to nullify the planning documentation by 30 days, and, at the same time, to decide on the procurement of the planning documentation change. If the planning authority competent for the approval of the planning documentation does not do so in the given term, the superior planning authority shall suspend the validity of planning documentation. On the basis of this, the planning authority competent for the approval of the planning documentation shall decide without delay on the procurement of the change in planning documentation.

DIVISION SEVEN PLANNING PERMISSION PROCEEDINGS

Section 32

Locating structures, land use and protection of priorities within an area

- (1) Locating structures, changing land use and protecting priorities within an area can be done only on the basis of a planning permission which is:
 - a) decision on structure location,
 - b) decision on land use,
 - c) decision on preserved area or protective zone,
 - d) decision on building ban,
 - e) decision on partition or consolidation of plots.

- (2) **Planning permission is not required for**
 - a) **adaptations and maintenance works,**
 - b) **minor structures,**
 - c) **structures that are located in the closed spaces of the existing structures if the external layout pattern and the space elevation disposition do not change,**
 - d) **information, advertising and promotional installations,**
 - e) **partition or consolidation of plots if the conditions for them are defined by other decision or measure.**
- (3) **Building office is authorised to combine the building permit and planning permission proceedings for minor structure location or for its annexe or extension and for the installations of distribution networks in cases when the conditions for the location are, due to circumstances, definite; this procedure in cases of other structures and their changes can be used only when there is a zone plan or a zone design or a regulatory plan approved for the respective area.**

Section 33 Competence

- (1) **The competent authority for the planning permission proceedings is the Building Office.**
- (2) **If there is, according to specific regulations, other state administration authority than the one in the paragraph 1 competent for the planning permission proceedings that are necessary for issuing the decisions on land use or on preserved area or protective zone, this other authority together with the respective building office shall settle on the decision draft or the measure proposal.**
- (3) **A municipality and a regional office can promulgate a preserved area or a building ban by a generally binding legal regulation.**

Section 34 Participants in planning permission proceedings

- (1) **Participants in planning permission proceedings on a structure location and on a land use are the mover and the further persons, whose ownership or other rights to the land or to the structures on it may be directly affected by such decision including the neighbouring grounds and structures on them.**
- (2) **Participants in planning permission proceedings on a preserved area or a protective zone, on a building ban and on a partition or consolidation of plots are the mover and the persons, whose ownership or other rights to the land or to the structures on it may be directly affected by such decision.**
- (3) **One of the participants in each planning permission proceedings is the municipality. Further participants in planning permission proceedings are those ones who have this right right according to specific regulations;^{1b)} this does not apply in case stipulated by Sec. 137 a.**
- (4) **The tenants of flats and non-residential spaces are not participants in planning permission proceedings.**

1b) E.g. the act No 114/1992 Coll.

Opening of planning permission proceedings
Section 35

- (1) Planning permission proceedings are opened by the written application of a participant, by the suggestion of a building office or of another state administration authority. The application shall be supported by the proper documents attached according to the executive regulations to this act or by the documents according to specific regulations. The application shall contain a list of persons, who might become participants in the proceedings and who are known to the mover.
- (2) If the projected structure or other measure in an area exceeds by its negative impacts limits defined by legal regulations, the mover shall submit also a proposal for issuing a decision on protective zone.
- (3) If the submitted application does not give information enough for assessing the location of the projected structure or of another measure in an area (Sec. 32), especially for assessing the environmental impacts, the mover shall be requested by the building office to supplement his application in an appropriate term, but not more than in 12 months, with the necessary data and materials and shall be advised that otherwise the planning permission proceedings will be stopped. If the mover does not supplement his application in the requested manner and time, the building office will stop the planning permission proceedings. It is impossible to enlarge the term of interrupted planning permission proceedings by another decision.

Section 36

- (1) The building office shall notify the state administration authorities concerned and all known participants about the opening of the planning permission proceedings and shall order a meeting connected usually with a local inquiry. Place and date of this meeting shall be given to the participants by the building office at least 15 days in advance. At the same time the building office shall advise the participants that their objections and comments may be submitted during the meeting at latest, otherwise they will be disregarded.
- (2) The building authority may dispense with the meeting if the appropriate planning documentation has been elaborated for the area, on the basis of which it is possible to examine the application for the planning permission. If the building office dispense with the meeting, it shall stipulate the term within which the participants may submit their objections and shall advise the participants that the objections submitted later will be disregarded; this term must not be shorter than 15 days.
- (3) The state administration authorities concerned shall submit their assessments within the same term as the participants in planning permission proceedings may submit their objections and comments. If any state administration authority requires for the proper examination of the application more time, the building office shall enlarge appropriately this term before it expires on the basis of such request. If the state administration authority concerned, whose decision or measure that is required according to specific regulations was obtained before the opening of the planning permission proceedings was announced, does not express its assessment of the application within the proper or enlarged term, it can be assumed that this authority agrees to the structure or to another measure from the point of view of public priorities it defends.
- (4) The opening of the planning permission proceedings for the location of a line structure or, in well-founded cases, of a very large structure with many participants in the proceedings, as well as for the land use, the preserved area, the protective zone or the building ban decisions related to very large areas, shall be announced to the participants by the building office in a public notice. The building office shall use the form of public notice announcement for the opening of planning permission proceedings also in cases when it does not know the participants or their stays.

Planning permission materials
Section 37

- (1) Necessary materials for the issue of the planning permission are planning documentation. If no planning documentation has been elaborated for the area, the building office shall provide other materials in the extent necessary for the planning permission, facts ascertained by own surveys and local inquiry.
- (2) In the planning permission proceedings the building office shall examine the application primarily with regard to the protection of the environment and to the needs of the required measures in the area and its consequences; it shall examine the application and its agreement with the materials as per paragraph 1 and with the previous planning permissions, it shall examine the compliance with the general technical requirements imposed on construction and with the general technical requirements ensuring the possibility of using the structure by handicapped persons with the limited ability to walk and to orientate 1a) or with the regulations stipulating the conditions of hygiene, fire safety, safety of labour and technical facilities, transport, nature protection, care of cultural monuments, protection of agricultural land and forest land, etc., unless the examination is within the powers of other authorities.
- (3) In the planning permission proceedings the building office shall ensure the mutual correspondence of the submitted assessments of the state administration authorities concerned that are required by specific regulations and shall assess the comments of the participants in the planning permission proceedings and their objections. Discussions with those state administration authorities, whose decisions or measures to the submitted application were obtained before the announcement of the opening of planning permission proceedings, shall be limited by the building office to that extent which reflects the level of their satisfactorily settled requirements.

Section 38

If the mover has no property or other rights to the land concerned, the planning permission on structure location or on land use may be granted without the land owner's consent only if the land can be expropriated with indemnification for the proposed purpose or if the mover is to become the owner of this land according to specific regulations.

Section 38a

Unless excluded by the character of the matter or unless provided otherwise by specific regulations, the planning permission proceedings are combined also with other proceedings or procedures necessary for the structure location or the determination of land use.

Planning permission
Section 39

In the planning permission the building office shall demarcate a ground for the proposed purpose and shall define the conditions for the protection of public priorities within this area; in this manner the conformity, especially, with planning objectives and aims shall be maintained including such aspects as architectural and urban values of an area, co-ordination of construction activities as to their time and contents, requirements related to health protection and environmental protection, and, also, the building office makes decisions about the participants' objections. In the decision on structure location the building office may reserve, in justified cases, the submission of more detailed materials, design documentation or a part thereof, in accordance with which it may stipulate further additional conditions which must be included in the building permit.

Section 40

- (1) The decision on structure location and the decision on land use remain valid for two years from the day on which they have come into legal force, unless the building office has stipulated a longer period in justified cases; however, they do not expire if an application for a building permit or a permit for landscaping and works in accordance with this act (Sec. 71, par. ¹) has been submitted or if the land use for the permitted purpose has started within this period. The decision on structure location and the decision on land use expire also on the day when the building office received the notification from the mover or his solicitor that he had stopped the project related to this decision.
- (2) The period of validity of the decision on preserved area or protective zone as well as of the decision on building ban shall be stipulated by the building office. If it is impossible to limit the period of validity of the decision in advance, the building office shall decide about the termination of its validity, if the purpose, for which it had been granted, has lapsed.
- (3) The period of validity of the planning permission may be extended by the building office upon the request of the mover, if such request has been submitted before the period has expired.
- (4) The planning permission is binding also for the legal successors of the mover and other participants in the planning permission proceedings.

Section 41

Change of planning permission

- (1) Upon the mover's suggestion the building office may supersede the planning permission which is in legal force by a new planning permission, if the planning documentation or other non-statutory planning materials or the conditions in the area have changed. Under the same circumstances the building office may supersede a planning permission that was granted on its own suggestion.
- (2) The building office shall discuss the suggestion to change the planning permission with the participants in planning permission proceedings to that extent, in which this change may affect their rights, protected interests or liabilities, and with the respective state administration authorities to that extent, in which this change may affect the matters which are, in accordance with specific regulations, protected by these authorities.
- (3) From its decision on preserved areas, protective zones and building ban, the building office may grant, in justified cases and after an agreement with the state administration authorities concerned, an exception concerning the building ban or the restriction of some activities in the area.

Section 42

Announcement of planning permission

- (1) The participants in planning permission proceedings shall be notified about the planning permission by its delivery in writing.
- (2) Public notice shall be used for the announcement of the decision on location of a line structure and, in justified cases, also on location of a particularly large structure with many participants in planning permission proceedings as well as of the decision on land use, on preserved area or protective zone and on building ban, if it concerns a large territory. The delivery shall be effected by the posting of the planning permission for a period of 15 days in a manner customary in the locality. The last day of this period is the day of delivery.
- (3) Dilatory effect of an appeal against planning permission cannot be excluded.

PART TWO

BUILDING REGULATIONS

DIVISION ONE DESIGNING AND ENGINEERING AUTHORISATION AND BUILDING AND CONSTRUCTION AUTHORISATION

Section 43

Deleted

Section 44

Building and construction authorisation

- (1) **Constructions and alterations to the buildings may be carried out only by corporate bodies or natural persons, who are authorised to carry out construction and assembly works as their business in accordance with specific regulations²⁾; the professional leadership of these works by an authorised person must be ensured [Sec. 46a, par. 1, par. 3, letter b)].**
- (2) **Simple structures and their changes excluding the structures described in the Sec. 139b, par. 5, letters b), c), and d) and their changes can be carried out by the developer himself for himself, if he ensures the professional leadership of these works by an authorised person [Sec. 46a, par. 1, par. 3, letter b)].**
- (3) **Simple structures described in the Sec. 139b, par. 5, letters b), c), and d), minor structures, their alterations and maintenance works of the construction may be carried out by the developer for himself, if he ensures a professional supervision over these works by a person, who has got the professional education at a secondary or university level in the construction or architectonic field and has been working in this field for at least 3 years (hereinafter only „qualified person“), unless he is himself the qualified person.**

2) *Sec. 30, par. 2 of the act N° 513/1991 Coll., the Commercial Code, as amended by the later regulations, the Sec. 4, letter d) and the Sec. 6, par. 1, letter c) of the act N° 174/1968 Coll., on the state professional supervision over the labour safety, as amended by the later regulations, the Sec. 7, par. 2 of the act N° 455/1991 Coll., on trade enterprise (the Trade Code), as amended by the later regulations, the Sec. 5, par. 2 of the act N° 61/1988 Coll., on mining activities, explosives, and state mining management, as amended by the later regulations.*

DIVISION TWO SPECIFIC QUALIFICATION FOR SOME CONSTRUCTION ACTIVITIES

Sections 45 and 46

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Section 46a

Specified construction activities

- (1) **Specified construction activities, whose results affect the protection of public priorities in construction (hereinafter only „specified construction activities“), may be carried out only by persons who have got an authorisation for these activities according to specific regulations.^{2a)}**
- (2) **Corporate bodies may carry out the specified construction activities only if they ensure their performance by the persons described in paragraph 1.**

- (3) The specified construction activities, according to this act, are:
- a) designing works which include the elaboration of planning documentation and further the elaboration of structure documentation for the purposes of planning permission and building permit including the statics and dynamics calculations of constructions. With the exception of residential buildings, underground structures, abutment walls and their alterations, the specified construction activities do not include the elaboration of the documentation for small and minor structures and their alterations; documentation of such structures may be elaborated by a qualified person.
 - b) leadership of constructions except the leadership of simple structure constructions described in the Sec. 139b, par. 5, letters b), c), and d), minor structures and their changes.
- (4) The persons, whose qualification has been authorised,^{2a)} are obliged to protect the public priorities when performing their professional activity.

Section 46b

- (1) The person who carries out the activity according to the Sec. 46a, par. 3, letter a) (hereinafter only „designer“) is responsible for correctness, completeness and feasibility of the elaborated design documentation. The calculation of statics must be elaborated in such form so that it can be verified. The designer is responsible for correctness and completeness of the elaborated conception draft and planning documentation before approval. The designer is obliged to ask for the assistance of other authorised designers with an appropriate specialisation for those parts of the elaborated planning documentation, where he is not authorised himself.
- (2) The person, who leads the structure construction, is responsible, within the limit of its business subject (activity), for the proper performance of all works according to the documentation approved by the building office in the course of the building permit proceedings, for the observation of building permit conditions, of obligation to protect the lives and health of persons and the safety of work according to other legal regulations. If the person, who leads the construction, is not qualified for individual types of works, it is obliged to ask other person for the assistance, who has an appropriate qualification.^{2a)}

2a) *E.g. the act No 360/1992 Coll., on the professional activity of authorised architects and on the professional activity of authorised engineers and technicians working in the field of construction, as amended by the later regulations, the act No 61/1988 Coll., the act No 200/1994 Coll., on geodesy and on amendments of some acts related to its introduction.*

DIVISION THREE PRODUCTS FOR CONSTRUCTION

Section 47

- (1) For the structure, there can be designed and used only those products and constructions, the properties of which comply with the proposed purpose of the structure and ensure that the structure itself, if it is properly built and maintained, meets the requirements of mechanical strength and stability, fire safety, hygiene, health protection and environmental protection, safety of use (including the use by handicapped persons with a limited ability to walk and orientate), protection against noise and energy savings and heat insulation, for the structure's projected lifetime.
- (2) The properties of products, which have the major influence on the final quality of a structure, must be tested according to specific regulations³⁾ on the requirements in the paragraph 1.

3) *E.g. the act No 22/1997 Coll., on technical requirements applied to products and on amendments of some acts, the act no. 244/1992 Coll., on environmental impact assessment.*

Sections 48 – 53

Deleted

DIVISION FOUR PERMITTING OF STRUCTURES, ALTERATIONS AND MAINTENANCE WORKS

Structures, their alterations and maintenance works

Section 54

Structures, their alterations and maintenance works may be erected or performed only in accordance with a building permit or on the basis of a notification of the building office.

Section 55

- (1) A building permit is required, unless this act and its executive regulations or specific regulations specify otherwise, for structures of all types regardless of their technical execution, purpose and lifetime; a building permit is required also for alterations of existing structures.**
- (2) A notification of the building office is sufficient in case of**
 - a) minor structures,**
 - b) construction modifications which do not change the appearance of the structure, do not touch the load-bearing frame of the structure and do not change the use of the structure;**
- (3) A notification of the building office is required for the maintenance works which could have an impact on the structure's stability, fire safety of the structure, appearance of the structure or environment and for all maintenance works of the structure which is cultural monument.**

Section 56

The building permit or the notification are not required in case of

- a) mining works, underground mining structures and structures in opencast quarries and mines, if subjected to the approval and supervision of the state mining authority in accordance with mining regulations,**
- b) overhead and underground telecommunication lines including the supporting and aligning points and phone boxes,**
- c) short-term portable facilities, such as kiosks, structures and facilities for festival decorations and illumination of buildings,**
- d) scenic structures for film and television,**
- e) geodetic timber and portable measuring towers, signals and pyramids,**
- f) hop-garden and vineyard structures,**
- g) structural modifications of electric power lines regardless of voltage, if the alignment of their transmission routes is not changed,**
- h) structural modifications related to internal telecommunication lines,**
- i) maintenance works except for those requiring notification in accordance with the Sec. 55, par. 3.**

Section 57

Notification of the building office

- (1) The developer (Sec. 139, letter d) intending to perform minor structure, structural modifications and maintenance works specified in the Sec. 55, par. 2 and 3, is obliged to notify thereof the building office in advance in writing. The building office may stipulate that the notified minor structure, structural modification or maintenance work may be performed only on the basis of a building permit.**

- (2) The developer may perform the notified minor structure, structural modification and maintenance work only on the basis of a written statement of the building office informing him that the latter has no objections to their execution. The developer may perform the notified minor structure, structural modification and maintenance work, if he is not informed by this statement within 30 days from the day of notification or if the building office does not stipulate within the same time that these operations are subject to a building permit.
- (3) The day of notification is deemed to be the day on which the notification has been delivered to the building office.
- (4) If the modifications or maintenance works concern a building listed as a cultural monument, the developer shall enclose with the notification the standpoint of the respective monument preservation authority. The same is applicable to the structures on the territories of protective zones and preserved areas according to respective regulations.^{3a)}

3a) Act No 20/1987 Coll., on national preservation of monuments as amended by the later regulations.

Section 58 Application for building permit

- (1) The application for the building permit, together with the required documents, shall be submitted by the developer to the building office.
- (2) The developer must prove that he is the owner of the land or the structure or that he has another right to the land or the structure entitling him to erect the required structure on the land, to perform the structural modification or the maintenance works on it.
- (3) If the permit concerns a structural modification, extension or maintenance work on a structure, the developer may be the corporate body or the natural person hiring the structure, if he submits a written agreement thereon concluded with the owner of the structure.
- (4) The developer of underground structures subject to this act shall not prove the property right or other right to the land or to the structures thereon, if the structures concerned are connected neither with the structures on the land nor with the operation thereon and if they cannot exert any influence on the use of the land for the purpose to which it has been assigned.
- (5) If the developer applies for the building permit for a structure which should partly rest on another structure owned by another person, he must attach to his building permit application a written agreement on establishing the easement concluded with the owner of the structure which shall be the base for the developer's project; the same applies, if both structures should be erected simultaneously.

Section 59 Participants in building permit proceedings

- (1) Participants in building permit proceedings are
 - a) developer,
 - b) persons, who have property or other rights to the land and the structures thereon, including the persons, who have property or other rights to the neighbouring grounds and the structures thereon and these rights may be affected by the building permit,
 - c) other persons according to specific regulations; in cases not concerning the building permit proceedings conducted according to Sec. 137 par. 3.
- (2) In case of self-made structures the participant in building permit proceedings shall be also the person, who, upon the suggestion of the developer, will professionally lead the construction or will carry out the professional supervision (Sec. 44 par. 2 and 3).

- (3) The building office can bring in also other persons to the building permit proceedings, especially the designer and the general contractor; however, these persons are not the participants in building permit proceedings.
- (4) The tenants of flats and non-residential spaces are not participants in building permit proceedings.

Building permit proceedings
Section 60

- (1) If the submitted application for the building permit, and particularly the documentation enclosed with it, does not provide sufficient information for the assessment of the proposed structure or the maintenance work on it, or if the documentation does not comply with the conditions of the planning permission, the building office shall request the developer to supplement his application within a reasonable period or to make it conform with the conditions of the planning permission, and shall advise him that otherwise the building permit proceedings will be suspended.
- (2) The building office shall suspend the building permit proceedings if the documentation has not been prepared by an authorised person, or the developer has not supplemented it within the specified time according to the par. 1, or he has not made the documentation conform with the conditions of the planning permission.
- (3) The building office shall suspend the building permit proceedings also in case that the structure documentation does not ensure the conditions for the use of the structure by handicapped persons with limited ability to walk and orientate^{1a}) and in case that the documentation is not supplemented within the period according to the Sec. 60, par. 1.

Section 61

- (1) The building office shall notify the state administration authorities concerned and all known participants about the opening of the building permit proceedings and shall order a meeting connected with a local inquiry. At the same time the building office shall advise the participants that their objections may be submitted during the meeting at latest, otherwise they will be disregarded. The comments and objections that were or could have been submitted in the course of planning permission proceedings or during the discussions over the regulatory plan as well as the zone plan or the zone design, shall be disregarded.
- (2) The building office may waive local inquiry and/or the meeting, if the building site conditions are well known to it and if the application provides sufficient information for the assessment of the proposed structure.
- (3) The building office shall notify all participants about the opening of the building permit proceedings at least 7 days before the date of the local inquiry and/or the meeting. If the building office dispense with the meeting, it shall stipulate the term within which the participants may submit their objections and shall advise the participants that the objections submitted later will be disregarded; the term stipulated must not be shorter than 7 days.
- (4) In case of line structures or in justified cases of particularly large structures with many participants in building permit proceedings the building office shall notify the participants by a public notice at least 15 days before the date of the local inquiry and/or the meeting and, if the meeting does not take place, before the elapse of the period specified in accordance with par. 3.
- (5) Municipality and the respective state administration authorities shall be notified by the building office always individually. These authorities are bound to communicate their standpoints within the same period as has been stipulated for the submission of objections by other participants in building permit proceedings.

- (6) If the state administration authority concerned, whose decision or measure, that is required according to specific regulations and that is attached in the design documentation to the application, was obtained before the opening of the building permit proceedings was announced, does not express its assessment of the application within the proper or enlarged term, it can be assumed that this authority agrees to the structure or to another measure from the point of view of public priorities it defends.

Section 62

- (1) In the building permit proceedings the building office shall examine in particular, whether
- a) the documentation complies with the conditions of the planning permission,
 - b) the documentation complies with the requirements concerning public priorities, primarily environmental protection, health and life protection, and whether they meet the general technical construction requirements and the specific regulations,1a)
 - c) the comprehensive and continuous character of construction, as well as the timely development of technical, service or other infrastructure facilities necessary for proper use of the structure have been ensured,
 - d) the construction will be carried out by an authorised corporate body or natural person carrying out their business activities according to specific regulations or whether a professional leadership and execution of construction or a professional supervision have been ensured in case of construction carried out by the corporate bodies or natural persons carrying out their business activities according to specific regulations for their own purposes or in case of self-made construction (Sec. 44, par. 1 and 3).
- (2) If the structure is to be used as a workshop, the building office shall examine also the effects of its future operation with reference to the criteria specified in par. 1, letter b); it shall not examine the technical and economic standard of the design of technological equipment.
- (3) In the building permit proceedings the building office shall ensure the mutual correspondence of the submitted assessments of the state administration authorities concerned that are required by specific regulations and shall assess the comments of the participants in the building permit proceedings and their objections.
- (4) If the construction of a structure or its use can endanger the interests protected by the Building Act, its executive regulations and specific regulations, the building office will reject the application for the building permit.

Section 63

Deleted

Section 64

- (1) Discussions with those state administration authorities and participants, whose standpoints or assessments to the submitted documentation in building permit proceedings were obtained before the announcement of the opening of building permit proceedings, shall be limited by the building office to that extent which reflects the level of their satisfactorily settled requirements.
- (2) The building permit proceedings concerning line structures for which positive assessments by the participants in the proceedings have been provided before the opening of the building permit proceedings shall be restricted by the building office in the part of the route passing through undeveloped area to the reconciliation of the standpoints of the state administration authorities concerned and to the assessment, whether the application conforms with the conditions of the planning permission.

Section 65

The building permit proceedings shall be combined with other proceedings and procedures required for the implementation of the structure, unless it is excluded by the nature of the matter or unless specific regulations require otherwise.

Building permit
Section 66

In the building permit the building office specifies binding conditions for the construction and use of the structure and decides about the objections raised by the participants in the proceedings. By specifying the conditions in the building permit the building office ensures particularly the protection of interests and priorities of a community during the construction and in use of the structure, the comprehensive character of development, the observation of general technical construction requirements or possibly of other regulations and technical standards as well as the compliance with the requirements specified by the state administration authorities concerned, in the first place the exclusion or limitation of negative environmental impacts of the construction or use of the structure.

Section 67

The building permit becomes invalid, if the construction has not begun within two years from the day on which it has come into force, unless the building office has permitted, in justified cases, a longer period for the beginning of construction.

Section 68

- (1) Upon the developer's request the building office may, in justified cases, permit an alteration of the structure before its construction has been completed.
- (2) Within the extent to which the alteration affects the rights, legally protected interests or liabilities of the participants in the building permit proceedings as well as the interests protected by the state administration authorities concerned, the building office shall consider the application and shall give the decision either granting the permit or rejecting the application. In the affirmative case it shall decide also about the possible objections raised by the participants in the building permit proceedings and specify further binding conditions, if required. The proceedings concerning an alteration are governed by the provisions relating to the building permit proceedings as appropriate.
- (3) In cases of the structures for public services, in those parts that shall serve for public, the use and accessibility for the handicapped persons with the limited ability to walk and orientate is a binding condition according to the previous paragraph. 1a)

Section 69

- (1) The building permit and the decision extending its validity shall be communicated in the same way as the opening of the building permit proceedings and the notification about the meeting; these decisions, concerning simple and minor structures, shall be communicated also to the state administration authorities which have reserved the assessment of the documentation.
- (2) If the building permit is published by a public notice, it shall be posted for 15 days in the manner customary in the locality. The last day of this period is the day of delivery.

Section 70

The building permit and the decision on the extension of its validity are binding also for the legal successors of the participants in the proceedings.

DIVISION FIVE PERMIT FOR LANDSCAPING, WORKS AND INSTALLATIONS LANDSCAPING, WORKS AND INSTALLATIONS

Section 71

- (1) A permit granted by the building office is required, unless another authority is competent thereto in accordance with specific regulations, for the landscaping that changes substantially the appearance of the environment or runoff conditions and also for the extraction and similar or related works, unless the works are carried out in a mining manner.⁴⁾ The permit shall not be granted if the building office has waived it in the planning permission.
- (2) The notification to the building office is required in the cases of information, advertising and promotional installations (hereinafter only „installation“) larger than 0.6 m², that are placed on the ground or the structure and that are visible from the public spaces. Installations along the railway^{4a)} are subjected to the approval of a special building office.
- (3) Placing of the installations on the structures that are listed as cultural monuments as well as in their spaces may be done only on the basis of the approval of the respective monument preservation authority.
- (4) The notified installation may be placed on its site only on the basis of the written statement of the building office saying that there are, from the office, no objections against it. The building office can stipulate that the installation is subject to the permit; if the installation is to be placed in the protective zone of an overland route, the building office shall stipulate that this installation is subjected to the permit.
- (5) The notification is not required for the marking of state or self-governing authorities and other public institution buildings, of public works, for the signs used for the purpose of public safety and order, for street, fire, traffic and hydrologic signs, for marking of the particularly preserved areas, geodetic points, public phone boxes, call-offices and stations etc. The notification is also not required for the marking of business buildings of corporate bodies or natural persons carrying out the business activities according to specific regulations.
- (6) The municipality is entitled to stipulate its requirements for the installations within its territory taking into account the local circumstances by a generally binding decree having a force of a municipal bylaw.

4) Act No 61/1988 Coll.

4a) Sec. 4 of the act No 266/1994 Coll., on railways.

Section 72

The application for the permit or the notification of the landscaping, works and installations according to the Sec. 71 may be submitted by the land owner or structure owner or by somebody who can prove that he has the right to use the land or the structure for the proposed purpose.

Section 73

Proceedings for permitting landscaping, works and installations according to the Sec. 71, par. 1 and 4 are governed by the stipulations of the Division 4 as appropriate.

Section 74

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DIVISION SIX STAKING OUT OF STRUCTURES

Section 75

- (1) Before the beginning of construction, annexe, landscaping and opencast extraction works, the developer must ensure the staking-out of their position in space by persons who have the appropriate qualification. Staking-out results must be verified by the authorised geodesists.⁸⁾
- (2) The method of staking-out the spatial position of simple and minor structures, landscaping and opencast extraction works is specified by a generally binding legal regulation.
- (3) The staking-out is carried out according to staking-out drawings in conformity with the planning permission and the building permit.

8) *Act No 200/1994 Coll.*

DIVISION SEVEN STRUCTURE UTILISATION

Final inspection

Section 76

- (1) The completed structure or a part thereof capable of independent utilisation or a part of a structure subjected to alteration or maintenance (hereinafter for Division 7 only „the structure“), for which a building permit was required, may be used only on the basis of a final inspection decision.
- (2) The completed landscaping, extraction and similar or related works as well as the information, advertising and promotional installations are subject to the final inspection only if this inspection has been specified by the building office in the building permit.

Section 77

The final inspection is carried out by the building office which has granted the building permit or has permitted the landscaping, extraction and similar or related works as well as the information, advertising and promotional installations.

Section 78

- (1) Participants in the final inspection are
 - a) developer,
 - b) structure owner,
 - c) user (operator), if already known at the final inspection opening,
 - d) owner of the land where the inspected structure is located if his/her ownership rights can be directly affected by the final inspection decision.
- (2) If the building office combines the final inspection with the procedure concerning an alteration of the documentation authorised in the building permit proceedings, the number of participants to the final inspection shall include also those participants in the building permit proceedings who could be affected by the alteration.

Section 79

- (1) The final inspection is opened on the developer's application. The application may be also submitted by the future user (operator) who, however, must submit to the building office a written agreement on the use of the structure concluded with the developer.
- (2) The application for the structure final inspection must be submitted in writing. This application must indicate the anticipated date of the structure completion.

Section 80

- (1) The building office shall notify all participants in final inspection and the state administration authorities concerned about the opening of the final inspection at least 7 days before the meeting connected with local inquiry. In cases of line structures with a large number of participants the building office shall notify the participants on the opening of final inspection by a public notice at least 15 days in advance.
- (2) In the notification on the opening of the final inspection the building office shall advise the participants and the respective state administration authorities that they can submit their objections and standpoints during the meeting at the latest, otherwise they will be disregarded.
- (3) If useful, the building office shall bring in the final inspection the designer and, possibly the general contractor.

Section 81

- (1) In the course of the final inspection the building office shall examine, especially, whether the structure has been constructed in accordance with the documentation authorised by the building office in the course of the building permit proceedings, and whether the conditions specified in the planning permission and in the building permit have been observed. Further it shall examine whether the actual implementation of the structure or its use will not endanger public interests, in the first place with reference to the protection of human life and health, environmental protection, labour safety and the safety of technical facilities.
- (2) If a change of state technical standards or other technical regulations, which were used for the design documentation of the structure, takes place in the course of construction of the structure, it shall be taken into account by the building office only if its provisions apply also to the structures designed and erected before it has become effective.
- (3) If in the course of the structure final inspection the building office ascertains defects preventing to utilise the structure, especially, if the conditions of the planning permission and the building permit on the ensured utilisation of the structure by the handicapped persons with the limited ability to walk and orientate have not been met(1a), it shall provide a period for their remedy and suspend the inspection.
- (4) The final inspection may be combined with the procedure for an alteration of the structure (Sec. 68) if the actual implementation does not deviate substantially from the documentation authorised by the building office in the course of building permit proceedings.

Section 82

- (1) The final inspection decision authorises the structure utilisation for the intended purpose and, if necessary, specifies the conditions of its utilisation.
- (2) In the final inspection decision the building office may specify the conditions arising from the general technical construction requirements, the remedy of minor shortcomings of the actual implementation of the structure ascertained in the course of the final inspection and provide an adequate period for the remedy. It may do so only if the shortcomings do not endanger the health and safety of people and, overall,

if they do not prevent the proper and undisturbed utilisation of the structure for its intended purpose; otherwise the final inspection decision will not be granted.

- (3) If the structure is to be used as a work premise, the final inspection decision plays also the role of a certificate on operable state of this premise.
- (4) The final inspection decision shall be announced in the same manner as the final inspection opening.

Section 83

The building office may, upon the developer's request, grant a time-limited permission for premature utilisation of the structure even before its completion, if there are no substantial obstacles in the serviceability of the structure and if this premature utilisation does not endanger the safety and the health of people. The developer must attach to the application the agreement with the general contractor specifying the conditions of the premature utilisation. At the latest within 15 days from the structure completion the developer or the future user are bound to submit the application for the structure final inspection to the building office.

Section 84

In case of structures of corporate bodies or natural persons carrying out their business activities according to specific regulations, in which a comprehensive testing passes smoothly into a trial operation, the trial operation may start, with the consent of the building office, before the final inspection decision is granted. If the assessment of the serviceability of the structure and its fitness for use necessitates the appraisal of the course of trial operation or a part thereof, the building office shall decide, in agreement with the state administration authorities concerned, on the temporary utilisation of the structure for a trial operation and shall specify its conditions. After termination and evaluation of the trial operation or its part the building office shall grant, upon the developer's or the structure user's application, the final inspection decision.

Section 85

Change in structure use

- (1) A structure may be used only for the purpose specified in the final inspection decision, possibly in the building permit. Changes in the way of the structure use, in its operating equipment, in the method or the substantial expansion of production or activity, which could endanger the human health and life or the environment, are permissible only on the basis of the building office decision on the change in structure use; proceedings are governed by the provisions of the Sec. 76 to 84 as appropriate.
- (2) A change in structure use connected with its alteration shall be examined by the building office in the building permit proceedings and after the alteration completion the building office shall make the final inspection of this alteration.
- (3) A change in structure use cannot be granted if it is in conflict with the binding part of the planning documentation.

DIVISION EIGHT STRUCTURE MAINTENANCE AND REMOVAL

Section 86

Structure maintenance

- (1) The owner of the structure is bound to maintain the structure in good technical state in accordance with the documentation authorised by the building office and with the decisions of the building office (building permit, final inspection decision), in order to prevent the danger of fire and hygienic defects, the degradation of or the threat to its appearance and in order to maximally prolong its serviceability.

- (2) If the owner does not carry out the maintenance of the structure properly, the building office may order him to remedy this state within a stipulated period and under specified conditions. The users of flats and non-residential spaces are bound to enable the execution of the ordered maintenance of the structure.
- (3) The provisions of par. 1 and 2 apply also to landscaping, works and installations under this act as appropriate.

Section 87
Necessary modifications

- (1) If it is required in public interest the building office shall order the structure owner to carry out the necessary modifications of the structure or the land owner to carry out the necessary modifications of the ground for hygienic, safety, fire protection, operating, environmental protection and aesthetic reasons. The structure or land owner is obliged to carry out these modifications at his own expense.
- (2) The provisions of par. 1 apply also to landscaping, works and installations under this act as appropriate.
- (3) If the necessary modification, that is to be done, does not require neither documentation nor other materials, the building office shall order the structure or the land owner to carry out the modification and shall specify the extent, way, conditions and term of its execution.
- (4) If the necessary modification requires documentation or other materials, the building office shall order the structure or the land owner to submit them within a specified period and extent; if the owner does not meet this obligation the building office shall procure the necessary documentation or other materials at the owners expense. After submitting (procurement) this documentation the building office shall order to carry out the necessary modification and shall specify the conditions and the term of its execution. The structure or its part where the ordered necessary modifications have been completed may be used only on the basis of a final inspection decision, unless the building office has waived this inspection.

Structure removal
Section 88

- (1) The building office shall order the structure or the installation owner to remove
 - a) a defective structure endangering the human life or health, if it cannot be repaired economically,
 - b) a structure or an installation erected without the building permit or the notification or in conflict with them. The structure removal shall not be ordered if the developer proves that the structure complies with the public interest, especially with the planning documentation, planning objectives and aims, general technical construction requirements, technical requirements imposed on structures and with the interests protected by specific regulations, and if the developer submits an application for its retrospective permit in the course of the structure removal proceedings together with materials and documents required by the building office, within the period specified by the building office and in the extent as normal for building permit application.
 - c) a structure the building permit for which has been cancelled (Sec. 102 par. 4),
 - d) a temporary structure for which either the stipulated period of existence expired or the purpose for which it has been erected lapsed.
- (2) If the building office finds out, in the course of the building permit proceedings, that the construction has been already started without a building permit, it shall stop the proceedings and proceed in accordance with par. 1, letter b).
- (3) If the developer submits an appeal against the decision on the installation removal that has been issued in accordance with the Sec. 88, par. 1, letter b), the said installation must not be operated and the advertising installations must be either completely removed or covered so that they cannot be seen. If the owner does not meet this obligation, the building office shall execute the task itself at the owner's expense.

- (4) The structure removal, if it has not been ordered, requires a permit granted by the building office. The application for this permit may be submitted by the structure owner.
- (5) A permit issued by the building office is not required for the removal of building site facilities, the temporary existence of which was restricted in the building permit to the period of the duration of construction, and for the removal of structures and installations not subject to the building permit. A notification on the removal deadline is sufficient in cases of minor structures (Sec. 55, par. 2, letter a)), information, advertising and promotional installations.
- (6) The owner of temporary building site facilities shall consult with the building office in advance the possibility of further use of these facilities, if they can be used for other purposes after the completion of construction. According to the results of this consultation the owner shall either apply to the building office for a change of their use or construction alteration, or shall remove them after completion of construction.

Section 89

- (1) The expenses of the structure removal shall be borne by its owner. The building office may decide that a part of the actual expenses of the structure removal shall be paid by the owner in proportion to his responsibility for the state of the structure, and the remaining part shall be paid from the funds assigned for the state building grants.
- (2) The owner of the removed structure is responsible for the damage to neighbouring structures or land, unless it has been due to their defective state. The expenses of shoring and underpinning operations which must be carried out concurrently because of the defective state of the neighbouring structures shall be borne by the owners of such structures.

Section 90

- (1) The structure removal proceedings are performed by the building office which would be competent for the granting of the building permit.
- (2) In its decision ordering or permitting the structure removal the building office specifies the conditions for the provision of the necessary documentation of the removed structure, for the professional leadership of the works and the assurance of safety including the safety of the surrounding structures, further the conditions arising from general technical construction requirements and the conditions for the documentation filing in archives.
- (3) If the structure removal has been ordered by a court, the building office shall specify just the conditions in accordance with the par. 2.

Section 91

If the defective state of a structure endangers directly the human lives and if the structure cannot be preserved, the building office may exceptionally issue an oral order for the structure removal and ensure the removal without consulting it with the structure owners. At the latest within three days the building office shall notify in writing the structure owner about the decision and indicate the reasons for which the order has been issued and shall decide upon the settlement of the expenses of the structure removal.

Section 92

- (1) If the building office decides upon the removal of a structure listed as a protected monument, it shall provide in advance the consent of the appropriate state monument preservation authority. Analogously the building office shall provide the consent of the authority specified in specific regulations, if specifically stipulated in these regulations.

- (2) The provisions of the par. 1 do not apply to the order for the structure removal under the Sec. 91; however, the building office shall notify the authorities specified in the par. 1 about the reasons of the order for the structure removal before the beginning of the works, if possible.

Section 93

- (1) The building office shall simplify the procedure under Sections 88 through 92 relating to the removals of structure alterations, landscaping, extraction and similar or related works as well as of information, advertising and promotional installations.
- (2) The building office shall order the removal of information, advertising and promotional installations, if they have fulfilled the purpose for which they have been permitted or if they do not serve their original purpose anymore because of their wear. The building office shall order the removal of such installations to their founder or to his legal successor or to their user; if it is impossible to ascertain them, the building office shall order the removal to the person who has the property or another right to the structure or the land on which these installations are located.

Section 94

Shoring and underpinning order

- (1) If the structure state endangers human lives or health or considerable economic or cultural values, and if it is not necessary to remove it immediately, the building office shall order the owner to carry out the urgent shoring and underpinning operations.
- (2) If there is a real danger of delay and if the structure owner does not ensure the shoring and underpinning operations, the building office in a co-operation with the municipality shall ensure immediate execution of these works by a corporate body or a natural person carrying out their business activities according to specific regulations and which has an appropriate qualification; such person may be ordered by the building office to carry out the works.
- (3) The urgent shoring and underpinning and structure removal is carried out at the structure owner expense. If the building office ensures the execution of works in accordance with the par. 2, it shall pay the expense and refunding of this amount shall be claimed from the owner by the municipality.
- (4) The provisions of the par. 1 through 3 apply, appropriately, if the shoring and underpinning for landscaping, works and installations in accordance with this act are ordered.

Section 95

State building grant

- (1) The building office may provide the land or structure owner, upon his application, with the state building grant for the reasonably spent expenses related to the execution of the ordered necessary modifications, shoring and underpinning operations or structure removal, if these have been ordered solely because of public interest and if they have not been ordered due to the land or structure owner's infraction of his obligations.
- (2) The building office shall reserve the reimbursement of the grant or its part for the case of sale of the structure the value of which has increased by the performed operations.
- (3) The state building grant under the par. 1 cannot be allocated, if the expenses of the execution of the necessary modifications ordered can be covered in accordance with other legal rules.

Section 96

Evacuation of a structure

- (1) If the structure is in such a condition that it endangers directly the human lives or health, the building office shall order the users of the structure to vacate it; an appeal against this decision has not any dilatory effect.

- (2) The decision about the evacuation under par. 1 may be announced also orally; a written statement of this decision must be delivered without delay.
- (3) The building office shall also order the evacuation of the structure, if it is necessary for the execution of urgent shoring and underpinning operations ordered by the building office.
- (4) If the structure concerned includes flats, the building office shall notify the municipality. The providing of a stopgap flat is carried out in accordance with the specific regulation as appropriate.^{8a)}

8a) Act No 102/1992 Coll. by which certain matters are governed related to the issue of act No 509/1991 Coll. that changes, amends and modifies the Civic Code as amended by the acts No 227/1997 Coll. and 126/1998 Coll.

Section 96a

The building office decisions issued in accordance with the Sec. 85, 86, 87, 88, 94 and 96 are binding also for the legal successors of the participants.

Section 97 Participants in permit proceedings

- (1) The participants in permit proceedings according to the Sec. 85 through 96 are the persons who have the ownership or other rights to the land or the structures on it, including the neighbouring grounds and the structures thereon, and whose rights, legally protected interests or liabilities could be directly affected by such permit, and further also the persons who, upon the developer's suggestion, will professionally lead the construction or will professionally supervise it (Sec. 44, par. 2 and 3).
- (2) The users of individual flats and non-residential spaces are participants in permit proceedings only if their rights of use to the land or the structure could be directly affected by the measures to be ordered by the building office in the proceedings under par. 1.
- (3) The participant in permit proceedings shall be also the corporate body or the natural person, carrying out its business activities according to specific regulations, or its branch that will carry out the urgent shoring and underpinning operations.

DIVISION NINE STATE BUILDING SUPERVISION

Section 98

The state building supervision ensures the protection of priorities of community as well as the rights and the legally protected interests of corporate bodies and natural persons arising from this act, from its executive regulations, from specific regulations, from planning documentation, from building permits, from the construction or alteration of the structure, from the properties of the structure in its use, from the removal of the structure and from the performance of landscaping, works and installations under this act.

Section 99

The officers of the state building supervision are the authorised specialists of

- a) the building office
- b) the municipalities which are not building offices, in the exercise of the powers under the Sec. 122 and 124 and other state administration authorities authorised by specific regulations to supervise the construction, use and removal of structures within pale of these regulations.

Section 100

- (1) The developer, the authorised person and the corporate body or the natural person, carrying out business activities according to specific regulations, constructing or removing the structure, as well as the owner of the structure, are bound to
 - a) enable the officers of the state building supervision and the experts invited by them to enter the building site and the structure, to examine its documentation and to create the prerequisites for the exercise of the supervision,
 - b) notify without delay the building office about the defects of the structure which endangers the safety, life or health of people or which could cause considerable economic damage.
- (2) In the course of structure construction or structure alterations there must be available, at the construction or at the building site, the structure documentation authorised by the building office in the building permit proceedings and all documents related to the structure constructed or its alteration, possibly the copies of these documents. The developer is obliged to place a label with information on the building permit and with the specified identification data on the visible place at the entrance to the building site before the beginning of the construction and he shall leave it there until the structure final inspection. Large structures can be marked in another appropriate way (e.g. by the board) with the information from the label.
- (3) In case of constructions of structures or their alterations, whose developer or contractor is corporate body or natural person carrying out the business activities according to specific regulations, a site diary must be kept. In case of other constructions of structures or their alterations, there must be kept at least simple records about the construction at the construction or the building site. The general contractor is responsible for keeping the construction site diary or simple records. The developer is entitled to look in the site diary and to add his standpoints to the records therein.
- (4) In addition to the persons in par. 3, the state building supervision authorities (Sec. 99), the person appointed for the professional leadership of the construction or for the professional supervision over the construction (Sec. 44, par. 2 and 3), possibly the persons who, on the basis of an agreement with the developer, perform the author's or technical supervision, are also persons entitled to make records into the site diary or into the simple records of the construction.
- (5) The developer is obliged to archive the site diary for the period of ten years from the date when the final inspection decision came into the force or from the date of the structure completion, if not subject to the final inspection.
- (6) The attributes of a site diary or simple records about the construction, the details of its keeping and use will be specified in an executive regulation.

Section 101

If there is a justified apprehension that the interests of community might be endangered, the state building supervision authority is authorised to order, at the expense of the developer or of the owner of the structure, to take and test samples, tests of the structure and to bring in the experts to make an appraisal of technically difficult or unusual structures.

Section 102

- (1) If the officer of the state building supervision ascertains a defect of the structure, he shall request, according to the nature of the matter, the developer, the authorised person or the corporate body or the natural person carrying out the business activities according to the specific regulations which performs the construction, to remedy the defect or shall advise another competent authority to take the necessary steps.

- (2) If the person fails to grant the request of the officer of the state building supervision, the building office shall issue a decision ordering the remedy of the defect; in the course of construction the building office may suspend the works on the site. Appeal against this decision on the suspension of construction works has not a dilatory effect. After the defect has been remedied the construction works may be resumed only on the basis of a new decision of the building office.
- (3) In the decision under par. 2 the building office may impose upon a natural person or a corporate body, in accordance with the nature of the matter, also the duty of refraining from such activities that impair the environment beyond the permissible limit defined by specific regulations, or the duty of carrying out such measures that will reduce the adverse effects of their activities on the environment to the permissible minimum. The powers of other authorities under specific regulations are hereby not prejudiced.
- (4) If the officer of the state building supervision ascertains an irremediable defect which has originated in the course of the construction and which hinders the further progress of the works, the building office shall withdraw, on his suggestion, the building permit and shall determine further procedure.
- (5) The officer of the state building supervision
 - a) shall notify the building office if he ascertains a non-permitted structure; if it is a structure under construction, he shall request the developer without delay to discontinue the works on the site,
 - b) shall notify the respective building office or the corporate body or the natural person carrying out the business activities according to specific regulations, that some responsible specialist on the site is not performing his activities in conformity with interests of community and request them to provide information about the measure they have taken to remedy this state,
 - c) shall initiate the respective authority to review the qualification of those natural persons who are authorised to carry out the specified construction activities (Sec. 46a) and who do not perform this properly.
- (6) The right of other state administration authorities to give decisions about the remedy of the defects of structures under specific regulations remains unprejudiced; however, if the remedy necessitates the interference with the structure design, the decision shall be made by the building office.

Section 103

- (1) The structure owner is bound to preserve the documentation of the actual as-built construction for the whole duration of its use; in case of change of ownership he shall pass it to the new owner and in case of the removal of the structure to the building office.
- (2) The owners of distribution networks, sewerage systems and other line underground structures and facilities are bound to keep records about them and to provide those, who prove their well-founded motivation, with the verified data about the location of these structures.

Section 104

- (1) If the documentation (primarily the authorised design documentation) of the structure, which could enable the determination of the purpose for which the structure has been permitted have not been preserved, the structure is considered to have been built for the purpose for which it has been equipped by its structure design. If the equipment of the structure suggests several purposes, it is assumed that the structure is intended for the purpose for which it is being used without defects.
- (2) The building office may order the owner of the structure to procure the documentation of the actual as-built construction in the cases that they have not been provided at all, they have not been preserved or they are not in an appropriate state. If it is not necessary to procure complete documentation of the actual as-built construction of the structure, the building office shall order the procurement of simplified documentation (structure passport).

PART THREE

SANCTIONS

Section 105

Citizen's misdemeanours against the building regulations

- (1) A misdemeanour is committed and a fine amounting up to 10 000 CZK shall be imposed on him, who
 - a) performs the construction of a minor structure, structural modifications or maintenance works of which the building office should be notified, without such notification or in contravention of it,
 - b) performs landscaping, works and installations, which necessitate a permit or a notification under this act, without this permit or notification or in contravention of it,
 - c) fails to create the prerequisites for the exercise of the state building supervision, hinders its exercise, fails to comply with the request of the officer of the state building supervision or fails to carry out the measures ordered by the officers of the state building supervision,
 - d) fails to maintain the structure in spite of repeated requests of the officers of the state building supervision or the decision of the building office,
 - e) removes a minor structure [Sec. 55, par. 2, letter a)], advertising, information or promotional installation without notification,
 - f) hinders the entry to his land, construction or structure (Sec. 134) of the authorised persons,
 - g) has been appointed for the exercise of professional supervision over the construction and has not been fulfilling his duties in spite of the summons of the officers of the state building supervision,
 - h) uses a minor structure which has been built without notification or uses an information, advertising and promotional installation of which he should notify the building office without this notification or in contravention of it.

- (2) A misdemeanour is committed and a fine amounting from 10 000 up to 25 000 CZK shall be imposed on him, who
 - a) performs the activities, which necessitate a planning permission, without this permission or in contravention of it or the activities which are prohibited by the planning permission,
 - b) performs, as a developer, an alteration of structure without a building permit or in contravention of it,
 - c) uses the structure in contravention of the final inspection decision, or the building permit, or in contravention of the purpose of the minor structure that was built on the basis of a notification (Sec. 57), or enables another person to use the structure in contravention of the final inspection decision,
 - d) is removing or removes a structure without a permit granted by the appropriate authority,
 - e) delays, in spite of the building office summons and without a serious reason, the completion of the structure beyond the date specified in the building permit,
 - f) fails to submit the documentation or other materials, within the specified period or in the specified extent, for ordering a necessary modification, or fails to perform the ordered necessary modifications (Sec. 87), or fails to execute the urgent shoring and underpinning within the specified period (Sec. 94, par. 1),

- (3) A misdemeanour is committed and a fine amounting from 25,000 up to 50 000 CZK shall be imposed on him, who
 - a) performs, as a developer, construction of a new structure without a building permit or in contravention of it,
 - b) uses a structure without the final inspection decision, if such decision is necessary, or enables another person to use the structure without the final inspection decision,
 - c) neglects the maintenance of the structure, in spite of the repeated summons of the state building supervision officers or in spite of the building office decision, so that the state of the structure endangers human lives and health,

- d) fails to execute, within the stipulated term, the decision of the respective building office concerning the removal of the structure or the installation,
 - e) fails to respect the duty according to the Sec. 88, par. 3 and keeps operating the installation.
- (4) A misdemeanour is committed and a fine amounting from 50 000 up to 100 000 CZK shall be imposed on him, who performs the construction, without a building permit or in contravention of it, in a preserved area or in a protective zone or on the land which is not intended to be developed and who fails to execute, within the stipulated term, the decision of the building office concerning the removal of such structure.
- (5) The procedure concerning misdemeanours, the conditions of liability for misdemeanours as well as the venue of the misdemeanour procedure are governed by generally applicable regulations.¹⁰⁾

10) Act No 200/1990 Coll., on misdemeanours, as amended by the later regulations.

Section 106

Fines imposed on corporate bodies or natural persons carrying out business activities according to specific regulations

- (1) The building office shall impose a fine amounting up to 200 000 CZK on a corporate body or a natural person carrying out the business activities according to specific regulations, which
- a) performs the construction of a minor structure, structural modifications or maintenance works of which the building office should be notified, without such notification or in contravention of it,
 - b) performs landscaping, works and installations, which necessitate a permit or a notification under this act, without this permit or notification or in contravention of it,
 - c) fails to create the prerequisites for the exercise of the state building supervision, hinders its exercise, fails to comply with the request of the officer of the state building supervision (Sec. 102, par. 2) or fails to carry out the measures ordered by the officers of the state building supervision,
 - d) fails to maintain the structure in spite of repeated requests of the state building supervision or the decision of the building office,
 - e) uses a minor structure or an information, advertising and promotional installation erected without notification or in contravention of it (Sec. 57, Sec. 71, par. 2),
 - f) performs designing activity without authorisation while the law requires the authorisation for such kind of activity.
- (2) The building office shall impose a fine amounting up to 500 000 CZK on a corporate body or a natural person carrying out the business activities according to specific regulations, which
- a) performs the activities, which necessitate a planning permission, without this permission or in contravention of it,
 - b) performs an alteration of structure without a building permit or in contravention of it,
 - c) removes a structure without a permit granted by the appropriate authority,
 - d) fails to remove temporary facilities from the site after the completion of construction,
 - e) performs designing activity without authorisation,
 - f) performs construction for another subject beyond the scope of his authorisation,
 - g) fails to submit the documentation or other materials, within the stipulated term or in the specified extent, for ordering a necessary modification, or fails to perform the ordered necessary modifications (Sec. 87), or fails to execute the urgent shoring and underpinning within the stipulated term (Sec. 94, par. 1),
 - h) worsens the environment by delays of construction in contravention of the building permit.
- (3) The building office shall impose a fine amounting up to 1 million CZK on a corporate body or a natural person carrying out the business activities according to specific regulations, which
- a) performs construction without a building permit or in contravention of it,
 - b) neglects the maintenance of the structure to such an extent that it endangers human lives or health,

- c) uses a structure without the final inspection decision or in contravention of it, or enables another person to use the structure without the final inspection decision or in contravention of it,
 - d) fails to perform, without serious reasons, the urgent shoring and underpinning,
 - e) fails to execute, within the stipulated term, the decision of the respective building office concerning the removal of the structure or the installation,
 - f) fails to respect the duty according to the Sec. 88, par. 3 and keeps operating the installation.
- (4) The fine in accordance with the Sec. 1, letters a) through c), the Sec. 2, letter b) and the Sec. 3, letter a) may be imposed by the building office also on a corporate body or a natural person carrying out the business activities according to specific regulations which performs the construction as a contractor. The building office shall use the same procedure against the corporate body or the natural person carrying out the business activities according to specific regulations which performs works for the developer who committed a misdemeanour according to the Sec. 105, par. 1, letters a) and b), par. 2, letters a), b) and d), par. 3, letter a) and par. 4.
- (5) The proceedings on fine imposition may be opened only within one year from the day on which the authority competent for fine imposition has learned that the corporate body or the natural person carrying out the business activities according to specific regulations has violated or failed to fulfil the duty, at the latest, however, within three years from the day on which the duty has been violated or should have been fulfilled.

Section 107
Fine increase

- (1) The upper fine limit shall be increased by one half
- a) if the same person has been fined for the misdemeanour (Sec. 105) or other administrative tort (Sec. 106) of the same nature in the last two years,
 - b) if the illegal behaviour concerns a structure or a space, which is subject to national preservation of monuments or if it is the I. zone of national park or preserved area or if it is a national wild reservation or a national scenic spot. 1b)
- (2) The upper fine limit shall be doubled in cases when the illegal behaviour according to the Sec. 105 and 106 persists in spite of the state building supervision summons or the building office decision prohibiting such behaviour.
- (3) The upper fine limit for misdemeanours shall be increased by ten times, if a natural person performs a construction or a structure alteration without a building permit or in contravention of it for the business purposes, or if a natural person enables a corporate body or a natural person carrying out the business activities according to specific regulations to use a structure for business purposes without a final inspection decision or in contravention of it (Sec. 105, par. 2, letters b) and c) and par. 3, letters a) and b)).

Section 107a
Fine collection, demanding and revenues

- (1) The revenues of fines imposed in accordance with
- a) the Sec. 105 are governed by a specific regulation,^{8b)}
 - b) the Sec. 106 by a municipal office represent an income of the municipality whose authority decided the matter in the first stage; the fine imposed by another administration authority represents the income of state budget.
- (2) The collection and demanding of the fines is governed by specific regulations.^{8c)}

8b) Sec. 13, par. 3 of the act No 200/1990 Coll.

8c) Act No 337/1992 Coll., on taxes and fees, as amended by the later regulations.

PART FOUR

EXPROPRIATION

Section 108

- (1) Land, structures and rights to them necessary for the construction of structures or the execution of operations in public interest, specified in par. 2, may be expropriated or the property rights to land and structures may be curtailed ^{10a)} (hereinafter only „expropriate“).
- (2) Expropriation under this act is possible only in public interest for
 - a) public utility structures in accordance with the approved planning documentation,
 - b) setting up hygienic, safety and other protective zones and preserved areas and the assurance of the conditions for their protection,
 - c) demolition of a settlement or its individual parts in accordance with approved planning documentation,
 - d) creation of prerequisites for the necessary access to the land and structure,
 - e) creation of prerequisites for the location of the state observation network facilities monitoring the state of the environment,
 - f) purposes specified by specific regulations.^{10b)}
- (3) Public interest in expropriation for the purposes specified in par. 2 must be proved in the expropriation proceedings. The structures under par. 2, letter a) are deemed to include the structures intended for public services and public technical infrastructure of the area enhancing its development and environmental protection and defined by the approving authority in the binding part of the planning documentation.

10a) *Sec. 128, par. 2 of the Civic Code*

10b) *E.g. the act No 169/1949 Coll., on military areas, as amended by the act No 425/1990 Coll., the act No 138/1973 Coll., the act No 20/1987 Coll.*

Section 109

Objectives of expropriation

- (1) The objective of expropriation is to achieve the transfer or restriction of the proprietary right to land and structures or the establishment, abrogation or restriction of an easement annexed to land and structures.
- (2) The expropriation ensures the transition of proprietary rights to land and structures on the demander. The expropriation extinguishes all other rights to land and structures, unless the decision provides otherwise; this does not apply to the right of use of flats and non-residential spaces, which does not lapse by expropriation.

Section 110

Conditions of expropriation

- (1) Expropriation may be used only if its objectives cannot be attained by agreement or in some other manner.
- (2) Expropriation must conform with the planning objectives and intentions, documented usually by a planning permission. If the purpose of expropriation does not require a planning permission, the conformity with the planning objectives and intentions shall be examined directly in the course of the expropriation proceedings.
- (3) Expropriation is possible in the necessary extent only. If the purpose of expropriation can be attained by merely curtailing the right, the right cannot be withdrawn in its full extent. If the expropriation transfers

the proprietary right only to a part of the land or curtails another right to the land or the structure, and the owner or another entitled person could not use the remaining part of the land or the curtailed right to the land or the structure, or use them with inappropriate difficulties only, expropriation shall be extended to cover also the remaining part, if the owner or another entitled person request it.

Section 111 Compensation for expropriation

- (1) Expropriation is carried out against compensation. The compensation is granted in money, unless a specific law permits another way of compensation.
- (2) Compensation for expropriation, the way of compensation, the party granting the compensation and the party to whom it is granted, possibly the maximum amount of compensation, are provided by generally applicable legal rules.
- (3) If an agreement on the apportionment of the compensation between the previous owner and those, whose rights connected with the expropriated land or structure would lapse with the expropriation, has not been reached in the course of the expropriation proceedings, the acquiring body shall deposit the compensation with the court in the district of which the land or the structure are situated. The court shall decide upon the satisfaction of these claims, with particular reference to the assurance of the claims of the mortgagees.

Expropriation proceedings Section 112

- (1) The expropriation proceedings are performed by the building office.
- (2) The expropriation proceedings are opened on the application of a state administration authority, a corporate body or a natural person who should use the object of expropriation for the purpose for which it is expropriated. If the expropriating body is an authority competent for the expropriation proceedings, the authority of appeal shall appoint another building office within its competence to perform the expropriation proceedings and give the expropriation decision.

Section 113

- (1) To discuss the request for expropriation the building office shall order a discussion meeting.
- (2) The building office shall notify the participants in the expropriation proceedings about the discussion meeting at least 15 days in advance.
- (3) Objections against expropriation must be raised by the participants in the proceedings during the discussion meeting at the latest. The objections raised later and the objections rejected in the planning permission proceedings or the objections which could have been raised by the participant in the course of the planning permission proceedings under this act shall not be taken into account. The participants in the proceedings must be expressly advised about this fact.

Section 114

- (1) On the basis of the results of the expropriation proceedings the building office shall give the expropriation decision.
- (2) Dilatory effect of an appeal against the expropriation decision cannot be excluded.

Use of expropriated land and structure
Section 115

- (1) The expropriated land and structure may be used only for the purposes for which they have been expropriated.**
- (2) The use of the land or structure for the purpose for which they have been expropriated must begin within the term specified in the expropriation decision at the latest; this term must not exceed two years.**

Section 116

- (1) Upon the application of the participant, whose land or structure has been expropriated, the building office shall revoke fully or partly the decision on the expropriation of the rights to land or structures, if their use for the purpose for which they have been expropriated has not begun within the stipulated term. The application calling for the revocation of the expropriation decision may be submitted at any time after the term under the Sec. 115, par. 2, has elapsed, if the land or the structure is not serving the purpose for which it has been expropriated. The application may be submitted before the elapse of the term only, if the planning permission determining the use of the land or the structure for the given purpose, has lost force or has been revoked. The building office must instruct the participant in the proceedings about these rights in the expropriation decision.**
- (2) If the expropriation decision has been revoked fully or partly, he who has granted the compensation for the expropriation, is entitled to its reimbursement, and he whose property has been expropriated, is entitled to a compensation for the wrong suffered. The compensation shall be granted, in accordance with the general regulations concerning the compensation for damages, by him to whose benefit the expropriation has been made. If an agreement on these claims and their amount has not been reached, the decision shall be made by the court in accordance with the appropriate general regulations.**

PART FIVE

BUILDING OFFICES

DIVISION ONE GENERAL BUILDING OFFICES

Section 117

- (1) The building offices are
 - a) municipalities with state-delegated power,
 - b) regional offices,
 - c) city council of the capital of Prague and city districts authorities specified by the statute,
 - d) city councils of territorially subdivided statutory cities and offices of statutory city districts or city parts determined by the statute,
 - e) city councils, municipality offices of cities and communities which worked as building offices as of December 31, 1997 or their competence was approved as of this date.
- (2) The central state administration authority for the matters of planning and building regulations publishes the list of building offices sorted by regions in the Collection of Laws at least once a year.
- (3) The regional office is an administration authority to which the building offices of towns and municipalities are reporting.

Section 118

- (1) A municipality, which works as a building office may, with the approval of the regional office, conclude an agreement with another municipality saying that the former shall be working for the latter one as a building office as well. Otherwise the municipality with state-delegated power works as a building authority for those municipalities which do not work as building office.
- (2) If a municipality, which works as a building office, has ceased working as a building office for another municipality, the municipality with state-delegated power shall work as a building office for the latter one unless the agreement is concluded in accordance with the par. 1 with some other municipality which is a building office and which will work for the latter one.
- (3) In case of the capital of Prague and administratively subdivided statutory cities, the territory of a building office competence may comprise two or more city districts or parts.

Section 119

If a structure or a measure concerns the area subject to two or several building offices, the proceedings shall be performed and the decision taken by the nearest higher common administration authority. This authority may provide that the proceedings should be performed and the decision made by one of the building offices competent in the area where the structure shall be constructed or the measure shall be taken.

Section 119a

Administrative region authority with state-delegated power leads proceedings and issues decisions if the structure or measure shall be constructed or taken within the territory of two or more regions, and may stipulate that the process will be led and the decision will be issued by some building office, in the territory of which such structure or measure is to be realised.

DIVISION TWO SPECIAL MILITARY AND OTHER BUILDING OFFICES

Section 120 Special building offices

- (1) In case of air transport structures, railway structures and railway, roads and water management structures, the powers of the building office, with the exception of those related to planning decisions and expropriation, are exercised by the state administration authorities acting in the respective fields in accordance with specific regulations (hereinafter only „Special Building Offices“).
- (2) The special building offices proceed in accordance with this act, unless specific regulations under the par. 1 specify otherwise; they may grant building permits only with the consent of the respective building office competent to give the planning permission, which shall verify the compliance with the conditions of the planning permission. If the planning permission is not issued, the statement on compliance of the structure projected with the planning intentions should be sufficient.

Section 121 Military and other building offices

- (1) The powers of building offices in the territories of military districts, with the exception of those related to expropriation under this act, shall be exercised by the authorities of the Ministry of Defence.
- (2) The powers of building office under this act, with the exception of those related to planning permissions and expropriation, shall be exercised by
 - a) the Ministry of Defence in case of structures of the military administration outside the area of military districts,
 - b) the Ministry of Interior in case of structures for the security of the state,
 - c) the Ministry of Justice in case of structures of the jail corps,
 - d) the Ministry of Industry and Trade in case of structures for uranium industry in the are reserved for these purposes.

DIVISION THREE POWERS OF MUNICIPALITIES

Section 122

- (1) The municipalities which are not building offices exercise the following powers:
 - a) control of all building activities in the municipality and supervision of its development in conformity with the planning intentions,
 - b) supervision of the state of structures,
 - c) control whether the structures and their alterations, landscaping, works and installations in accordance with this act, are not built without a building permit or in contravention of the provisions of this act,
 - d) on the basis of an authorisation by the district office provision of measures preceding the decisions in the field of planning and building regulations.
- (2) If the municipality ascertains during its control activity that the structure and its alterations, landscaping, works and installations are being performed without permit or in contravention of it, it shall discuss the ascertained shortcomings with the developer; if this negotiation remains fruitless, it shall issue a decision on the suspension of the works and shall notify the appropriate building office thereof. Appeal against this decision on the suspension of construction has not a dilatory effect.

DIVISION FOUR RESERVATION AND DELEGATION OF BUILDING OFFICE POWERS

Section 123

The administration authority superior to the building office may reserve the powers of the building office in case of individual technically particularly difficult or unusual structures or measures with major or extensive impacts on the environment in their neighbourhood.

Section 124

- (1) The regional office, upon the request of a municipality which is not a building office but which has the necessary prerequisites for professional decision-making on structurally-technical matters, may delegate the following powers of a building office to the municipality:
 - a) to grant building permits for the structural modifications of simple structures if they are not listed as cultural monuments,
 - b) to determine whether the minor structures, structural modifications and maintenance works (Sec. 55, par. 2 and 3), except the structural modifications and maintenance works of cultural monuments, require a building permit and to grant the building permit in such cases,
 - c) to receive notification of or grant permits for the information, advertising and promotional installations and to order their removal,
 - d) to receive the notification of a term within which a minor structure and an information, advertising and promotional installation shall be removed (Sec. 88, par. 5),
 - e) to carry out the final inspections of structures and their alterations which it has permitted,
 - f) to ensure the exercise of the state building supervision (Sec. 98 through Sec. 104).
- (2) In the capital of Prague and in the territorially subdivided statutory cities, the powers under the par. 1 are exercised by the city council of the capital of Prague and by the office of a city district or a city part of the territorially subdivided statutory city, if the city has stipulated so in its statute.^{11a)}
- (3) If the municipality has not the prerequisites for the professional decision-making on the structurally-technical matters, the regional office shall withdraw the powers delegated to this municipality in accordance with the par. 1; the exercise of these powers shall be ensured for the municipality by the respective building office (Sec. 117 and 118).

11a) Sec. 3 and the Sec.25, par. 1, letter c) and par. 2, letter a) of the act N° 367/1990 Coll., on municipalities (municipality arrangement), as amended by later regulations.
the Sec. 5b of the act N° 425/1990 Coll., on district offices, their powers and some other related measures, as amended by later regulations.

PART SIX

PROTECTION OF SPECIAL INTERESTS

Section 125

Assurance of state defence interests

- (1) When fulfilling the planning tasks it is necessary to observe the interests of the defence and security of the state.
- (2) The Ministry of Defence and the Ministry of Interior may determine and notify the building offices about the areas where, for the reasons of the defence and security of the state, the planning permissions and the building permits may be granted only with the consent of the Ministry of Defence or the Ministry of Interior; these authorities may condition their consent by the compliance with specific conditions for the location, construction and use of such structures. The procedure in which such consent is granted is governed by the provisions of the Sec. 126, par. 2.
- (3) In the areas specified under the par. 1 the military administration or the authorities of the Ministry of Interior may request the necessary modifications of already existing structures or reserve their preliminary consent with their alterations; the expenses of the necessary modifications carried out upon special request of the military administration or the authority of the Ministry of Interior shall be borne by these authorities.
- (4) The Ministry of Defence shall specify the procedure for the procurement, discussing and approval of the planning documentation for the specified military areas.¹²⁾

12) Act No 169/1949 Coll., on military districts.

Protection of environmental components and other special interests

Section 126

- (1) If the proceedings under this act concern the interests protected by specific regulations,^{11b)} the building office will make the decision only after the agreement or with the consent of the state administration authority which defends the protected interests (the respective state administration authority). The respective state administration authority may condition its consent by the compliance with conditions specified in its decision (standpoint, statement, approval, assessment etc.) in accordance with the specific regulations on the basis of which it is entitled to defend the interest.
- (2) If this act provides a procedure for the review of the interests protected by specific regulations and for the submission of standpoints or similar measures taken by the respective state administration authorities, the respective state administration authorities specified in the par. 1 shall proceed in accordance with this procedure. The right of these administration authorities to make separate decisions shall not be prejudiced, if the regulations, protecting the interests which they defend, provide so.
- (3) Before issuing a decision on the structure location, a building permit or an additional permit concerning the structure the part whereof is a nuclear facility or a working site with very strong source of the ionising radiation as well as a final inspection decision for the structure the part whereof is a nuclear facility or a working site with strong or very strong source of the ionising radiation, the building office is obliged to require of the applicant or the developer a permit granted by the State Office for Nuclear Safety according to specific regulations.^{12a)}
- (4) Assessments, approvals and standpoints specified in specific regulations need not be submitted with the applications for the planning permissions,^{12b)} if the interests protected by these specific regulations have

already been subject to environmental impact assessment in accordance with the act № 17/1992 Coll. on the environment, and the act № 244/1992 Coll. on environmental impact assessment, and if the appropriate administration authority, in its statement, has dispensed with giving them in accordance with the Sec. 7, par. 4 of the act № 244/1992 Coll.

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- 12a) *The act No 18/1997 Coll., on peaceful utilisation of nuclear energy and ionising radiation (the Atom Act) and on amendments of some acts, as amended by the act No 83/1998 Coll.*
 11b) *E.g. the act No 114/1992 Coll., the act No 309/1991 Coll., the act No 125/1997 Coll., the act No 138/1973 Coll., the act No 20/1966 Coll., on health care, as amended by the later regulations.*

Section 127

- (1) If an unforeseen discovery of culturally valuable objects, details of structures or protected parts of nature as well as an archaeological discovery is made in the course of the proceedings or the procedure in accordance with this act, the building office, in agreement with the appropriate authority protecting specific interests, shall specify the conditions for the assurance of the interests of the national preservation of monuments and the national nature protection and archaeological discoveries.
- (2) The developer and the corporate body or the natural person carrying out the business activities according to specific regulations performing the construction or ensuring its preparation or carrying out other works under this act shall report the discovery immediately to the building office and the national monument preservation authority or the institute of archaeology or the national nature protection authority, and shall take the necessary precautions to protect the discovery from damage or destruction, until the building office, in agreement with the national monument preservation authority or the institute of archaeology or the national nature protection authority, decides about it.
- (3) The building office may change or revoke a granted building permit or an additional building permit, if a culturally valuable object, detail of a structure as well as an archaeological discovery has been made in the course of construction, the significance of which has been confirmed by the Ministry of Culture; the ministry shall, at the same time, determine the manner of compensating the developer for the expenses and losses documented that have been generated due to the change or the revocation of the granted building permit or due to the delayed construction or due to the ordered extraordinary regime of the construction. A proper appeal against the decision of the Ministry of Culture may be submitted to the court.

PART SEVEN

DOCUMENTATION REGISTERING AND FILING

Sections 128 through 130

Deleted

Section 131

- (1) The planning authority which procures the planning documentation is bound to keep records and ensure storage of the entire planning documentation and all data sources thereto, as well as the documents on the possible amendments and supplements to the planning documentation.
- (2) The appropriate building office is bound to register and ensure the filing of all planning permissions and all written materials concerning planning permissions as well as the decisions on the protection of structures, preserved areas and protective zones, issued under specific regulations, including their possible amendments and supplements.

Section 132

- (1) Building permits together with all written materials concerning the building permits, the final inspection decisions and other measures concerning the structures shall be registered and the filing of these documents shall be ensured by the respective building office and the appropriate municipality.
- (2) The decisions and measures specified in the par. 1, issued in the framework of the powers delegated to municipalities, together with the respective written materials including the documents concerning the possible amendments and supplements, shall be registered and their filing shall be ensured by the municipalities.

Section 133

The planning authorities and the building offices, which register and file the planning documentation and the documentation of structures, are bound to enable the corporate bodies, or natural persons, carrying out business activities according to special regulations, or persons, who have proved the justification of their request the examination of these documentation and making extracts therefrom; in doing so they are bound to take all precautions lest the examination of the documentation should violate state, economic or service secret as well as the legally imposed or recognised duty of keeping silence.

PART EIGHT

COMMON PROVISIONS

Section 134

Entry on other persons' land and into other persons' structures

- (1) Entrusted employees of regions and municipalities, entrusted members of municipal council commissions and entrusted employees of other state administration authorities are entitled to enter other persons' land, building sites and structures with the knowledge of their owners, if fulfilling the tasks arising from this act which concern these land and structures. The residential spaces, however, may be entered only if it is necessary for the protection of human lives or health, for the protection of rights and liberties of the others or for averting a serious menace to public safety and order; this restriction does not apply to residential spaces which are used, simultaneously, for carrying out the business or other economic activities. In doing so they must see that the use of land and structures be minimally disturbed and that their activities do not bring about damage which could be prevented. They must prove their right of entry by a special certificate.
- (2) If necessary, the person authorised to enter other persons' land, building sites and structures under the par. 1 may be accompanied by experts and participants in the proceedings invited by him.
- (3) In case of actions under the Sec. 91, 94 and 96 of this act aimed at averting the danger caused by the defects of the structure which endanger the safety, lives or health of people or which could cause considerable damage, the persons entitled to enter other persons' land, building sites and structures under the par. 1 may enter them without their owners' knowledge. However, they are bound to inform him without delay about the actions performed.
- (4) In case of doubts about the scope of the entitlement the building office shall decide individually.
- (5) The time and scope of the exercise of the entitlement to enter other persons' land and structure must be restricted to the necessary extent required. If the activities of the entitled person have resulted in a damage to the land or structures, these must be restored to initial state, if possible; otherwise the general regulations concerning the compensation of damages shall apply.^{12c)}
- (6) Specific regulations related to the restrictions and the necessary entitlement to enter land and structures in the sphere of interest of the defence of the state or another state interest are not prejudiced.

12c) Sec. 420 and following of the Civic Code

Section 135

Measures on neighbouring ground or structure

- (1) For the performance of the construction of a structure or an alteration thereof and for the performance of the necessary structural modifications, maintenance or shoring and underpinning operations, the removal of a structure as well as information, advertising and promotional installation, the building office may impose on those who have proprietary or other rights to neighbouring grounds or structures the duty to suffer the performance of the works from their ground or structure.
- (2) He to whose benefit the building office has imposed the duty under the par. 1 is bound to ensure minimum disturbance by the use of neighbouring grounds or structures and to see that the performed operations do not cause damage which could be prevented; on completion of the works he is bound to reinstate the ground or structure and, if it is not possible or economically feasible, to grant the owner a compensation in accordance with general regulations related to the compensation for damages.

Section 136
Settlement of disputes

- (1) If in the course of the procurement of planning documentation and in the course of the planning permission proceedings, the building permit proceedings or other procedures conducted by the administration authorities under this act or specific regulations for air transport structures, railway structures and railway, roads and water management structures and telecommunication structures, the administration authorities participating in the procurement and proceedings adopt contradictory attitudes, such disputes shall be settled by the authorities superior to them by agreement.
- (2) If the arisen dispute could not be settled, except for the cases given in par. 4, by an agreement of superior authorities in accordance with the par. 1 within 60 days, the decision shall be made by the Ministry for Regional Development after a consultation of the matter with the appropriate state administration authorities within 60 days from the day when it has been referred to the ministry for decision. If the dispute concerns the structures managed by authorities under specific regulations, the decision shall be made by the central state administration authority superior to these authorities using an analogous procedure.
- (3) If the dispute has relation to the area Natura 2000 according to a special legal regulation,^{12d)} the Ministry for Regional Development in agreement with the Ministry of Environment shall make the decision; if no settlement has been reached, the decision shall be made by the State government.

12d) Act No. 144/1992 Coll., on nature and landscape protection as amended by later regulations.

- (4) If the dispute could not be settled by any agreement of superior authorities, one of them being the Ministry for Regional Development or central administrative authority superior to the authority managing the proceedings on structures under specific regulations, the Ministry for Regional Development or a central state administration authority shall submit the proposal of the decision on the dispute to the State government within 60 days.

Section 137
Civil law and other objections

- (1) The building offices conducting the proceedings under this act shall always endeavour to reach an agreement of the participants in case of objections arising from property or other rights to land and structures, but exceeding the scope of powers of the building office or the co-operating state administration authorities.
- (2) If an agreement among the participants in the proceedings according to the par. 1 has not been reached on the objection, which, if found justified, would make the implementation of the required operations impossible or which would enable their implementation only in a substantially different scope or form, the building office shall refer the applicant or other participant to the court in accordance with the character of the objection, and shall suspend the proceedings.
- (3) The building office shall fix the term within which it must be proved that the court has received the application for making the decision in the matter in dispute. If the building office it is not shown the proof that the application has been submitted within the stipulated term, it shall make its own assessment and decide the matter alone.
- (4) In the proceedings in which the building office orders the measure according to this act to be taken in community interest and if there is a danger of delay it shall itself appraise the objection on which no agreement has been reached and shall decide the matter.

Section 137 a
Exceptions from the Building Act

- (1) Measures on structures and land consisting, according to circumstances also in carrying out of structures, landscaping or removing of structures, by means of which the consequences of natural disasters of acute breakdowns are prevented, their effects are faced and endangering of human health or life and other damages are prevented, can be started without preceding permission according to this Act, unless specified otherwise by other legal regulations. Nevertheless, the building office is to be notified of carrying out such measures.
- (2) If the structures or landscaping destroyed or damaged by natural disaster or acute breakdown ought to be renewed in accordance with original permits by the building office, the fact that the building office was notified of such a measure in advance should be sufficient; this procedure is specified in the provisions of Sec. 57 par. 2 analogously, provided that the term for announcement of the building office saying that it has no objections against the structure renewal is 7 days. In the announcement, the data on the structure which is to be renewed, simple technical description of works and the respective legal or natural person intended to carry out the action are to be given.
- (3) For structures and landscaping to be carried out without delay in order to mitigate or avert the consequences of a natural disaster or of the structure acute breakdown, it is possible to
 - a) restrict the contents of the proposal (application) and its annexes, after consultation with the building office, to the minimum extent necessary for the decision,
 - b) dispense, after consultation with the building office, with issuing the planning permission and to combine the planning permission proceedings with the building permit proceedings or other proceedings according to this Act, or to specify that the structure or landscaping can be carried out on the basis of their notification,
 - c) specify in the decision that some documents prescribed as annexes to the proposal (application) and other documents shall be submitted in the stipulated term additionally,
 - d) issue, in justified cases, preliminary permission specifying the term of additional submission of background materials; after their submission, the proceedings shall be realized and the decision issued,
 - e) shorten the term for the realization of the legal act of the participants in proceedings, but maximum to the half of the term stipulated by this Act or by special legal regulation; the building office must inform the participants in the proceedings about shortening the term in the notification of the proceedings opening.
- (4) The appeals against the decisions issued in the proceedings according to the par. 3 have no dilatory effect.

Section 138
Co-operation of state administration authorities and co-operation of corporate bodies
and natural persons carrying out business activities according to specific regulations

- (1) The municipal authorities or other authorities proceeding and deciding in accordance with this act shall see, from the very beginning of the preparation of planning documentation, planning permissions, building permits and other decisions and measures, that the most effective protection of nature and landscape and individual environmental components according to specific regulations be ensured and shall co-operate with the authorities ensuring the protection of environment.
- (2) The building offices and other authorities conducting proceedings and taking decisions in accordance with this act, as well as other state administration authorities conducting procedures, taking decisions or assessments in the matters of construction in accordance with specific regulations, are bound to co-operate. In particular they are bound to see that the related administrative procedures be linked up as much

as possible, to make general use of the results of these procedures, to convey on time complete assessments and, upon request, also submit economic, technical and other data and information.

- (3) Scientific institutions and other corporate bodies or natural persons carrying out the business activities according to specific regulations shall communicate to the authorities which are implementing planning policies, upon their request, the data and results attained in the course of their activities.

Section 138a

General technical construction requirements

- (1) Corporate bodies, natural persons and administration authorities are obliged to proceed in accordance with the general technical construction requirements, general technical requirements ensuring that the structures can be used by the handicapped persons with a limited ability to walk and orientate and with the technical requirements specified in the executive regulations (hereinafter only „general technical requirements“) when designing, locating, drawing, permitting, constructing, finally inspecting, using and removing the structures.
- (2) The exceptions from the general technical requirements may be granted only in case of those provisions of the legal executive regulations which specifically allow such exceptions and only if the safety, protection of human lives and health and protection of the neighbouring grounds or structures are not endangered by such exceptions; the solution, accepted in accordance with the granted exception, must satisfy the purpose which is observed by the general technical requirements.
- (3) Exceptions from the general technical requirements may be granted by the appropriate building office with the agreement of the administration authority which protects, according to specific regulations, the matters affected by the exception.

Section 139

General terms

If this act uses the term

- a) „structure“, it means also a part thereof,
- b) „owner“, it means also the person who is entitled, on the basis of law or written agreement, to act on behalf of the owner in the matters under this act,
- c) deleted
- d) „developer“, it means also the structure's investor and buyer,
- e) „tenant“, it means also the person who uses the flat or non-residential space based on secondary legal reasons,
- f) „other rights to land or structures“, it means particularly the right to manage the state property^{17c)} and the right corresponding to the easement.^{17d)}

17c) E.g. Sec. 761 of the act No 513/1991 Coll.

17d) E.g. the Sec. 151n and following of the act No 40/1964 Coll., the Civic Code, as amended by the later regulations, the Sec. 12, par. 1 and par. 3 of the act No 110/1964 Coll., on telecommunications, as amended by the later regulations, the Sec. 17, par. 1 of the act No 13/1997 Coll.

Section 139a

Planning terms

- (1) Land use limits restrict, exclude or possibly condition location of structures, land use and measures in the area.
- (2) Currently developed municipal area consists of one or more separated developed areas in the administrative territory of the municipality. When defining the currently developed municipal area the information and data from real estate register are taken as a basis. The border of one currently developed municipal area is defined by a close outline curve which includes the group of

- a) building plots (developed areas and yards) and neighbouring grounds which serve the initial purpose for which the structures have been built (permitted and finally inspected),
 - b) agriculture land and water reservoirs, surrounded by the grounds described under letter a); other agriculture land as well as forest land is not included in the currently developed municipal area,
 - c) other grounds; railways, highways, roads and other transport ways are included only in case that they are surrounded by grounds described under letters a) and b).
- (3) Areas with development potential are suitable for development and thus demarcated by an approved local plan or regulatory plan.
 - (4) Related planning documentation is a local plan and a regulatory plan in relation to a regional plan and a regulatory plan in relation to a local plan.

Section 139 b
Building regulations terms

- (1) A structure is any built object regardless of its constructional and technical character, purpose and lifetime.
- (2) Structures can be
 - a) permanent,
 - b) temporary with a predefined limited lifetime.
- (3) Alterations of the existing structures are
 - a) superstructures which make the existing structures higher,
 - b) annexes which make the layout of the existing structures larger and which are operationally interconnected with the existing structures,
 - c) structural modifications which do not change the outer layout and height of the existing structures.
- (4) Alterations of structures before their completion are the variations from the building permit or structure documentation authorised by the building office.
- (5) Simple structures are
 - a) residential buildings with a built area not exceeding 300 m², having 4 flats at maximum, one underground floor and three overground floors including the attic,
 - b) leisure time structures for individuals,
 - c) one floor overground structures without a cellar and building site structures, if their built area does not exceed 300 m², span of the bearing constructions does not exceed 9 m and height does not exceed 15 m,
 - d) connections to distribution networks and sewerage systems,
 - e) retaining walls,
 - f) underground structures, if their built area does not exceed 300 m² and depth does not exceed 3 m.
- (6) The simple structures are not the magazines of inflammables and explosives, structures for civil defence and fire protection, structures of uranium processing industry and nuclear facilities, storage and dump places for hazardous wastes¹⁹⁾ and water management structures.
- (7) Minor structures are built objects with complementary function to the main structure, namely
 - a) overground structures with one floor, if their built area does not exceed 16 m² and height does not exceed 4,5 m,
 - b) underground structures, if their built area does not exceed 16 m² and depth does not exceed 3 m.
- (8) Minor structures are also
 - a) structures on the land designated for forestry which serve for the operation of seed-plots or for hunting, if their built area does not exceed 30 m² and height does not exceed 5 m,

- b) fences,
 - c) connections of minor structures to the distribution networks and sewerage system of the main structure,
 - d) traffic islands and refuges, crossings over the pavements, culverts etc.
- (9) The minor structures are not the garages, magazines of inflammables and explosives, structures for civil defence and fire protection, structures of uranium processing industry and nuclear facilities, storage and dump places for hazardous wastes¹⁹⁾ and waterworks structures.
- (10) Military structures outside military areas are the objects for state defence established within the scope of activity of the Ministry of Defence.
- (11) Structures for the state security are the objects controlled by the Ministry of Interior, the Police of the Czech Republic, Fire Emergency Department of the Czech Republic and the Security Information Service used for service purposes and other objects of these bodies intended for service purposes.
- (12) Structures of the Jail Corps are the objects for the operation of the Jail Corps and objects controlled and used by the Jail Corps for the service purposes of their departments.
- (13) Structures of the uranium processing industry are the objects built and used for the mining activities, processing, transport and storage of radioactive raw material, in an area for this purpose dedicated.
- (14) Structures of nuclear facilities are the objects specified under specific regulations.^{12a)}
- (15) Building ground is a part of an area specified in the regulatory plan or in the planning permission to be developed and the built ground with the main structure on it.

Section 140

Relation to administrative procedure rules

Unless expressly provided otherwise the procedures under this act shall be governed by the general regulations on administrative procedures.

Section 140a

The sphere of activities specified to a regional office, municipality with state delegated power, to the city council of the capital of Prague, to the office of a city part of the capital of Prague or a city council or the office of a city part of a territorially subdivided statutory city or to a municipal office is, according to this Act, the exercise of state-delegated power.

PART NINE

INTERIM AND FINAL PROVISIONS

Interim provisions

Section 141

- (1) Not finished plans under elaboration on the day on which this act has entered into force shall be modified, discussed and approved, as the case may be, in accordance with this act. The inquiry and approval of an amendment or supplement to an approved plan procured in accordance with previous regulations shall be governed by the provisions of this act. In justified cases an exception may be granted by the Ministry for Regional Development.
- (2) In case of structures completed before the day on which this act has entered into force the procedure shall be conducted in accordance with previous regulations, unless the structures concerned are subject to the provisions of the Sec. 119 of the Decree of the State Committee for Development N° 243/1957 of Official Gazette, containing the executive regulations to the Order of the government on the hand-over and take-over of completed structures or parts thereof and the permission to put them to permanent operation (use).
- (3) The local national committees, which have been appointed building offices in accordance with previous regulations before this act has entered into force, shall be considered as building offices appointed in accordance with this act.
- (4) Retrospective expropriation of land, that was used before this act has entered into force for the purposes for which it could be expropriated under this act and the property rights to which have not been settled yet, is possible. The application for expropriation of the rights to such property must be submitted by the organisation which is using the land by December 31st 1997.
- (5) Until the generally applicable legal rule under the Sec. 111, par. 2 of this act enters into force the existing regulations shall be applied.

Section 142

Deleted

Final provisions

Section 143

- (1) The Ministry for Regional Development shall issue generally applicable legal rules for the implementation of the Sec. 46, par. 1, the Sec. 55, par. 3, the Sec. 75, par. 2 and the Sec. 121, par. 3, of this act and generally applicable legal rules which will specify in greater detail
 - a) the contents of planning materials, planning documentation, specification of planning documentation, the methods of their procurement, elaboration, inquiry and approval,
 - b) the contents and the method of compiling the registration cards of planning documentation,
 - c) the listing of other authorities which may procure planning materials,
 - d) details of the planning decision procedure, granting of building permits for structures and their alterations, permits authorising landscaping, extraction and similar or related operations, information, advertising and promotional installations, the final inspection, use, maintenance and removal of structures, the requisite contents of the decisions, applications for their granting and the contents of enclosed documentation,
 - e) details of the function of the state building supervision and the conditions of its exercise,
 - f) details of granting building permits for the constructions of nuclear facilities,

- g) exemptions from the provisions of this act in the course of remedies of the consequences of natural catastrophes and sudden breakdowns of structures,
 - h) cases in which it is possible to waive planning permission or combine it with the building permit, and the conditions under which it is possible to waive the final inspection decision in case of simple and temporary structures,
 - i) details of notification concerning some minor structures, structural modifications and maintenance operations and the list of maintenance operations which may be performed without notification,
 - j) details of the expropriation proceedings, particularly the requisite contents of the expropriation decision and of the application thereof,
 - k) general technical construction requirements, and general technical requirements ensuring that the structures can be used by handicapped persons with limited ability to walk and to orientate, 1a)
 - l) scope and types of design and engineering activities, methods and conditions of authorisation for these activities and records of the authorisations granted.
- (2) The Ministry of Finance shall issue a generally applicable legal rule to implement the Sec. 111, par. 2, of this act.
- (3) The capital of Prague may issue, within the scope of the state-delegated power, a decree on the general technical construction requirements in the capital of Prague, and specify, in agreement with the appropriate state administration authorities, the rules for the co-operation of the state administration authorities protecting specific interests in the procurement and approval of planning documentation as well as in the course of planning permission, building permit and final inspection proceedings.
- (4) For the implementation of the Sec. 138a, par. 1 and 2
- a) the Ministry of Transport and Telecommunications shall issue the legal rules on the technical requirements imposed on air traffic constructions, railway constructions and structures on the railway, road constructions,
 - b) the Ministry of Agriculture shall issue the legal rules on the technical requirements imposed on the constructions of water management structures,
 - c) the Ministry of Agriculture shall issue the legal rules on the technical requirements imposed on the structures for agriculture and for supporting the functions of forest,
 - d) the Ministry of Industry and Trade shall issue the legal rules on the technical requirements imposed on the structures for the uranium processing industry and constructions of nuclear facilities.

Section 144

The following legal rules shall be repealed:

1. Order of the Government No 8/1956 Coll. on the hand-over and take-over of completed structures or parts thereof and the permission for putting them into permanent operation (use) as amended by the Order of the Government No 34/1958 Coll.;
2. Act No 84/1958, on town & country planning, as amended by the Act of the Slovak National Council No 131/1970 Coll. (items 1 through 6 of the Annex), the Act of the Czech National Council No 146/1971 Coll. (items 3, 4 of Annex A and items 3, 4 of Annex B) and the Act of the Slovak National Council No 159/1971 Coll. (items 5, 6 of Annex D);
3. Act No 87/1958 Coll. on the Building Regulations;
4. the Sec. 9 of the Act No 60/1961 Coll., on the tasks of National Committees in the assurance of socialist order;

5. Decree of the Ministry of Technology N° 572/1950 of the Official Gazette (N° 544/1950 of the Slovak Official Gazette) on development plan, on duties of the Local National Committee in the development of the municipality, on the protective zones and on expropriation as amended by the Act of the Czech National Council N° 146/1971 (items 1, 2 of Annex A);
6. Decree of the State Committee for Development N° 243/1957 of the Official Gazette issuing executive regulations to the Order of the Government on hand-over and take-over of completed structures or parts thereof and the permission for putting them into permanent operation (use) as amended by the Decree N° 144/1959 of the Official Gazette;
7. Decree of the Minister-Chairman of the State Committee for Development N° 144/1959 of the Official Gazette implementing the Building Regulations Act as amended by the Decree N° 108/1966 Coll., the Decree N° 162/1970 Coll. and the Act of the Slovak National Council N° 131/1970 Coll. (item 7 of the Annex);
8. Decree of the State Committee for Development N° 153/1959 of the Official Gazette on town & country planning as amended by the Act of the Slovak National Council N° 131/1970 Coll. (items 1, 8 through 11 of the Annex), the Decree N° 162/1970 Coll., the Decree N° 130/1971 Coll., the Act of the Czech National Council N° 146/1971 (items 3, 4 of the Annex A and item 3 of the Annex B) and the Act of the Slovak National Council N° 159/1971 Coll. (item 5 of the Annex C);
9. Decree of the Minister of Development N° 143/1960 Coll. transferring for some constructions the powers of the building offices to the Ministry of National Defence;
10. Decree of the Minister of Development N° 59/1961 Coll. transferring for some constructions the powers of the building offices to the Ministry of Interior;
11. Decree of the State Committee for Technology N° 108/1966 Coll. on authorisation for design activities as amended by the Act of the Slovak National Council N° 131/1970 Coll. (item 12 of the Annex), Decree N° 137/1970 Coll. and the Act of the Czech National Council N° 146/1971 Coll. (item 2 of the Annex D);
12. Decree of the Minister of Development and Technology of the Czech Socialist Republic N° 134/1969 Coll. transferring for some constructions the powers of building office to the Ministry of Justice of the Czech Socialist Republic;
13. Decree of the Minister of Development and Technology of the Slovak Socialist Republic N° 140/1969 Coll. transferring for some constructions the powers of building office to the Ministry of Justice of the Slovak Socialist Republic;
14. the Sec. 11, 15, 16, the Sec. 22, pars. 2 and 3, of the Decree of the Federal Committee for Technical and Economic Development, Chief Arbitrator of the Czechoslovak Socialist Republic and the Ministries of Development and Technology of the Czech Socialist Republic and the Slovak Socialist Republic N° 162/1970 Coll. on some measures in housing construction;
15. Decree of the Federal Ministry for Technical and Economic Development and the Federal Ministry of Finance N° 66/1972 Coll. on the provision of land for the construction of family detached houses.

Section 145

Force

This act comes into force on October 1st, 1976.

* * *

SELECTED SPECIFICATION OF AMENDMENT

PART II ACT N° 437/2004 Coll.
Interim provisions

- (1) In the course of procurement and approval of a change in the regional plan approved the day on which this Act has entered into force, the Building Act in the wording of this Act shall be applied.**
- (2) On the day on which the generally binding decree of a regional office, by which the binding part of regional plan approved by the regional office has been declared, has entered into force, the regional plan approved by the State government shall not be applied for the area planned by it before the day on which this Act has entered into force.**
- (3) On the day on which the generally binding decree of a regional office, by which the change in the binding part of regional plan approved by the regional office has been declared, has entered into force, the regional plan approved by the State government shall not be applied for its part to be changed before the day on which this Act has entered into force.**

Act No 103/1990 Coll., amending the Economic Code, came into force on May 1st 1990.

Act of the Czech National Council No 425/1990 Coll., on district offices, their competencies, and on some other related measures, came into force on the day of municipality elections in 1990 (November 24th 1990); stipulation of the Sec. 20, par. 3 came into force on the day of its announcement (October 24th 1990).

Act No 262/1992 Coll., amending the act No 50/1976 Coll., on town & country planning and building regulations (the Building Act), as amended by the act No 103/1990 Coll., came into force on July 1st 1992.

Act No 43/1994 Coll., amending the act No 50/1976 Coll., on town & country planning and building regulations (the Building Act), as amended by the later regulations, came into force on the day of its announcement (March 21st 1994).

Act No 19/1997 Coll., on some measures related to the ban on chemical weapons and on amendment the act No 50/1976 Coll., on town & country planning and building regulations (the Building Act), as amended by the later regulations, the act No 455/1991 Coll., on trade enterprise (the Trade Act), as amended by the later regulations, and the act No 140/1961 Coll., the crown-law, as amended by the later regulations, came into force on the day of its announcement (February 26th 1997).

Act No 83/1998 Coll., amending the act No 50/1976 Coll., on town & country planning and building regulations (the Building Act), as amended by the later regulations, and on amendment of some other acts, came into force on July 1st 1998.

Findings of the Supreme Court published under the No 95/2000 Coll. came into force on December 31st 2000.

Findings of the Supreme Court published under the No 96/2000 Coll. came into force on the day of their announcement (April 21st 2000).

Act No 132/2000 Coll., on amendment and cancellation of some acts related to the act on administrative regions, to the act on municipalities, to the act on district offices, and to the act on the capital of Prague, came into force on January 1st 2001.

Act No 151/2000 Coll., on telecommunications and on amendments of other acts, came into force on July 1st 2000.

Act No 239/2000 Coll., on integrated rescue system and on amendments of some acts, came into force on January 1st 2001.

Act No 59/2001 Coll., amending the act No 50/1976 Coll., on town & country planning and building regulations (the Building Act), as amended by the later regulations, came into force on the day of its announcement (February 19th 2001).

Prime minister
Ing. Zeman
in his own hand

DECREE

of the Ministry for Regional Development
 N° 132/1998 Coll.
 as of 29 May, 1998
 on detailed specification of some Building Act stipulations

The Ministry for Regional Development stipulates in accordance with the Sec. 75, par. 2, Sec. 100, par. 6 and Sec. 143, par. 1, letters d) through g), i) and j) of the act N° 50/1976 Coll., on town & country planning and building regulations (the Building Act), as amended by the act N° 83/1998 Coll.:

Subject

Section 1

This decree specifies in details the procedures of

- a) planning permission proceedings,
- b) building permits proceedings for structures and their changes as well as the notification of them,
- c) permitting the landscaping that changes substantially the appearance of the environment or runoff conditions,
- d) notification regarding the information, advertising and promotional installations,
- e) staking-out the structures, landscaping and extraction works on the ground,
- f) final inspection of structures, changes in their use, necessary modifications, shoring and underpinning operations and structure demolitions,
- g) exercising the state building supervision,
- h) expropriation proceedings,
- i) remedies of natural catastrophes consequences and sudden breakdowns of structures.

Section 2

This decree shall be respected in cases of all types of structures regardless their

- a) constructional and technical character, e.g. in cases of buildings, underground structures, towers, pylons, silos, containers, reservoirs, crane tracks, under and over ground lines, stands, walls, fences,
- b) purpose, e.g. in cases of residential buildings, structures of public service, manufacture and storage structures, structures for transport, power distribution, water supplies, civil defence, leisure time activities.

PART ONE

PLANNING PERMISSION PROCEEDINGS

(as to the Sec. 35 and 39 of the Act)

Section 3

Application for planning permission

- (1) Application for planning permission shall contain
 - a) name (business name) and address (seat) of the applicant,
 - b) planning permission subject with a brief characteristics of the area and its up to date use,
 - c) list and addresses of all known participants in planning permission proceedings,
 - d) types and cadastre codes of all grounds in question according to the land register with the indication of ownership and other rights to them,
 - e) ground owner approval in cases of decisions on structure location, on land use and on partition or consolidation of plots, provided that the applicant has no ownership or other right to the ground in question and that the ground can not be expropriated (Sec. 38 of the Building Act, hereinafter only the Act),
 - f) data about the application's compliance with the planning documentation, if this was approved,
 - g) indications that the respective state administration authorities requirements, which had been set according to the specific regulations before the permission proceedings started, were met.
- (2) Information according to the par. 1, letter c) shall not be provided in cases of planning permission application according to the Sec. 36, par. 4 of the Act; information according to the par. 1, letter d) shall not be provided if the ground for a line structure, or for a large structure, with many participants in proceedings, or for a change in land use, can be expropriated.
- (3) The following documents shall be attached to the planning permission application
 - a) situation drawing of the present state of an area based on cadastre map, including land register ground codes, including the subject of planning permission drawn in with its location and implications (impacts) on its surrounding; if the application concerns a very large area, with many participants in proceedings, or a line structure, it shall contain also a map scaled 1:10 000 up to 1:50 000 indicating the wider implications (impacts) on the surrounding; the situation drawing and the map shall be attached in two copies; if the Building Office differs from the Municipality Office in the place, they shall be attached in three copies,
 - b) written materials on the discussions with planning permission participants over the application, if these discussions already took place, and decisions, standpoints, opinions, approvals, assessments, or other measures of the respective state administration authorities, which are required in accordance with the specific regulations.
- (4) Other attachments to the application for a structure location, depending on the place, type, extent and foreseen impacts of the structure, must, particularly, clearly show
 - a) the ground or its part which is to be built up, projected location of the structure on the ground, including its distances from the ground borders and from the neighbouring structures, and, if necessary, also the altitude indications (usually in the scale 1:500),
 - b) architectural and urban incorporation of the structure in the landscape, its appearance and its visual design,
 - c) operation data, possibly related to production, including the basic technical specification on the projected technologies and installations,
 - d) structure operation or production impacts on the environment, including the foreseen measures to be taken to prevent or minimise these negative effects, possibly the proposal to establish a protective zone (Sec. 35, par. 2 of the Act),
 - e) structure environmental impact assessment, if it is required by the specific regulations,1)

- f) structure demands regarding the water supplies, power, transport (including parking places), waste disposal, and the way of its connection to the area's existing technical infrastructure,
 - g) interference with the existing protective zones or preserved areas, defined inundation areas,
 - h) structure protection against the harmful impacts and effects, fitness of area's geological and hydro geological conditions,
 - i) building site extent and disposition,
 - j) non built up spaces arrangement and space to be planted and kept as green.
- (5) Application for a new use of an area shall contain, among other issues as already described in par. 1 and 3, also other materials and documents that must, particularly, clearly show
- a) reasons, ways, extent and consequences of a such new land use,
 - b) description of altitudes related to the projected changes, e.g. characteristic sections of the landscape shapes, which change substantially the appearance of the environment or runoff conditions (hereinafter only the „landscaping“),
 - c) the way of harmless drainage of the ground waters and protection of under ground waters, projected connections to the area's existing technical infrastructure,
 - d) environmental impact assessment, if it is required by the specific regulations,¹⁾
 - e) interference with the existing protective zones and preserved areas and defined inundation areas.
- (6) Application for an establishment of a new preserved area or a protective zone or a declaration of a building ban shall contain, among other issues as already described in par. 1 and 3, also other materials and documents that must, particularly, clearly show
- a) reasons and extent of the projected measures with the precise factual and area delimitation of the proposed bans or restrictions,
 - b) consequences and impacts of the projected measures on the function and spatial disposition of the area and the proposal of the necessary area technical and organisational measures to be taken,
 - c) foreseen period for which the projected measures shall last, or the statement that this term can not be foreseen in advance.
- (7) Application for a partition or consolidation of plots shall contain, among other issues as already described in par. 1 and 3, also indication of the projected changes in ground borders and access roads to the grounds drawn in a situation drawing [par. 3, letter a)].
- (8) If the Building Office gives a written notification that it is not going to issue any planning permission for the partition or consolidation of plots, because a measure [Sec. 32, par. 2, letter e) of the Act] shall be sufficient, it shall attach to this notification a verified situation drawing.

1) *Act No 17/1992 Coll., on the environment. Act No 244/1992 Coll., on the environmental impact assessment.*

Section 4 Decision on structure location

- (1) Decision on structure location shall contain
- a) name (business name) and address (seat) of the applicant,
 - b) type, function and brief description of the structure and its capacity,
 - c) types and land register cadastre codes of grounds, where the structure is to be located; area description in cases of line and very large structures,
 - d) specification of the building ground, prerequisites for the structure location on it and for elaboration of design documentation, including its extent and details of its elaboration,
 - e) decision on the objections of participants in planning permission proceedings,
 - f) decision's date of expiry if it is to stand more than two years.
- (2) Conditions, subject to which the structure may be located, specify, particularly, requirements on health protection, environment protection, protection of architectural and urban values of an area including the

determination of types and colours of the outer structure surfaces (roof, plasters, paints etc.), requirements on structure altitude and position location, distances from the ground borders and neighbouring buildings, connections to the existing technical infrastructure and access road, structure height, requirements related to the existence of neighbouring preserved areas and to opinions of the respective state administration authorities as well as the requirements on accessibility and availability for handicapped persons with a limited ability to walk and to orientate.

- (3) After the decision comes into force the Building Office shall hand over the verified documentation [Sec. 3, par. 3, letter a)] to the applicant and one of its copies to that Municipal Office, where the structure is to be located, provided that the Municipal Office and the Building Office are not the same.

Section 5 Decision on land use

- (1) Decision on land use shall contain
- a) name (business name) and address (seat) of the applicant,
 - b) types and land register cadastre codes of grounds, brief description of the way of area utilisation,
 - c) prerequisites for the new land use,
 - d) decision on the objections of participants in planning permission proceedings,
 - e) decision's date of expiry if it is to stand more than specified by law,
 - f) way of the area (landscape) arrangement after the permitted way of its utilisation expires, if it is not a permanent measure.
- (2) Decision on land use specifies, particularly, conditions for
- a) landscaping, e.g. filling, trenches, embankments, quarries, sand pits,
 - b) establishment, planting and substantial modifications of vineyards, forests, plantations and gardens, if the conditions have not been already defined by the land modifications approved,
 - c) establishment of playgrounds, storage and parking spaces.
- (3) Conditions of the new land use shall determine the way of the land arrangement, its drainage, connections to transport and distribution networks, requirements related to the existence of neighbouring preserved areas and to opinions of the respective state administration authorities, requirements on the protection of existing structures, green spaces etc.
- (4) After the decision comes into force the Building Office shall hand over the verified situation drawing and, possibly, the map [Sec. 3, par. 3, letter a)] to the applicant and one of its copies to that Municipal Office, where the projected measure is to be located, provided that the Municipal Office and the Building Office are not the same.

Section 6 Decision on preserved area or protective zone

- (1) Decision on preserved area or protective zone shall contain
- a) name (business name) and address (seat) of the applicant,
 - b) determination (demarcation) of areas or grounds according to the land register, where some kinds of activities are either restricted or prohibited due to air quality protection, protection against negative impacts resulting from operation of industrial or agricultural structures, protection of water sources and raw material deposits, mining structures, railways, telecommunications, airports, spaces dedicated to state defence and safety, distribution networks etc.,
 - c) protection conditions,
 - d) decision on the objections of participants in planning permission proceedings,
 - e) decision date of expiry if it is possible to be set in advance.

- (2) Protection conditions [par. 1, letter c)] shall contain, particularly, prohibition, restriction or way how to carry out constructions, mining works, plant and spray the trees, fertilise the soil, operate high-frequency devices; they shall also ensure realisation of the respective state administration authorities requirements etc.
- (3) If a preserved area or protective zone status is based on a legal regulation or decision given by the respective administration authority or by the government, the decision on preserved area or protective zone shall not be issued.
- (4) After the decision comes into force the Building Office shall hand over the verified situation drawing and, possibly, the map [Sec. 3, par. 3, letter a)] to the applicant and one of its copies to that Municipal Office, where the projected measure is to be located, provided that the Municipal Office and the Building Office are not the same.

Section 7

Decision on building ban

- (1) Decision on building ban shall contain
 - a) name (business name) and address (seat) of the applicant,
 - b) determination of areas or grounds according to the land register, where the building ban or building restrictions are applicable,
 - c) extent of the ban or restrictions, especially, if these can block the future utilisation of an area or its arrangement according to the planning documentation being elaborated,
 - d) decision on the objections of participants in planning permission proceedings,
 - e) decision's date of expiry if it is possible to be set in advance.
- (2) Maintenance works can be neither prohibited nor restricted by the decision on building ban.
- (3) After the decision comes into force the Building Office shall hand over the verified situation drawing and, possibly, the map [Sec. 3, par. 3, letter a)] to the applicant and one of its copies to that Municipal Office, where the projected measure is to be located, provided that the Municipal Office and the Building Office are not the same.

Section 8

Decision on partition or consolidation of plots

- (1) Decision on partition or consolidation of plots shall contain
 - a) name (business name) and address (seat) of the applicant,
 - b) determination of areas or grounds according to the land register, where the changes shall be made,
 - c) conditions for the partition or consolidation of plots.

After the decision comes into force the Building Office shall hand over the verified situation drawing [Sec. 3, par. 3, letter a)] to the applicant.

PART TWO

BUILDING REGULATIONS

DIVISION ONE CARRYING OUT THE CONSTRUCTIONS

(as to the Sec. 44 through 47 of the Act)

Section 9

- (1) Professional leadership of the construction process (Sec. 44, par. 2 and Sec. 46a, par. 2 of the Act) means
- a) such a management, manner and technique of construction process that can ensure labour safety and health protection, safe installation and operation of technical equipment on the site, construction site order and construction materials storage, their applicability, professional treatment of machines and equipment and avoidance of environment risk,
 - b) responsibilities for the spatial location of a structure that must match the structure documentation, for respecting the general technical construction requirements and general technical requirements ensuring the structure utilisation by handicapped persons with a limited ability to walk and to orientate, and for other technical standards, and further, the shared responsibility for respecting the conditions of decisions and permissions issued on the structure (particularly the planning permission and the building permit),
 - c) co-operation in remedying the imperfections found on the structure and notifying the Building Office about such imperfections, if their remedy can not be made within the construction professional leadership process.
- (2) Professional supervision over the construction process (Sec. 44, par. 3 of the Act) means the responsibility and co-operation in accordance with the par. 1, letters b) and c), and further also the supervising
- a) the manner and way of construction process, especially regarding the safety character of installations and operation of building site technical equipment, the convenience of construction materials and stuffs storage and usage,
 - b) the way of simple recording construction activities and progress.

DIVISION TWO NOTIFICATION AND PERMITTING STRUCTURES AND THEIR MODIFICATIONS

(as to the Sec. 57 of the Act)

Notification of minor structures, modifications and maintenance works

Section 10

- (1) Notification of minor structure contains
- a) name (business name) and address (seat) of the developer,
 - b) purpose, extent and site of the structure, simple technical description of its implementation,
 - c) type and code of the ground according to the land register,
 - d) information on the subject, which is to carry out the construction, and information, whether the neighbouring grounds are foreseen to be utilised during the construction process, according to the opinions of neighbouring grounds owners,
 - e) documents and opinions required according to the Sec. 57, par. 4 of the Act.

- (2) Notification of the minor structure shall be supplemented with the proof of the ownership or of other right related to the ground concerned, and by a simple site sketch according to cadastre map with an indication of the structure location on the ground, borders with the neighbouring grounds and structure locations thereon. If the Municipal Office in the place is not competent to accept the notification, the sketch shall be submitted in two copies.

Section 11

- (1) If the Building Office agrees on the notified minor structure, it shall keep one of the sketch copies for its internal use while the second shall be sent to the respective Municipal Office. The same shall apply, if the consent with the notified minor structure is assumed (Sec. 57, par. 2 of the Act).
- (2) Information provided by the Building Office according to the Sec. 57, par. 2 of the Act, does not stand for decision, standpoint, assessment, approval, opinion or other measure of the respective state administration authority required by a specific regulations; this fact shall be expressly explained to the developer by the Building Office.

Section 12

- (1) Notification of the modifications and maintenance works contains
 - a) the information about the structure subject to modification or maintenance,
 - b) the extent and purpose of the works with a simple technical description.
- (2) The notification shall be supplemented with
 - a) a proof of the ownership or of other right related to the structure concerned or by an alternative declaration on word of honour,
 - b) a written agreement with the structure owner, if the modification or maintenance is to be made by a tenant,
 - c) an assessment of the National Preservation of Monuments Office, if the structure, subject to modifications or maintenance, is a cultural monument or is situated in the area preserved as cultural monument.²⁾

2) *Sec. 14 of the act No 20/1987 Coll., on the national preservation of monuments.*

Section 13

- (1) When assessing, whether the minor structure, modification or maintenance works can be made upon the notification, particularly the location, constructional and technical design, purpose of the structure and its impact on the environment shall be taken into account. These measures are carefully observed especially in cases of minor structures or modifications, which include operational, manufacturing or technical installations.
- (2) In cases of minor structures, modifications and maintenance works where the Building Office stipulates that they are subject to the building permit, the following information according to the Sec. 10 and 12 shall be added:
 - a) simple structure or modification technical drawings indicating the modification in the structure documentation copy approved by the Building Office; this is not applicable in cases of maintenance works,
 - b) situation and construction drawings of the building site, if it is to be established,
 - c) other documents required by the Building Office that are necessary for a proper assessment in the building permit proceedings.

Section 14

Maintenance works that do not require a prior notification to the Building Office are particularly:

- a) repairs of facades and interior plasters, wall tiles, floors and pavements, replacements and repairs of roofing, repairs of flat roof surfaces, chimneys, repairs of internal installations, replacements, repairs and paints of metal roof parts, gutters and drainpipes, repairs of windows and doors and their paints, replacements of doors and windows and repairs of fences, if they do not change the structure appearance,
- b) replacements of non-essential structure construction parts,
- c) repairs of central heating systems, ventilation and air conditioning and lifts, if carried out by authorised persons,
- d) replacements of the fixed or built in equipment (e.g. kitchen units, bath-tubs) and of other common structure equipment,
- e) works described by the specific regulations.³⁾

3) *Sec. 15 of the decree No 104/1997 Coll., which is executive for the Act on the ground roads.*

Application for building permit
(as to the Sec. 54, 58 and 60 of the Act)

Section 15

An application for building permit shall be submitted for

- a) a stand alone structure or its alteration,
- b) a block of structures including a building site establishment,
- c) individual structures of a block according to the letter b), if they can be, after their completion, operated individually,
- d) related translations of technical infrastructure lines and for temporary building site structures.

Section 16

(1) A building permit application shall accordingly contain:

- a) name (business name) and address (seat) of the developer,
- b) type, purpose, and structure place, foreseen date of the structure completion and, in case of temporary structure, the time of its existence,
- c) construction ground cadastre codes and types, possibly also of those grounds that are to be used for building site establishment, (e.g. part of the public spaces), and further the neighbouring grounds cadastre codes and codes of the structures thereon, with the identified ownership or other rights according to the land register,
- d) name (business name), address and authorisation of the structure design maker and the way of structure construction (external, do-it-yourself),
- e) structure basic specification, its disposition, technical and manufacturing installations, future operation and its impact on the health and environment and the related measures,
- f) list of the building permit proceedings participants with their addresses, if known to the developer; in cases of line structures and large structures with a very high number of building permit proceedings participants, the list and addresses shall not be provided,
- g) estimated costs of the construction including the technological equipment.

(2) The application shall be supplemented with

- a) a proof showing that the developer is an owner of the land or the structure or that he/she has another right to the land or the structure entitling him/her to erect the required structure on the land, to perform the structural modification or the maintenance works on it.
- b) structure documentation (design) in two copies; if the Municipal Office in the place is not a Building Office, in three copies; if the developer is not a structure owner, another structure documentation copy shall be attached,
- c) written materials on the discussions with building permit participants over the structure, if these discussions already took place, and decisions, standpoints, opinions, approvals, assessments, or

other measures of the respective state administration authorities, which are required in accordance with the specific regulations,

- d) planning permission, if it has been issued by different authority than the Building Office competent for the structure building permit,
- e) declaration of an authorised person on his/her readiness to make the professional leadership of the construction (Sec. 44, par. 2 of the Act), or declaration of a person who shall make the professional supervision over the construction, if the developer himself/herself is not authorised to do it (Sec. 44, par. 3 of the Act) when carrying out the construction in do-it-yourself way.

Section 17

In cases of structures with an unusual constructional process applied, or with an unusual technological design used, or where a unique technological equipment is to be installed, which can not be compared to any well-known and tested system and therefore the negative impacts of its operation on the environment and human health can not be assessed reliably, the building permit application shall be supplemented with an assessment of a specialised institute, university, college or expert. Such assessment need not be submitted, if the environmental impact can be assessed according to the specific regulations.¹⁾

1) *Act No 17/1992 Coll., on the environment, act No 244/1992 Coll., on the environmental impact assessment.*

Section 18

(1) Structure documentation (design) submitted for the building permit proceedings shall contain particularly:

- a) a summary report with an additional information to the specification in the building permit application and with an information on the results of surveys and measurements made and on the compliance with the decision on the structure location, if this exists; moreover, this report must clearly show
 - 1. urban, architectural and technical-constructional design of the structure, its constructional parts and constructional materials used, particularly, bearing in mind their compliance with the general technical construction requirements including utilisation of the structure by handicapped persons with a limited ability to walk and to orientate,
 - 2. fire protection concept,
 - 3. demands regarding the water supplies, power, transport (including parking places), waste disposal, and the way of its connection to the existing technical infrastructure,
 - 4. information on the overhead and underground structures (including the infrastructure networks) on the building ground and the neighbouring grounds and information on the existing protective zones,
 - 5. in cases of structures with operational, manufacturing, or technological equipment, the specification of such an equipment, storage conception, in house transport a handling spaces design, maintenance and repairs, possibly, the start up testing operation requirements after the construction completion,
 - 6. data giving evidence of its compliance with the conditions set for the structures located on the undermined grounds,
 - 7. compliance with the specific regulations requirements,
 - 8. disposition of the construction site and safety precautions, if the construction works are carried out under exceptional conditions,
 - 9. compliance with the respective state administration authorities conditions set according to the specific regulations,
 - 10. labour safety and safety of technical equipment operation, both in the course of construction and in the future structure utilisation,
- b) global structure situation (building plan drawing) scaled usually 1 : 200 through 1 : 500 with the grounds borders indication and with grounds codes according to the land register, including the neighbouring grounds and existing structures thereon, underground technical infrastructure networks, projected connection points to the networks, staking-out plans or necessary geometrical

specification, and possibly, other drawings accordingly to the structure's character and complexity, including the protective zones; in cases of line structures, their route indication in maps 1 : 10 000 or 1 : 50 000,

- c) structural and civil engineering drawings that clearly show the present and projected state, particularly in a form of ground plans, sections, projections (usually 1 : 100) containing the individual construction types and structure elements (e.g. basements, bearing constructions, staircases, roofs), chimneys, structure's horizontal and vertical disposition with all its spaces and their function, schematic sketch of internal distribution lines (water, air, fire water, high voltage, low voltage, gas, steam etc.), technological installations (boiler rooms, lifts etc.), arrangements required for the specific reasons like civil defence, fire protection, utilisation by handicapped persons with a limited ability to walk and to orientate; in cases of operational, manufacturing or technological facilities, the building drawings with the location of machines and equipment and with the in-house roads and communications,
 - d) surrounding environment project and green spaces protection plan for the time of the structure's construction.
- (2) If the developer applies for the building permits of individual structures from a large block of structures one by one, the design documentation of the first structure shall contain the global situation (building plan drawing) of the block, including the building site establishment.
- (3) Global structure situation and leading construction drawings (particularly ground plans, sections, street face projections) shall be printed so that the print quality can persist.
- (4) In cases of simple structures and temporary objects of the building site establishment, the design documentation extent and contents may be reasonably reduced after the prior agreement of the Building Office.

Building permit (as to the Sec. 66 of the Act)

Section 19

Building permit shall contain

- a) name (business name) and address (seat) of the developer,
- b) type and purpose of the structure or its alteration,
- c) land register codes of the grounds where the structure is to be permitted,
- d) conditions of the construction, possibly also of the structure utilisation, and demolition or removal,
- e) decision on the objections of participants in building permit proceedings.

Section 20

- (1) Building permit conditions [Sec. 19, letter d)] shall
- a) determine the structure location on the ground, if the decision on structure location is combined with the building permit,
 - b) protect the public priorities, particularly human health and environment,
 - c) ensure the compliance with the respective technical regulations and accessibility for the handicapped persons with a limited ability to walk and to orientate,
 - d) specify the deadline of the structure completion,
 - e) ensures that the requirements of the respective state administration authorities are respected, if not specified in a form of administrative decisions, possibly also requirements of the infrastructure network owners when connecting to their networks,
 - f) nominate the person who is responsible for the construction's professional leadership and for the professional supervision over the construction, if the structure is to be built by do-it-yourself method (Sec. 44, par. 2 and 3 of the Act).

- (2) The conditions of the building permit shall, further, specify
- a) submitting of detailed documentation prior to the construction start up, so that the conditions of the construction can be verified in the course of construction process,
 - b) notification of certain stages of the construction, so that the state construction supervision can be executed,
 - c) presentation of documents, specialised reports, measurements and assessments,
 - d) more detailed requirements on the construction process, especially as to its complexity and smooth progress, connections to the infrastructure networks, ground roads and railways, drainage of rain water, arrangements of the structure surrounding and conditions of the green spaces protection, possibly their relocation,
 - e) specification of the necessary areas of the grounds that should be used as a part of building site,
 - f) details of the measures to be taken on the neighbouring grounds or structures (Sec. 135 of the Act),
 - g) presentation of the static report,
 - h) information about the structure maker name (business name) and address,
 - i) the duty to place and display a descriptive label of the building site (Sec. 21, par. 2).

Section 21

- (1) The Building Office, after the decision comes into force, shall send a copy of the certified design documentation to the developer, to the Municipal Office where the structure is to be located, if it is not a Building Office itself, and to the structure owner, if different from the developer. One copy of the design documentation shall be kept by the Building Office for its internal need.
- (2) After the building permit comes into force, the Building Office shall give to the developer a descriptive label with the construction identification information on the structure, developer, way of construction (external or do-it-yourself), structure maker, if known, persons responsible for the professional leadership of the construction process and for the professional supervision, which authority and when permitted the construction, and the construction completion deadline. Large constructions may be identified by a descriptive board with the information from the descriptive label.

Section 22

Application for structure alteration before its completion
(as to the Sec. 68 of the Act)

- (1) Application for structure alteration before its completion shall contain
- a) name (business name) and address (seat) of the developer,
 - b) identification information about the structure to be altered,
 - c) description of alterations and modifications comparing them to the building permit and certified design documentation,
 - d) reasons for the proposed alterations,
 - e) impact of this alteration on the structure accessibility and utilisation by the handicapped persons with a limited ability to walk and to orientate.
- (2) The application shall include
- a) situation drawing, if the outer ground plan shape or height levels of the structure change,
 - b) design drawings of a detail level according to the nature of the alteration, signed by the person authorised for designing such alterations [Sec. 16, par 1, letter d)],
 - c) summary report with information according to the Sec. 18, par. 1, letter a), accordingly to the nature of the alteration,
 - d) proofs of the state administration authorities opinions, those, whose interests will be affected by this alteration.
- (3) If such an alteration is minor, comparing it to the certified design documentation (e.g. if neither location, ground plan, height levels, purpose, construction nor arrangement changes), it may be, after Building Of-

fic's approval, indicated in the certified design documentation and discussed in the course of the structure's final inspection (Sec. 78, par. 2 and Sec. 81, par. 4 of the Act).

- (4) The previous stipulations shall be applied, accordingly, also in cases of applications for change of the building permit conditions.

DIVISION THREE

PERMIT FOR LANDSCAPING AND NOTIFICATION OF INFORMATION, ADVERTISING AND PROMOTIONAL INSTALLATIONS

(as to the Sec. 71 through 73 of the Act)

Application for the landscaping permit

Section 23

- (1) Application for the landscaping permit shall contain
- a) name (business name) and address (seat) of the applicant,
 - b) type, purpose, place and foreseen time of the landscaping activities,
 - c) types and land register codes of the grounds subject to landscaping with indication of the ownership or other proprietary rights to the grounds,
 - d) time schedule of the landscaping activities,
 - e) information on the persons who made the design and who will carry out the landscaping,
 - f) list and addresses of the participants to the proceedings, if known to the applicant.
- (2) Information according to the par. 1, letter c) and f), may be replaced by attachments to the application.

Section 24

The landscaping permit application shall be supplemented with

- a) proof of the applicant's ownership or other proprietary right to the ground subject to landscaping,
- b) required documentation in two copies; if the Municipal Office in the place is not a Building Office, in three copies,
- c) written materials on the discussions with landscaping permit participants over the landscaping, if these discussions already took place, and decisions, standpoints, opinions, approvals, assessments, or other measures of the respective state administration authorities, which are required in accordance with the specific regulations,
- d) planning permission, if it has been issued by a different authority than the Building Office competent for the permit issuance.

Section 25

- (1) Landscaping documentation includes
- a) information on compliance with conditions of the planning permission on the land use, or also with other decisions that are necessary for the landscaping permit according to the specific regulations, information on the foreseen impacts of the landscaping on the surrounding, technical description of the method and schedule of works, specification of fill volumes, place and deposit of the mass extracted, specification of mass compacting and its surface arrangement,
 - b) situation drawing according to the cadastre map, and possibly also photographs showing the present state of the area subject to landscaping with identification of the grounds affected by the landscaping, including identification of the protective zones, preserved areas, inundation areas and existing structures; accordingly to the nature of landscaping, also the characteristic cross sections showing the height levels shall be attached,
 - c) staking-out drawings; in cases of technically simple landscaping, the required specification of geometry indicating the position and height in the situation drawing would be sufficient.

- (2) In cases of technically simple landscaping with no negative impacts on the real estates or elsewhere, the Building Office may accept instead of documentation, a brief description of the landscaping method and schedule together with its situation sketch.

Section 26

- (1) Stipulations of Sec. 23 through 25 shall be applied reasonably also to the works and facilities (Sec. 71, par. 1 of the Act) and for their changes and for the changes of the already approved landscaping.
- (2) Stipulations of Sec. 19 and 20 shall be applied reasonably to the landscaping, works and facilities permits (Sec. 71, par. 1 of the Act).

Notification regarding the information, advertising and promotional installations

Section 27

- (1) The notification regarding the information, advertising and promotional installations (hereinafter in this division only the „installations“) shall contain
- a) name (business name) and address (seat) of the notifying person,
 - b) type, purpose and life time of the installation,
 - c) identification of the structure or ground, where the installation is to be placed, and its owner's name (business name) and address (seat).
- (2) The notification shall be always supplemented with
- a) two copies of the installation design in an appropriate scale and in colours; if the Municipal Office in the place is not a Building Office, in three copies,
 - b) a proof of the notifying person's right to place such installation on the ground or the structure.
- (3) If it is found necessary with respect to the installation location or constructional design, the following documents and information shall be provided
- a) sketch or photograph of the real estate, possibly of its surrounding, showing the installation's applicability and fitness in the space required,
 - b) description of the constructional design, particularly focusing on the safety and materials used; if the installation is illuminated, also the way of its connection to power, and information whether for the installation implementation phase an approval for public space utilisation will be required,
 - c) documents and reports on the negotiations with the state administration authorities, owners (administrators) of the ground roads and technical infrastructure networks, if such negotiations already took place, and decisions, opinions, reports, assessments, approvals, or other measures of the respective state administration authorities required according to the specific regulations,
 - d) information on the impacts of the installation operation on the other persons' rights, e.g. dazzle effects, shielding the light, noise etc. Further, information on the installation's impact on the accessibility and utilisation of structures by handicapped persons with a limited ability to walk and to orientate.

Section 28

- (1) If the Building Office states in writing that there are no objections against the installation, it shall attach to this statement the certified installation design [Sec. 27, par. 2, letter a)]. The Building Office shall give a copy of the statement with certified design to the respective Municipal Office.
- (2) In cases of installations subject to the building permit as replied by the Building Office to their notification and in cases of installations subject to building permit (Sec. 71, par. 4 of the Act), the information and attachments according to the Sec. 27 shall be completed by further details required for the Building Office assessment procedure.

DIVISION FOUR STRUCTURE AND LANDSCAPING STAKING-OUT

(as to the Sec. 75 of the Act)

Section 29

- (1) The staking-out is carried out according to staking-out drawings in conformity with the planning permission, the building permit or the landscaping permit.**
- (2) The staking-out works and the fixed points setting shall be reported in a staking-out record by the person who carried out these works and this record must be certified according to the specific regulations.⁴⁾**

4) Act No 200/1994 Coll., on geodesy and on changes and amendments of some regulations related to its entry into force.

DIVISION FIVE FINAL INSPECTION

Final inspection proceedings
(as to the Sec. 79 through 81 of the Act)

Section 30

- (1) Application for the final inspection decision shall contain**
 - a) name (business name) and address (seat) of the applicant,**
 - b) identification and place of the structure,**
 - c) date and reference number of the building permit, possibly also the permit of structure alteration before its completion,**
 - d) foreseen date of structure completion,**
 - e) date of the complete clean up of the building site and completion of the structure surrounding arrangements,**
 - f) information on the foreseen testing operation and its duration, if applicable.**
- (2) The application for the final inspection decision may be, according to need, appended by**
 - a) description and reasons for deviations from the planning permission and the building permit,**
 - b) in cases of structures where the geodetic works are executed by an officially authorised geodesy engineer,⁴⁾ the proof of ensuring a complex geodetic works documentation (for underground technical infrastructure networks before they are covered),**
 - c) geometrical plan according to the land register regulations; this plan need not be appended, if the outer ground plan shape is preserved, and in cases of minor structures,**
 - d) in cases of structures with implemented nuclear installation, approval of the State Office for the Nuclear Safety in accordance with the specific regulations,**
 - e) documents and reports on the negotiations with the state administration authorities, if such negotiations already took place, and decisions, opinions, reports, assessments, approvals, or other measures of the respective state administration authorities required according to the specific regulations, including the proofs showing compliance with sound living environment requirements.**

Section 31

- (1) The following materials shall be provided for the meeting connected with a local inquiry**
 - a) structure staking-out documents (Sec. 29),**

- b) proofs of the required tests and measurements results and of the installation's capability of smooth and safe operation, testing operation report, if obligatory (Sec. 84 of the Act), possibly the report on a complex testing and verification performed,
 - c) design documentation certified by the Building Office in the course of building permit proceedings or alteration permit proceedings before the structure completion,
 - d) drawings with changes occurring in the course of construction; these changes may be incorporated in the Building Office certified design documentation on the basis of the final inspection decision, if the building permit proceedings on the changes were joined with the final inspection,
 - e) protocol on the structure hand over and taking, if registered,
 - f) documents proving the required products characteristics (Sec. 47 of the Act) and other documents according to building permit conditions.
- (2) In cases of minor and simple structures, particularly in cases of structures where the developers are natural persons, and these structures are not intended for entrepreneurial activities according to the specific regulations, the formal requirements on the application for the final inspection decision and its appendixes may be reasonably simplified.

Section 32

- (1) The Building Office shall write down a protocol on the meeting and inquiry, including particularly
- a) structure's identification,
 - b) certification that all planning permission and building permit conditions were met, that the general technical construction requirements were observed (Sec. 138a of the Act), and that the accessibility and utilisation for handicapped persons with a limited ability to walk and to orientate was ensured according to the planning permission and building permit conditions,
 - c) confrontation of the actual implementation of the finished structure with the Building Office certified design documentation and summary of the deviations found, defects and imperfections, possibly a reference to the materials for the final inspection decision,
 - d) found defects on the structure menacing the public priorities or disabling proper and untroubled utilisation of the structure for its purpose,
 - e) opinions of the respective state administration authorities and objections of the proceedings participants.
- (2) The protocol according to par. 1 may be substituted with a brief record, especially in cases of structures completed in conformity with the certified design documentation and without objections of the proceedings participants.

Section 33

If the Building Office, in case of additional building permit or necessary modifications instructions, stipulates that the permitted landscaping, and information, advertising and promotional installations are subject to final inspection, these division stipulations are applicable in a reasonable extent.

Section 34

Final inspection decision

(As to the Sec. 76, par. 2 and Sec. 82 of the Act)

- (1) The final inspection decision shall contain
- a) name (business name) and address (seat) of the applicant,
 - b) structure identification,
 - c) definition of the structure's utilisation purpose,
 - d) conditions for the structure utilisation,
- (2) Conditions for structure utilisation may, accordingly to the structure's nature, contain

- a) manner of the imperfections indication, which the Building Office recognised, in the certified design documentation,
- b) obligations to ensure the protection of public priorities, or the participants' rights and interests, particularly regarding the safety of human life and health, environment, hygiene and fire protection.

Change in structure use
(as to the Sec. 85 of the Act)

Section 35

- (1) Application for the decision on the structure's utilisation change, which does not mean the structure's alteration, shall contain
 - a) name (business name) and address (seat) of the structure's owner,
 - b) structure identification,
 - c) description of the new way of structure utilisation.
- (2) The application shall be appended by
 - a) documentation showing the existing and the new way of individual spaces utilisation; in cases of older structures, where the documentation was not preserved, the structure's passport may be submitted instead (Sec. 45, par. 2),
 - b) proof of the structure's ownership, or possibly the structure's owner agreement on the changed way of its utilisation, if the applicant is not the owner,
 - c) written materials on the discussions with the state administration authorities and with proceedings participants over the application, if these discussions already took place, and decisions, standpoints, opinions, approvals, assessments, or other measures of the respective state administration authorities, which are required in accordance with the specific regulations,
 - d) final inspection decision, possibly the building permit showing clearly what the approved purpose of the structure is, or a document according to the Sec. 45, par. 5.
- (3) The Building Office's decision on the structure utilisation change, which is not subject to the structure's alteration, shall contain particularly
 - a) structure identification,
 - b) definition of the new way of structure utilisation,
 - c) conditions of the new way of utilisation protecting the public priorities, rights and justified interests of participants, and accessibility and utilisation by handicapped persons with a limited ability to walk and to orientate.

Section 36

- (1) Contents of the application for the structure alteration subject to the change of its utilisation is similar to the building permit application (Sec. 16 through 18); however, there shall be specified the change in utilisation, which will be applied for in the final inspection application related to the finished structure alteration.
- (2) If the utilisation change is subject to the structure alteration (Sec. 85, par. 2 and Sec. 139b, par. 3 of the Act), the verdict of the final inspection decision shall specify the new structure utilisation purpose.

DIVISION SIX NECESSARY MODIFICATIONS AND STRUCTURE REMOVAL

Section 37 Necessary modifications (as to the Sec. 87 of the Act)

- (1) Necessary modifications to the structure or building ground represent particularly
 - a) modifications related to the traffic safety (e.g. construction of archways, passages, construction of slantwise house corners), state defence (e.g. construction of air-raid shelters), and fire protection (e.g. fire protection technical installations),
 - b) modifications ensuring that the structure or its facilities will not menace the sound life conditions, or the environment, particularly by excessive noise, smell, air pollution, quakes, vibrations, and electromagnetic field,
 - c) structure's connection to the technical infrastructure network,
 - d) modifications that eliminate the structure's imperfections related to the hygiene, safety, fire protection, operation, and aesthetics, and which will equip the structure with the sanitary, or other hygiene and public facilities,
 - e) removal or modification of the structure's parts (e.g. walls, roofs, verandas) shielding free light and air access to the structures or causing other troubles,
 - f) modifications improving the rain water drainage.
- (2) Contents of the design documentation and of the other materials are governed, appropriately, by the stipulations of this decree on structures permitting, landscaping, and possibly structure removals.

Section 38 Application for structure removal permit (as to the Sec. 88 of the Act)

- (1) Application for structure removal permit contains
 - a) name (business name) and address (seat) of the applicant,
 - b) type, purpose, place and identification of the structure,
 - c) reasons of the structure removal, starting date and date of the removal works completion,
 - d) name and seat of the authorised person, who will carry out the removal; if the owner wants to remove the structure by himself/herself, he/she shall provide the name and address of the person, who will perform the professional leadership or professional supervision over the removal and demolition works,
 - e) information on the possible use of explosives for the demolition works,
 - f) information on the treatment of the rubble and its storage or disposal place,
 - g) list and addresses of the participants to the proceedings, if known to the applicant,
 - h) information on how the compensatory flats, accommodation or spaces are reserved for the existing occupants,
 - i) information on the foreseen utilisation of the empty ground,
 - j) proposal of measures to be applied to the neighbouring structure or ground, if the demolition works are to be performed on them or if they are to be used somehow.
- (2) The application for the structure removal permit shall be appended by
 - a) proof of the structure or ground ownership or other proprietary right,
 - b) technological method description, possibly also the necessary ground modifications drawings,
 - c) written materials on the discussions with the state administration authorities and with proceedings participants over the application, if these discussions already took place,
 - d) in cases of structure removals, which will not be performed by an authorised person, also the declaration of a qualified person liable for the professional leadership or professional supervision over the demolition works, if the owner is not authorised himself/herself for this supervision,

- e) **opinions or decisions of the respective state administration authorities required according to the specific regulations; in cases of structures with implemented nuclear installation, approval of the State Office for the Nuclear Safety in accordance with the specific regulations.**
- (3) If the structure to be removed is a national cultural monument, the application shall contain also the photo documentation, design drawings, or other materials (e.g. geodetic or models).**

Section 39
Decision on structure removal
(as to the Sec. 90 of the Act)

- (1) Decision on structure removal shall contain**
- a) **information on the place and purpose of the structure and on the person who is ordered or allowed to carry out the removal,**
 - b) **term for the removal,**
 - c) **conditions for the structure removal,**
 - d) **decision on the objections of the proceedings participants.**
- (2) Conditions for the structure removal shall particularly fix**
- a) **the observation of general technical construction requirements and other technical standards,**
 - b) **the observation of respective state administration authorities requirements,**
 - c) **the observation of rights and legally protected interests of the proceedings participants,**
 - d) **that the demolition works will be performed by an authorised person; in cases of structures demolished by do-it-yourself method, name of the person liable for professional leadership of the works or for the professional supervision over the demolition shall be provided.**
- (3) Conditions of the structure removal decision, according to the nature of the structure, shall contain**
- a) **obligation to announce certain stage of the works so that the state building supervision could be performed,**
 - b) **details of the measures to be taken on the neighbouring grounds or structures (Sec. 135 of the Act),**
 - c) **method and schedule of the demolition works, particularly due to the static and safe utilisation of the neighbouring structures, traffic on the adjacent roads etc.,**
 - d) **obligation to reclaim the ground after the structure removal, arrange the proper rain water drainage, plant the trees etc.,**
 - e) **obligation to hand over the structure documentation for archiving and filing purposes.**

Section 40
Shoring and underpinning order
(as to the Sec. 94 of the Act)

- (1) Decision on shoring and underpinning shall contain particularly**
- a) **name (business name) and address (seat) of the structure's owner,**
 - b) **obligation to carry out the shoring and underpinning works and their deadline,**
 - c) **conditions limiting the type, extent and method of the shoring and underpinning works,**
 - d) **conditions for protection of the public priorities and for the protection of rights and legally protected interests of the proceedings participants,**
 - e) **information about the necessary area of the neighbouring grounds and structures to be used during the shoring and underpinning operations, and the obligation of their owners to tolerate the exercise of these works from their real estates, possibly, to tolerate a temporary constructions' location and parking of machines.**
- (2) If the Building Office orders a corporate body or a natural person, who is authorised for construction works (Sec. 94, par. 2 of the Act), to carry out the shoring and underpinning, the decision shall contain, among other facts according to the par. 1, also**
- a) **name (business name) and address (seat) of the person liable for the shoring and underpinning,**

- b) obligation of the structure owner to tolerate the shoring and underpinning,
- c) the way of shoring and underpinning costs payment.

Section 41
State building grant
(as to the Sec. 95 of the Act)

- (1) Application for the state building grant shall contain the description of the grant purpose, amount required and application reasons.
- (2) The application shall be appended by
 - a) proof of the structure ownership,
 - b) the Building Office decision ordering for public benefit the necessary modifications, shoring and underpinning or structure removal,
 - c) a proof showing the reasonable costs of the ordered shoring and underpinning performed.
- (3) Decision by the Building Office that grants the state building grant shall contain particularly
 - a) information on the grant purpose and the works completion date, unless specified by another decision of the Building Office,
 - b) reservation to refund the grant or its part, if the real estate is sold in ten years after the grant provision,
 - c) conditions for the grant pay,
 - d) dealing conditions for the bank that mediates the grant pay.
- (4) Decision on the state building grant shall be sent to the land register office in the place for registering this fact in the land register book.

DIVISION SEVEN STATE BUILDING SUPERVISION

Section 42
State building supervision activities
(as to the Sec. 98 of the Act)

The state building supervision shall, particularly, find out whether

- a) the construction goes with the building permit or with other Building Office decision and complies with it,
- b) the construction works are performed by authorised persons, the construction works are made in a professional way, and whether the professional leadership or the professional supervision is performed,
- c) there is the Building Office's certified design documentation on the building site together with all necessary documents for the structure construction, and whether the site diary or the simple records about the construction are kept properly,
- d) there are no illegal restrictions on the road traffic or public spaces utilisation during the construction, the accessibility and utilisation by handicapped persons with a limited ability to walk and to orientate is respected, whether there is no excessive pollution of the structure surrounding, or plants destroyed, or environment quality deteriorated, and whether the rights and legally protected interests of the neighbouring structures or grounds owners are not unacceptably restricted,
- e) the labour safety and safe operation of the technical equipment is secured as well as the fire protection, building site illumination, safe access to the building site, and whether the building site is properly fenced and ordered,
- f) the general technical construction requirements are respected (Sec. 138a of the Act) as well as other technical standards,

- g) the structure is used for the stated purpose and whether its utilisation does not affect the environment in a negative way,
- h) a proper structure maintenance is performed,
- i) the date of expiry or the stated purpose of temporary structures is not over,
- j) the Building Office permit or the structure removal order conditions are respected,
- k) the structure removal is performed by an authorised person (Sec. 44 of the Act), and whether the professional leadership of the construction or the professional supervision over the works and human safety is performed,
- l) the neighbouring objects are not menaced by the structure removal, and whether the necessary measures to protect them were implemented,
- m) the specified tests are made,
- n) the landscaping or the information, advertising and promotional installations are not made or erected without the required decision or notification.

Section 43
Building site diary
(as to the Sec. 100 of the Act)

- (1) The building site diary shall be kept from the date, when the works on the building site according to the Building Office certified design documentation were started. The building site diary keeping ends on the date, when the defects and imperfections specified in the final inspection decision have been remedied.
- (2) The building site diary shall include all the records about the important facts related to the construction process, particularly the time schedule of the works, deviation from the Building Office certified design documentation or from the conditions of building permit or other decision or measure, possibly other necessary information for the Building Office or other state administration authorities to be able to verify the works performed, e.g. outside temperature influencing the construction works, especially the wet processes, weather (e.g. rain) during the earthworks and landscaping etc.
- (3) It should be only exceptional that the daily records are recorded the next working day. In cases of technically simple constructions or minor works, where the Building Office specified so in the building permit conditions, the daily records may be substituted by one record per 7 days at maximum. The building site diary need not be kept for alterations, minor structures and maintenance works for which the Building Office notification was sufficient and for which the Building Office did not specify the necessity of a building permit (Sec. 57, par. 1 of the Act).
- (4) The developer shall be storing the building site diary original taken from the structure maker for the time legally specified. The building site diary shall also include the records on the remedy of defects and imperfections revealed by the final inspection decision (Sec. 82, par. 2 of the Act).

Section 44
Measures when exercising state building supervision
(as to the Sec. 102 of the Act)

The instance of the state building supervision may be registered in the building site diary or in the simple construction records, or it may be expressed by a written notification or written in the protocol. The instance shall contain a brief description of the defects found, method and term for their remedy, notice explaining the implications of not obeying the instance, name, surname and signature of the supervising person.

Section 45
Design documentation of actually performed construction and structure simplified documentation (passport)
(as to the Sec. 104 of the Act)

- (1) Documentation of the actually performed construction ordered by the Building Office shall contain particularly

- a) information on the purpose and place of the structure, name (business name) and address (seat) of the structure owner, land register ground codes with the identification of the ownership or other rights, and the information about the already accepted decisions on the structure; or, at least, the probable structure completion year, if these decisions were not preserved,
 - b) actual area state situation drawing in a cadastre-map scale with identified structure location and implications for the surrounding, particularly distances from the ground borders and from neighbouring structures and connections to the roads and technical infrastructure networks,
 - c) constructional drawings reflecting the actual construction performed with appropriate sections and projections, with descriptions of all spaces and rooms according to the actual or foreseen use, and with indication of their dimensions and areas,
 - d) technical description of the structure and its equipment.
- (2) The simplified structure documentation (hereinafter only the „passport“) shall contain particularly
- a) data according to the par. 1, letters a) and d),
 - b) situation drawing and simplified drawings of the actually performed construction, appropriate to the type and purpose of the structure, including the description of all spaces and rooms utilisation.
- (3) Additionally prepared documentation of the actual structure state or the passport shall be submitted to the Building Office in two copies; if the Municipal Office in the place is not a Building Office, in three copies.
- (4) After the Building Office's review and possible updating, changing or remaking the documentation, the Building Office certifies this documentation according to the par. 1 or 2. The Building Office shall send one copy of certified documentation to the structure owner and one to the Municipal Office where the structure is located, if the Building Office and the Municipal Office differs.
- (5) The certified documentation of the actual structure state or the certified passport replaces the documentation certified in the course of the building permit proceedings; when certifying the documentation of the structure's actual state or passport, the final inspection decision shall not be issued.

PART THREE

EXPROPRIATION

Section 46 Request for expropriation (as to the Sec. 112 of the Act)

- (1) Request for expropriation shall contain
- a) identification of the ground or its part, identification of the structure, specification of the right and extent to which it is requested to be expropriated,
 - b) name (business name) and address (seat) of the person who is to be the beneficiary of the expropriation,
 - c) name (business name) and address (seat) of the person whose property shall be expropriated,
 - d) purpose of the requested expropriation and its reasons,
 - e) review of mortgages and easements limiting the real estate treatment,
 - f) proof showing that the trial to gain the rights to the ground or structure was ineffective,
 - g) land register records,
 - h) copy of a cadastre map with identification of the requested grounds or structures, with an additional information extracted from other maps showing the legal proprietary rights to the real estates in a graphic form in cases when these rights have not been yet indicated in the cadastre map; if a part of the ground is requested, the geometrical plan shall be attached in three copies.
 - i) proposed compensation.
- (2) The proof according to the par. 1, letter f), may represent a written instance on the agreement proposal send to the own hands containing the request of the requestor, compensation proposal and notice saying that if no reply comes within 30 days after the instance delivery, it may be assumed, that the ground owner or structure owner or the one, whose easement to the ground or structure is to be cancelled or restricted, refuses the agreement. In such case the expropriation request shall also contain a declaration of the requestor that no reply came within the stipulated time or that no agreement was achieved.

Section 47 Decision on expropriation (as to the Sec. 114 of the Act)

Decision on expropriation shall contain particularly

- a) subject, purpose and extent of expropriation,
- b) name (business name) and address (seat) of the person whose property shall be expropriated,
- c) name (business name) and address (seat) of the person who is the beneficiary of the expropriation,
- d) expropriation compensation and way of its payment, including the court where the expropriation shall be deposited, if applicable,
- e) starting term by which the ground and structure must be used for the purpose of expropriation,
- f) instructions on the possibility and conditions of submitting the application calling for revocation of the expropriation decision (Sec. 116, par. 1 of the Act).

PART FOUR

GENERAL AND FINAL PROVISIONS

Section 48 Public notice announcement

- (1) If the decision or other measure is to be delivered by the means of public notice⁵⁾, the document shall be displayed on the official notice board of the Municipal Office where this notice is to be effective, and of the administrative authority that issued this decision or other measure. The document shall bear the sign of displaying authority, date of its publication and date of its withdrawal, and the authorised person's signature.
- (2) If the contents and extent of the decision or the measure is very large, especially when there are some graphic appendices in it, there can be, instead of the full wording, displayed an excerpt notice with the fundamental information on the area in question, and a brief summary with the instruction when and where this material will be available. The notice shall bear similar information as the document according to the par. 1.

5) *E.g. Sec. 36, par. 4, Sec. 42, par. 2, Sec. 61, par. 4, Sec. 69 of the Act.*

Section 49 Natural catastrophes and sudden structure breakdowns dispensations

- (1) Measures regarding the structures or the grounds representing possibly also the performance of constructions, landscaping or structure removals that should prevent the effects of natural catastrophes or sudden breakdowns, act against their impacts and avert the menace to human lives and health, or avert other damages, may be started without prior permit according to the Building Act and this decree, unless specified otherwise. However, the Building Office must be notified of the start up of such measures.
- (2) If the structure or landscaping destroyed or damaged, by the effects of natural catastrophe or sudden breakdown, is to be renewed in accordance with the original Building Office's permits, it will be sufficient to notify the Building Office of such measure beforehand. This procedure is governed, appropriately, by the stipulations of the Sec. 12 through 14.
- (3) In cases of structures and landscaping where the immediate intervention to reduce or to avert the impacts of natural catastrophe or sudden breakdown is necessary,
 - a) the application contents and contents of its appendices may be, after discussing it with the Building Office, reduced to the minimum size that enables the decision,
 - b) after discussing it with the Building Office, the planning permission may be omitted, or the planning permission proceedings may be joined with the building permit proceedings or with other proceedings according to the Act, or the structure or the landscaping may be done on the basis of the notification,
 - c) some documents required as the application appendices or other documents may be submitted additionally in a specified term,
 - d) in justified case, a preliminary permit may be granted, stipulating the term of the documents' additional submitting; after the documents are submitted, the building permit proceedings will take place and the decision will be issued.

Section 50

The following legal rules shall be repealed

- 1. Decree No 85/1976 Coll., on the details of planning permission proceedings and building regulations, as amended by the Decree No 155/1980 Coll. and the Decree No 378/1992 Coll.**
- 2. Guidelines of the Federal Ministry of Telecommunications as of 25. July 1978, on the execution of the Building Act in the field of telecommunications and on the final inspection of telecommunication structures exempt from the building permit, reg. part No 32/1978 Coll.**

Section 51

This decree comes into force on 1 July, 1998.

Minister:
MVDr. Černý
in his own hand

DECREE

of the Ministry for Regional Development
 N° 135/2001 Coll.
 as of 10th April 2001
 on non-statutory planning materials and planning documentation

The Ministry for Regional Development, in accordance with the Sec. 143, par. 1, letters a) and b) of the act N° 50/1976 Coll., on town & country planning and building regulations (the Building Act) as amended by the act N° 83/1998 Coll., lays down the following:

INTRODUCTORY PROVISIONS

Section 1 Purpose of the decree

This decree specifies in details the contents of non-statutory planning materials, planning documentation, the way of its procurement, elaboration, inquiry and approval and the contents and the method of compiling the registration sheets. This decree shall not apply in case of the procurement of planning documentation and non-statutory planning materials by the Ministry of Defence.

Section 2 Area disposition

The contents of non-statutory planning materials and planning documentation shall be specified in such a manner so that the use of land, areas and grounds demarcated as well as their mutual disposition and relations could be proposed in accordance with planning objectives and tasks. The purpose of the contents proposal and of the specification of its detail level is, especially, to create the conditions for area development, to ensure the harmony of different activities within an area while in the same time restricting their negative impacts to the admissible level, to secure the prerequisites for the environment quality improvement, to allow only a reasonable exploitation of the non-renewable natural resources and to maintain qualitative indicators of the renewable ones.

Section 3 Maps

State cartographic works¹⁾ or their digital forms or the purpose oriented detailed charts provided by the procurer are used for the procurement of planning documentation as well as for the procurement of non-statutory planning materials.

1) *E.g. Order of the Government No 116/1995 Coll. that stipulates the reference geodesy systems, state cartographic works which are binding all over the state territory and the rules for their use.*

PART ONE

NON-STATUTORY PLANNING MATERIALS

(as to the Sec. 3 of the Act)

Section 4 Urban study

- (1) Urban study shall be usually made for a territory demarcated with the respect to its use, and shall be used for obtaining the variants or alternative solutions of the specified problems within an area.
- (2) Contents and extent of the urban study shall be specified in its specification. If it is to be used for the procurement of a local plan or a regulatory plan according to the Sec. 21, par. 6 of the Building Act (hereinafter only “the Act”), its contents and extent shall be specified, adequately, with regard to the contents of the respective planning documentation as shown in the appendix N° 2.

Section 5 Area specialised analytical study

Area specialised analytical study shall be elaborated if it is useful to verify the solution of some settlement or landscape component having a significant impact on land use.

Section 6 Prognosis

- (1) Prognosis shall be elaborated for the territories of several municipalities or districts, possibly for the territory of the capital of Prague or of the statutory cities.
- (2) Contents and extent of the prognosis shall be specified in its specification. If it is to be used for the procurement of a regional plan according to the Sec. 21, par. 6 of the Act, its contents and extent shall be specified, adequately, with regard to the contents of the regional plan as shown in the appendix N° 2.

Section 7 Area technical materials

- (1) Area technical materials contain the substantial information on the land use state, possibilities and limits and on other binding restrictions resulting from legislation,²⁾ planning documentation approved and valid administrative decisions.
- (2) Area technical materials shall be elaborated in such manner so that they can be used for the making of planning documentation, non-statutory planning materials, for the planning permission process and for other public administration purposes, e.g. in a digital form.
- (3) Area technical materials are subjects to regular updating.

2) E.g. act No 138/1973 Coll. on water (Water Act) as amended by later regulations, act. No 114/1992 Coll. on nature and landscape protection as amended by later regulations, act. No 244/1992 Coll. on environmental impact assessment, act. No 334/1992 Coll. on agricultural land protection as amended by later regulations.

PART TWO

PLANNING DOCUMENTATION

(as to the Sec. 9 through 31, 131 through 133 of the act)

Section 8

Activities and materials in the planning documentation procurement process

- (1) **Activities and materials in the planning documentation procurement process do include**
 - a) preparatory works,
 - b) elaboration of surveys and analysis,
 - c) preparation, inquiry and approval of specification,
 - d) elaboration of conception draft and its inquiry,
 - e) filing and archiving of the documents related to designer's negotiations³⁾ and decisions that are important for the planning documentation elaboration,
 - f) elaboration of the assessment report including a proposal of decision on the objections raised,
 - g) standpoint of the respective superior planning authority if a local plan, regulatory plan, or regional plan procured by the administrative region authority is concerned,
 - h) inquiry and approval of the assessment report,
 - i) notification about the decision on the objections raised against the draft conception,
 - j) plan before approval making,
 - k) plan before approval taking-over and inquiry,
 - l) submitting a local plan, regulatory plan, or regional plan before the approval procured by the administrative region's authority, including the draft definition of the binding part, to the superior planning authority for their assessment,
 - m) making the draft decision on the planning documentation approval together with a report on planning documentation inquiry in such a manner that all opinions, standpoints, objections and comments are assessed including a draft decision on the objections, and submitting the plan before approval to the approving authority,
 - n) approval of the planning documentation and its possible modification according to the decision on its approval,
 - o) elaborating the legal regulations on the announcement of the planning documentation binding part.
- (2) **Activities after the planning documentation approval do include**
 - a) announcement of the decision on the objections against the planning documentation and on the disagreements over the objections raised against the conception draft.
 - b) appending the approval clause to the planning documentation approved,
 - c) archiving the planning documentation and providing it to the respective administrative regions, District Offices, municipalities and Building Offices,
 - d) sending the municipal or administrative region's generally binding decree on the planning documentation binding part and the chart of the leading drawing to the respective state administration authorities,
 - e) notification of the superior planning authority about the issuing and coming into the force of the municipal or administrative region's generally binding decree on the planning documentation binding part,
 - f) providing the information for the register of the approved planning activities and for the registering sheet,
 - g) monitoring the up to date state of the planning documentation on the basis of collaboration with other planning authorities and Building Offices and, in case of necessity, submitting the proposal to make an appropriate modification to the approving authority,
 - h) procuring (in case of need) the changes to the planning documentation,

- i) deciding about the possible modification to the guiding part of the planning documentation,
- j) notifying the superior planning authority about the expiration of planning documentation and about its archiving in accordance with the specific regulations.⁴⁾

3) *Sec. 46b, par. 1 of the act*

4) *Act No 97/1974 Coll. on archives and archiving as amended by later regulations.*

Section 9

Preparatory works

- (1) Preparatory works shall be organised on the basis of collaboration of the procurer and the respective municipalities, authorities and corporate bodies and natural persons who participate in the land use and shall include
 - a) demarcation of the investigated area in the maps,
 - b) collection of available materials and information on the area state (its possible endangering e.g. land slides, breakdowns, inundation areas) and on the development plans in such an extent so that it would be sufficient for the elaboration of the planning documentation in question,
 - c) interpretation of the said materials and information.
- (2) Materials on the land use plans include, in particular, planning documentation, non-statutory planning materials and administrative decisions on the area in question, especially the valid planning permissions and materials procured by the state authorities.

Section 10

Surveys and analysis

- (1) The aim of surveys and analysis is to evaluate the present state and conditions of land use, to find out values, development trends, problems and conflicts within the area investigated. Surveys and analysis shall serve for draft specification elaboration and for plan elaboration.
- (2) Surveys and analysis are made on the basis of the procurer's preparatory works.
- (3) Surveys and analysis contain a text part including tables and charts. Problem areas to be resolved are listed in the final passage of the text part. Graphic part of surveys and analysis contains, primarily, a drawing of land use limits arising from legal regulations and administrative decisions, and then a drawing of problems that summarises the known intentions of changes to the area, public priorities protected by the respective state administration authorities in accordance with special regulations, interference of these intentions and the major problems, which should be dealt with within the planning documentation. Surveys and analysis for regional plans shall be elaborated to the extent that enables assessment of these plans according to special regulations.⁵⁾

5) *Act No 244/1992 Coll.*

Section 11

Planning documentation draft specification

- (1) The specification contains, in particular, hints for settlement of the major conflicts and problems within an area, conditions of the area development and protection of its values and determination of requirements for the planning documentation contents and extent including possible requirements for the elaboration of alternatives or versions.
- (2) Annex No 1 shows the basic draft specification contents.
- (3) The procurer shall send the draft specification agreed on with the respective state administration authorities, in accordance with the Sec. 20, par. 6 of the Act, to the superior planning authority that expresses the standpoint within 30 days after its reception.

Section 12

Conception draft

- (1) The conception draft shall be elaborated in the same extent as the planning documentation (according to the appendix N° 2), if the contents are not extended by the approved specification; most often showing alternatives or versions.
- (2) The conception draft includes, always, also the proposal of the planning documentation binding part and the assessment of the elaborated alternatives and versions.
- (3) The procurer follows the course and progress of the planning documentation works, ensures the filing and minutes of the sessions and decisions, which show an influence on the conception, and settles and negotiates the possible disputes and discrepancies.
- (4) The planning documentation conception draft serves for the assessment report inquiry and elaboration. Until the planning documentation for the respective area is approved, the conception draft, provided that the related assessment report is approved, shall serve as a material for the planning permission proceedings.

Section 13

Assessment report

- (1) The draft assessment report shall judge how the conception draft meets the specification requirements, how it meets the requirements included in the superior planning authority assessment of the conception draft (Sec. 21, par. 2 of the Act), and the compliance of
 - a) the regulatory plan with the local plan and the regional plan,
 - b) the local plan with the regional plan,
 - c) the local plan elaborated for a delimited part of the capital of Prague or of territorially subdivided statutory cities with a plan approved for the territory of the entire city and with a regional plan.
- (2) The draft assessment report shall include the instructions for the plan before approval elaboration and the indication of one preferred alternative or version of the conception draft.
- (3) Opinion of the superior planning authority of the assessment report draft shall be formed on the basis of:
 - a) the conception draft including the proposal of the planning documentation binding part which is the subject of the assessment,
 - b) evaluation of the respective authorities assessments of the conception draft and their opinions about the assessment report draft,
 - c) evaluation of the objections (Sec. 21 of the Act) and the proposal of decision on the objections,
 - d) evaluation of the comments,
 - e) opinions of the planning authorities from the neighbouring districts,
 - f) the public notice and other documents based on which the conception draft inquiry was publicly announced.
- (4) The superior planning authority shall give its opinion of the assessment report draft to the procurer by 30 days from the date when it received the complete file for processing. Its opinion shall include the judgement of the report's compliance with law and other legal regulations, compliance with par. 1, and co-ordination of the land use within the frame of the area wider implications.

Section 14

Plan before approval

- (1) After approving the assessment report or the specification that works as an assessment report in cases of urban studies, which are elaborated and discussed according to the Sec. 21 of the Act, the plan before approval shall be elaborated.

- (2) The primary contents of the planning documentation according to the appendix No 2 may be extended by the conditions of the assessment report or by specification for the elaboration of the plan before approval.
- (3) When receiving the elaborated plan before approval the procurer shall verify particularly its completeness and its compliance with the assessment report and the specification. In case of local plan also its compliance with an approved regional plan shall be verified, in case of local plan elaborated for a delimited part of the capital of Prague or territorially subdivided statutory cities also the compliance with the plan approved for the entire city shall be verified, and in case of regulatory plan also the compliance with a local plan and a regional plan shall be verified.

Section 15

Materials for the superior planning authority assessment

Superior planning authority assessment of a plan before approval shall be elaborated on the basis of

- a) the investigated plan before approval including the plan's binding part proposal,
- b) evaluation of the respective state administration authorities opinions of the plan and the statement on the manner of the plan's settlement,
- c) evaluation of objections and disagreements (Sec. 22, par. 3 and 4 of the Act) and proposal of decision on them,
- d) evaluation of the comments,
- e) opinions of the planning authorities from the neighbouring districts,
- f) the public notice and other documents based on which the public inspection of the plan before approval was announced,
- g) assessment of the compliance of
 - 1. the regulatory plan with the local plan and the regional plan,
 - 2. the local plan with the regional plan,
 - 3. the local plan elaborated for a delimited part of the capital of Prague or of territorially subdivided statutory cities with a plan approved for the territory of the entire city and with a regional plan.

Section 16

Materials for the passing process of planning documentation

- (1) A resolution proposal to approve the planning documentation shall always include
 - a) proposal of the passing statement,
 - b) proposal of the statement to define the binding part of the planning documentation,
 - c) proposal of the statement on objections against the planning documentation and the disagreements over the settlement of objections raised against the conception draft,
 - d) proposal of the statement on expiration of planning documentation, which shall be replaced with the planning documentation being approved.
- (2) The resolution proposal includes, usually, precise tasks to be done within the scope of the approving authority powers and which result from the planning documentation approved.
- (3) Proposal draft of the planning documentation binding part, which is to be publicly announced, shall always include
 - a) territorial validity and deadlines for assessments, changes of conditions upon which the planning documentation was approved (update terms),
 - b) planning documentation binding part, including public works, as it was defined in the resolution statement on the planning documentation approval,
 - c) closing stipulations on the spaces where the planning documentation shall be stored.
- (4) Leading drawings and text part of the planning documentation approved shall be equipped with the approval clause, which contains

- a) identification of the approving authority, approval date and resolution number under which the planning documentation was approved,
- b) seal, name, position and signature of the procurer's authorised representative,
- c) seal, name, position and signature of the designer³),
- d) date and reference number of the superior planning authority's assessment of the plan before approval.

Section 17 Changes in planning documentation

- (1) Specification of a change, conception draft, if it is to be elaborated, and the change draft are subjects to the inquiry for which the procurer is responsible and shall be elaborated to an extent required by the respective type of the planning documentation. If the conception draft elaboration is combined with the elaboration of changes in planning documentation before approval, the procurer shall ensure the inquiry of the changes before approval in accordance with the Sec. 22 of the Act, procuring the public inquiry with professional explanation during the period when the documentation before approval is displayed.
- (2) If the change is so minor that the change draft can be elaborated directly without the prior conception draft, this fact must be clearly indicated in the specification of planning documentation change approved.
- (3) The changes and modifications are not drawn into the planning documentation approved. The procurer shall indicate and draw them into the leading drawing. Changes and modifications shall be drawn separately on a tracing paper or a plain paper, and texts be written in a separate appendix to the planning documentation approved, where it must be stored and kept together with the copy of the approving document.
- (4) In case that due to the changes or modifications the planning documentation is not easily legible anymore, the procurer shall procure the new main drawing updated by the new legal facts as to the specified date. The approval clause of this new leading drawing shall register all changes approved or modifications made that correspond to the legal status as of the specified date.

Section 18 Planning documentation binding part

- (1) The binding part of planning documentation with the respect to the land values limiting, excluding, or determining location of structures, land use, or measures within an area and defining the principles of spatial disposition.
- (2) The planning documentation binding part shall particularly contain
 - a) in case of a regional plan, the main corridors and areas suitable for the location of transport and infrastructure structures of the super-local significance, determination of the regional and super-regional territorial systems of ecological stability, land use limits of the super-local significance, corridors and grounds for public works,
 - b) in case of a local plan, the urban planning concept, land use and the spatial disposition of the grounds, determination of the areas with development potential, restriction of changes in structure use, area disposition principles for transport, technical and public infrastructure, determination of the territorial system of ecological stability, land use limits, grounds dedicated to the extraction of raw materials, grounds for public works, and grounds for demolitions and reclamation treatments.
 - c) in case of a regulatory plan, determination of the areas with development potential, individual building plots and nature of their use, structure locations, restriction of changes in structure use, access roads to the structures and the their connections to the infrastructure, components of the territorial system of ecological stability, grounds dedicated to the extraction of raw materials, if such an extraction is feasible and possible, regulatory elements of the area and spatial dispositions (e.g. street and construction line, height and volume of structures, land use indicators,

transport and technical infrastructure design), land use limits and determination of the grounds for public works, demolitions and reclamation treatments.

Section 19

Archiving, registering and delivering of the approved planning documentation

- (1) Regional plan approved, including its changes and modifications, shall be stored at the procurer's premises, who notifies the respective municipalities and building offices about the place of archiving, and it shall be given (in an extent described in the appendix № 2) to all district offices and administrative region offices, whose territories are affected by its design, and to the superior planning authority.**
- (2) Local or regulatory plan approved, including its changes and modifications, shall be stored at the municipality's premises for which it has been procured and it shall be given (in an extent described in the appendix № 2) to the respective building, district, and administrative region offices.**
- (3) For the filing and registering reasons of the planning activities the written materials from the whole process of the plan procurement shall be kept at the procurer. It means to store particularly the results of preparatory works, surveys and analysis, specifications, conception draft, assessment report, assessments of the superior planning authority, assessments of the respective state administration authorities, settlements of comments and objections, plan before approval, resolution on the plan approval, generally binding regulation on the publication of the plan's binding parts, minutes on the made assessments according to the Sec. 16, par. 3, letter a), changes and modifications to the planning documentation approved.**

Section 20

Number of planning documentation copies

- (1) The planning documentation approved or the planning documentation change approved shall be made in, at least, so many copies that the requirements of the Sec. 19 can be met.**
- (2) Planning documentation conception draft shall be made at least in three copies unless there are more copies needed according to the nature of the process.**
- (3) The procurer shall ensure sending the municipal or administrative region generally binding decree on announcement of the planning documentation binding part and the leading drawing scheme to the state administration authorities, in case of a regional plan also to the respective building offices.**

Section 21

Planning activities filing and registering, registering sheets' contents and method of their processing

- (1) The registering sheets serve as the base materials for planning activities filing. These sheets are elaborated and, due to the planning documentation changes, updated by the planning authorities according to the appendixes № 3, 4, 5, and 6.**
- (2) Planning authorities shall send the registration sheets to the superior planning authorities and to the Central Planning Authority to be able to evaluate the planning activities.**

Section 22

Archiving the planning documentation

A planning authority shall deliver one copy of an expired planning documentation for archiving to the respective chancery.⁴⁾

PART THREE

FINAL PROVISIONS

Section 23 Interim provision

Activities and materials completed or elaborated during the planning documentation procurement before this decree came into force shall be treated in accordance with the current legal regulations.

Section 24 Repealing provisions

The decree N° 131/1998 Coll., on non-statutory planning materials and planning documentation, is repealed.

Section 25 Force

This decree comes into force on the day of its announcement.

Minister:
Ing. Lachnit
in his own hand

Appendix N° 1 to the decree N° 135/2001 Coll.

Planning documentation Specification – PRINCIPAL CONTENTS

I. Regional plan specification shall particularly contain

- a) reasons for the regional plan procurement and main objectives for the area development,
- b) demarcation of the area investigated in accordance with real estate register records,
- c) requirements depending on the extensive links within the area,
- d) specific requirements and conditions for the global design,
- e) requirements resulting from the fundamental demographic, social and economic data and forecasts,
- f) requirements on the development of the area investigated and of the individual municipalities while respecting the mutual links, functions in habitation, and area values of super-local significance,
- g) requirements resulting from the planning documentation approved, development programs of administrative regions, districts and municipalities, the strategy of the Czech Republic regional development, and country technical materials,
- h) requirements on the formation and protection of the environment, sound living conditions, exploitation of natural resources and landscape protection (including the protection of fertile agricultural land and areas dedicated to forestry), and territorial systems of ecological stability,
- i) requirements on the protection of cultural monuments, listed areas and their protective zones,
- j) requirements on the location of the principal areas with development potential, areas of specific interests, or areas for the location of public works with the super-local significance, i.e. such areas, grounds, or works, which can affect by their significance, extent, or consequences, the conditions of land use in several municipalities,
- k) requirements on the design of the transport and technical infrastructure with the super-local significance,
- l) requirements on the protection of raw materials deposits and their extraction,
- m) requirements resulting from other legal rules (e.g. state defence, civic protection, flood prevention etc.),
- n) problems arising from the surveys and analysis,
- o) land use limits drawing subject to legal regulations and administrative decisions, including specification of the inundation areas (Sec. 10, par. 3),
- p) requirements on the extent and manner of the conception draft and plan draft elaboration, including the requirements on the area regulation and disposition.

II. Local plan specification shall particularly contain

- a) reasons for the local plan procurement and main objectives for the area development,
- b) list of the cadastres that form the territory of a municipality,
- c) requirements arising from the regional plan and from the administrative region, district, and municipality development programs, in case of a local plan elaborated for a delimited part of the capital of Prague or of a statutory city also the requirements arising from the plan approved for the entire city,
- d) importance and function of a municipality in the habitation structure, requirements resulting from the extensive links within the area,
- e) requirements resulting from the fundamental demographic, social and economic data of a municipality and forecasts,
- f) requirements and conditions for municipality development, requirements for respecting its area values (historical, cultural, urban, natural etc.),
- g) requirements on the location of areas with development potential,
- h) requirements on the formation and protection of the environment, sound living conditions, exploitation of natural resources and landscape protection (including the protection of fertile agricultural land and areas dedicated to forestry), and territorial systems of ecological stability,
- i) requirements on the protection of cultural monuments, listed areas and their protective zones,
- j) requirements on the design of transport conception, public and technical infrastructure and waste disposal regime,
- k) requirements resulting from other legal rules (e.g. state defence, civic protection, protection of raw material deposits and their exploitation, flood prevention etc.),

- l) requirements and conditions for the formation of links between the municipality parts and links to the neighbouring municipalities,
- m) requirements on the necessary demolitions,
- n) problems arising from the surveys and analysis,
- o) land use limits drawing subject to legal regulations and administrative decisions, including specification of the inundation areas (Sec. 10, par. 3),
- p) requirements on the extent and manner of the conception draft and plan draft elaboration, including the requirements on the area regulation and disposition.

III. Regulatory plan specification shall particularly contain

- a) reasons for the regulatory plan procurement and main objectives for the area development,
- b) demarcation of the area investigated,
- c) requirements arising from the regional plan, the local plan, and from the municipality development program,
- d) requirements arising from the extensive links of the area investigated to other municipality parts particularly having in mind the urban composition, transport, and public and technical infrastructure,
- e) requirements resulting from the fundamental demographic, social and economic data and forecasts,
- f) requirements on the location and disposition of areas and grounds with development potential, and on respecting their values,
- g) requirements on the design of transport conception, public and technical infrastructure and waste disposal regime,
- h) requirements on the exploitation of natural resources, formation and protection of environment and landscape (including the protection of fertile agricultural land and areas dedicated to forestry, and protection of sound living conditions), and the components of territorial systems of ecological stability,
- i) requirements on the protection of cultural monuments, listed areas and their protective zones,
- j) requirements resulting from other legal rules (e.g. state defence, civic protection, protection of raw material deposits and their exploitation etc.),
- k) requirements on the necessary demolitions,
- l) required way of an area and spatial regulation (application of appropriate regulatory indicators) with respect to the functions and location of the grounds,
- m) problems arising from the surveys and analysis,
- n) land use limits drawing subject to legal regulations and administrative decisions, including specification of the inundation areas (Sec. 10, par. 3),
- o) requirements on the extent and manner of conception draft and plan draft elaboration.

Appendix N° 2 to the decree N° 135/2001 Coll.

Planning documentation PRINCIPAL CONTENTS

I. Regional plan shall contain

1. Text part

A. Basic data

- a) main objectives of the design,
- b) assessment of the relation between previously elaborated and approved planning documentation, and a conception draft or a regional plan before approval,
- c) assessment on how the requirements of the specification were met as well as the assessment report (in case of before approval stages),
- d) assessment of the compliance with planning objectives (Sec. 1, par. 2 of the Act).

B. Plan design

- a) demarcation of the area investigated in accordance with real estate register records,
- b) fundamental conditions of the area development and protection of its natural, civilisation and cultural values¹⁾,
- c) settlement structure design draft and evaluation of the development prerequisites of the individual municipalities,
- d) land use disposition draft, determination of super-local significance development areas, and , possibly, determination of the areas subject to special interests,
- e) land use limits of the super-local significance, including the determination of inundation areas,
- f) proposal of the transport and technical infrastructure of the super-local significance,
- g) determination of the areas feasible for the extraction of raw materials and areas related to its technical background,
- h) proposal of the regional and super-regional system of ecological stability,
- i) demarcation of the corridors for public works,
- j) evaluation of the estimated consequences of the presented design (particularly economic, social, cultural and technical impacts) and assessment of its environmental impacts,
- k) design draft for the solution of civil defence requirements,
- l) proposal of the updating periods.

C. Figures that provide details and characterise the presented design unless they are included directly in the text part.

D. Binding part in a form of regulations.

1) Act N° 20/1987 Coll., on national preservation of monuments as amended by the later regulations.

2. Graphics and drawings

A. Leading drawing scaled 1:50 000, 1:25 000, possibly also 1:10 000, containing the complex design and regulations in a graphic form.

B. Other drawings, if necessary, shall contain the image of

- a) conception of the transport and technical infrastructure of the super-local significance,
- b) proposal of the regional and super-regional systems of ecological stability,
- c) areas and corridors dedicated to public works,
- d) graphic interpretation, which is to be elaborated according to the specific regulations, of the foreseen planning documentation design impacts on agricultural land and land dedicated to forestry,

- e) graphic interpretation of the areas, which are feasible for the extraction of raw materials and for the technological background of the extraction activities projected,
 - f) inundation areas demarcated,
 - g) area wider implications showing the relations to the neighbouring territories.
- C. Leading drawing scheme of the regional plan approved for the needs of the respective state administration authorities.**

II. Local plan shall contain:

1. Text part

A. Basic data

- a) main objectives of the design,
- b) assessment of the relation between previously elaborated and approved planning documentation, and a conception draft or a local plan before approval,
- c) assessment of the level of fulfilment the local plan specification (or fulfilment of the assessment report in case of a plan before approval),
- d) assessment of the compliance with planning objectives (Sec. 1, par. 2 of the Act).

B. Plan design

- a) demarcation of the area investigated in accordance with municipal real estate register records,
- b) fundamental conditions and prerequisites of the municipal development and protection of its natural, civilisation, and cultural¹⁾ landscape values,
- c) urban planning concept design,
- d) municipal territory segmentation proposal where the land use disposition and conditions for land use shall be defined,
- e) land use limits including the determination of inundation areas,
- f) list review and specification of the selected areas with development potential,
- g) design draft of transport conception, public and technical infrastructure and waste disposal regime,
- h) determination of the areas feasible for the extraction of raw materials and areas related to its technical background,
- i) territorial system of local ecological stability design,
- j) areas and corridors dedicated to public works, reclamation and reclamation treatments,
- k) design draft for the solution of civil defence requirements,
- l) assessment of the foreseen design impacts on environment, agricultural land and land dedicated to forestry according to the specific regulations,
- m) proposal of the updating periods.

- C. Figures that provide details and characterise the presented design unless they are included directly in the text part.**

D. Binding part in a form of regulations.

2. Graphics and drawings

- A. Leading drawing containing the complex design of the municipal territory and regulations in a graphic form, determination of areas with development potential and indication of currently developed municipal areas, demarcation of areas with different land use and regulation rules; it shall be elaborated in a form of maps scaled 1: 5.000, or in case of need also in detailed scale or in scale 1: 10 000, and, if necessary, with the altitude description,**

B. Other drawings, if necessary, shall contain the image of

- a) transport system design with the indication of protective zones and specification of unfavourable transportation impacts on environment,
- b) concept of the municipal technical infrastructure containing particularly the draft designs of water supplies, power and telecommunication facilities with the indication of safety zones if possible in the scale used,
- c) areas and corridors dedicated to public works, reclamation and reclamation treatments (always in a separate drawing scaled 1:5000 or more detailed),
- d) scheduling the development and changes within an area,
- e) graphic interpretation, which is to be elaborated according to the specific regulations, of the foreseen planning documentation design impacts on agricultural land and land dedicated to forestry,
- f) territorial system of ecological stability design,
- g) area wider implications, particularly showing the municipality position within the settlement structure as well as the relations to the related territories,
- h) inundation areas demarcated.

C. Leading drawing scheme of the local plan approved for the needs of the respective state administration authorities.**III. Regulatory plan shall contain:****1. Text part****A. Basic data**

- a) main objectives of the design,
- b) assessment of the relation between previously elaborated and approved planning documentation, and a conception draft or a regulatory plan before approval,
- c) assessment of the level of fulfilment the regulatory plan specification (or fulfilment of the assessment report in case of a plan before approval),
- d) assessment of the compliance with planning objectives (Sec. 1, par. 2 of the Act).

B. Regulatory plan design

- a) demarcation of the area investigated,
- b) investigated area specifics related to its location and functions, including fundamental conditions of protection of the area natural, civilisation and cultural¹⁾ values,
- c) implications of the area investigated to its wider surrounding and other municipality parts,
- d) urban planning concept design,
- e) regulatory elements of the area and spatial disposition and architectonic design (e.g. street and building lines, heights, structure volumes and forms, land use indicators, number of overground floors and possible underground development, elements of a territorial system of ecological stability) and other conditions for structure locations,
- f) land use limits including the determination of inundation areas,
- g) draft design of transport, public and technical infrastructure and waste disposal regime,
- h) determination of the areas feasible for the extraction of raw materials and areas related to its technical background,
- i) grounds dedicated to public works, reclamation and reclamation treatments,
- j) design draft for the solution of civil defence requirements,
- k) assessment of the foreseen design impacts on environment, agricultural land and land dedicated to forestry according to the specific regulations,
- l) proposal of the updating periods.

- C. Figures that provide details and characterise the presented design unless they are included directly in the text part.**
- D. Binding part in a form of regulations.**
- 2. Graphics and drawings**
 - A. Leading drawing, which is based on the real estate register maps, possibly a geometrical plan with altitude description scaled 1:1000 or 1:500, containing the complex design with the regulations in a graphic form, particularly showing the detailed land use, regulatory elements of the area and spatial structure disposition, elements of the territorial system of ecological stability, determination of areas with development potential and indication of currently developed municipal areas.**
 - B. Other drawings, if necessary, shall contain the image of**
 - a) draft design of transport with the indication of protective zones and, if necessary, with the indication of the entrances and access roads to the grounds,
 - b) draft design of the area technical infrastructure,
 - c) grounds dedicated to public works, reclamation and reclamation treatments (always in a separate drawing scaled same as the cadastre map),
 - d) scheduling the development and changes within an area,
 - e) graphic interpretation, which is to be elaborated according to the specific regulations, of the foreseen planning documentation design impacts on agricultural land and land dedicated to forestry,
 - f) inundation areas demarcated,
 - g) area wider implications showing relations of the area to the municipal related territory, possibly also to the neighbouring municipalities.
 - C. Leading drawing scheme of the regulatory plan approved for the needs of the respective state administration authorities.**
- 3. Civil defence clause.**

Appendix N° 3 to the decree N° 135/2001 Coll.

Registration Sheet OF REGIONAL PLANS (and their changes)

Planning documentation title:	
Area investigated:	
	<i>(the procurer shall define the area investigated by the complete list of cadasters in the appendix to the registration sheet)</i>

Planning documentation number (code)¹⁾:

Procurer:

Approving authority:

Maker • **company or name:**

 • **Comm. Reg. N°:**

 • **designer²⁾** (name and authorisation number):

Phases:	Action	Date	Note
Start up date (contract concluding)			
Surveys and analysis ³⁾	delivery		
Planning documentation specification	opening the inquiry		
	approval		
Planning documentation conception draft ³⁾	delivery		
	opening the inquiry		
Assessment report ³⁾	approval		
Planning documentation before approval	delivery		
	opening the inquiry		
	superior planning authority's assessment publication in case of documentation procured by the administrative region's authority		
	approval ⁴⁾		
	generally binding administrative region's decree becomes effective or is published by the Ministry for Regional Development in the Collection of Laws		

Methodology of elaboration:

Leading drawing scale:

Assessment deadlines:⁵⁾

Registered on:

Registered by:

phone/fax

e-mail

-
- 1) Do not fill – each registration sheet will be numbered by the database administrator.
 2) the Sec. 46b, par. 1 of the Act
 3) In case that the design was verified by the prognosis according to the Sec. 21, par. 6 of the Act, only the information on the specification and before-approval stage shall be given together with the registration sheet of the prognosis attached (appendix N° 4).
 4) Please, attach a copy of the approving resolution of PD (or its change) approved by the administrative region's authority.
 5) the Sec. 16, par. 3, letter a).

Appendix N° 4 to the decree N° 135/2001 Coll.

Registration Sheet OF URBAN STUDIES or PROGNOSIS

Planning materials type:	_____
PM name:	_____
Area investigated:	_____
<i>(the procurer shall define the area investigated by the complete list of cadasters in the appendix to the registration sheet)</i>	

Planning documentation number (code)¹⁾: _____

Procurer: _____

Maker • **company or name:** _____

 • **Comm. Reg. N°:** _____

 • **designer²⁾** (name and authorisation number): _____

Phases:	Action	Date	Note
Start up date (contract concluding)			
Surveys and analysis ³⁾	delivery		
Before approval phase	delivery		
	inquiry opening ³⁾		
	planning documentation specification		
	approval ⁴⁾		

Methodology of elaboration: _____

Leading drawing scale: _____

Registered on:	_____
Registered by:	_____
phone/fax	_____
e-mail	_____

1) Do not fill – each registration sheet will be numbered by the database administrator.

2) the Sec. 46b, par. 1 of the Act

3) In case of proceeding according the Sec. 21, par. 6 of the Act.

4) In case of proceeding according the Sec. 21, par. 6 of the Act, it is the specification for elaboration of planning documentation before approval.

Appendix N° 5 to the decree N° 135/2001 Coll.

Registration Sheet MUNICIPAL PLANNING DOCUMENTATION (its changes)

Planning documentation type:	_____
Planning documentation title:	_____
Area investigated:	_____
	<i>(the procurer shall define the area investigated by the complete list of cadasters in the appendix to the registration sheet)</i>

Planning documentation number (code)¹⁾: _____

Procurer: _____

Approving authority: _____

Maker • **company or name:** _____

 • **Comm. Reg. N°:** _____

 • **designer²⁾ (name and authorisation number):** _____

Phases:	Action	Date	Note
Start up date (contract concluding)			
Surveys and analysis ³⁾	delivery		
Planning documentation specification	opening the inquiry		
	approval		
Planning documentation conception draft ³⁾	delivery		
	opening the inquiry		
Assessment report ³⁾	approval		
Planning documentation before approval	delivery		
	opening the inquiry		
	superior planning authority's assessment publication		
	planning documentation approval ⁴⁾		
	municipal decree on the binding part of planning documentation becomes effective		

Methodology of elaboration: _____

Leading drawing scale: _____

Assessment deadlines:⁵⁾ _____

Registered on: _____

Registered by: _____

phone/fax _____

e-mail _____

Planning documentation contains area with development potential: _____

*(please indicate only **yes⁶⁾** or **no** here)*

-
- 1) Do not fill – each registration sheet will be numbered by the database administrator.
 - 2) the Sec. 46b, par. 1 of the Act
 - 3) In case according to the Sec. 21, par. 6 of the Act, only the information on the specification and before-approval stage shall be given together with the registration sheet of the urban study attached (appendix N° 4).
 - 4) Please, attach a copy of the PD or its change approving resolution.
 - 5) the Sec. 16, par. 3, letter a).
 - 6) Use a separate appendix for details about the individual areas with development potential according to the pattern in appendix N° 6.

Appendix N° 6 to the decree N° 135/2001 Coll.

**APPENDIX TO A MUNICIPAL PLANNING DOCUMENTATION
REGISTRATION SHEET**

**AREAS WITH DEVELOPMENT POTENTIAL¹⁾
specified by an approved local or regulatory plan**

area order N°	list of cadasters	area (name)	area in ha	type of function ²⁾
1	2	3	3	4

1) Only areas larger than 0.5 ha shall be listed.

2) Use always only one of the letters provided (A-E) to fill in the column 4:

A – in case that the area's major function according to PD/PM draft is residential

B – in case that the area's major function according to PD/PM draft is commerce and services

C – in case that the area according to PD/PM draft serves largely for leisure time, holiday, tourist and similar activities

D – in case that the area according to PD/PM draft serves largely for production (e.g. agriculture, industry, craft services etc.)

E – in case that the area according to PD/PM draft serves largely for other activities.

DECREE

of the Ministry for Regional Development
 N° 137/1998 Coll.
 as of 9 June 1998
 on general technical construction requirements

The Ministry for Regional Development stipulates in accordance with the Sec. 143, par. 1, letter k) of the act N° 50/1976 Coll., on town & country planning and building regulations (Building Act) as amended by the act N° 83/1998 Coll.:

FUNDAMENTAL PROVISIONS

Section 1 Subject

This decree stipulates the principal requirements on the structure area-technical disposition and on the purpose-oriented and constructional structure design that appertain to the competencies of Building Offices and Municipal Offices according to the Sec. 117, 118, 119, 123 and 124 of the Act.

Force

Section 2

- (1) This decree shall be respected when making and procuring the planning documentation and non-statutory planning materials, when designing, locating, permitting or notifying, carrying out, inspecting, using and removing the structures and when exercising the state building supervision.
- (2) This decree stipulations shall be also respected when making the structure alterations, maintenance works, when changing the structure use, in cases of temporary building site structures and superstructures, as well as in cases of cultural monuments¹⁾, unless the important area-technical or constructional reasons require otherwise.
- (3) The requirements described in this decree, part 1 through part 3, apply to all structure types according to the Sec. 1, unless stipulated otherwise in part 4.

1) Act N° 20/1987 Coll., on national preservation of monuments as amended by the later regulations.

Section 3

This decree uses the following definitions

- a) a building is an over ground structure, spatially centralised, with mainly closed outer surface by walls and roof construction,
- b) a residential building is a structure of the residential purpose where this housing function dominates,
- c) a house is a structure designated for living, has a disposition reflecting the needs of family, and more than half of its floor area serves for living; the house can consist of three separated flats at maximum, of two over ground and one under ground floors at maximum and of an attic,
- d) a leisure time structure for individuals (e.g. summer house, cabin, cottage, garden shed) is a simple structure which reflects the needs of family leisure time activities in its size, appearance and disposition,

- e) a structure designated for assembly of large number of people has at least one hall for at least 200 people to assemble where the ground plan area per person is less than 4 square metres (conference halls, theatres, concert halls, dancing rooms, sport halls, tribunes etc.),
- f) market structure is a structure with the total market area larger than 2000 square metres (e.g. super markets, shopping centres, department stores),
- g) an accommodation structure is a structure or its part where the temporary accommodation and related services are offered the public; it is neither a flat house, neither a house, nor a leisure time structure for individuals; the accommodation facilities rank according to their types, areas and equipment in categories marked by stars,
 - 1. a hotel is an accommodation facility with at least 10 guest rooms, equipped for offering a temporary accommodation and related services (especially boarding); hotels rank in five categories; garni hotels can offer only a limited boarding service (breakfast at least) and rank in four categories,
 - 2. a motel is an accommodation facility with at least 10 guest rooms, offering a temporary accommodation and related services for motorists and ranks in four categories,
 - 3. a boarding-house is an accommodation facility with at least 5 rooms, with a limited offer of related services, nevertheless with an accommodation service at the level of hotels, and ranks in four categories,
 - 4. other accommodation facilities are tourist dormitories, camp sites, groups of bungalows, or cultural or listed objects used for offering a temporary accommodation service,
- h) an accommodation unit is a single room or a set of rooms, which satisfies the requirements of a temporary accommodation by its constructional disposition and equipment, and which is designated for this purpose,
- i) a manufacture or storage structure is a structure designated for industrial, craftsman or other type of manufacture or services with manufacturing nature, and for storage of products, substances and materials except those structures under letter j),
- j) an agriculture structure is a structure designated for the breeding of cattle, storing the animal products, preparation and storing of feed and bedding, storing and preparation of the feed substances, application substances for protection of plants and plant products, and for agricultural services,
- k) technical infrastructure networks are the over or under ground lines and ducts including the fixtures, installations and constructions of the lines allowing the connection of an area, municipality, its part and structures to the individual media lines or ducts; depending on the purpose, the technical infrastructure networks are energy lines (high voltage lines, gas and heat distribution networks), water supplying networks, sewage ducts and sewerage systems, telecommunications lines, or other networks (e.g. product distribution ducts),
- l) a flat is a set of rooms, or a single residential room, which satisfies the requirements of permanent living by its constructional disposition and equipment, and which is designated for this purpose;
- m) a residential room is a part of a flat (particularly the living room, bed room, dining room) that satisfies the requirements set by this decree, is designated for permanent living and has the least area of 8 square metres; if the flat consists of just a single residential room, it has to be at least 16 square metres large;
- n) a staying room is a room or space, which suits by its position, size and constructional disposition for stay of persons (e.g. offices, workshops, consulting rooms, classrooms, staying rooms in hospitals, hotels and dormitories, halls of different purposes, cinema halls, theatres and culture facilities halls, rooms in the leisure time structures for individuals etc.),
- o) a small sewage plant structure has a nominal capacity up to 500 equivalent inhabitants,
- p) a standard value is a specific technical requirement described in the respective Czech Technical Standard ČSN, which is required by the specific standard and serves for definition and evaluation of the standard's requirements.

PART ONE

AREA TECHNICAL REQUIREMENTS ON STRUCTURES AND THEIR LOCATION

Section 4 Structure location

- (1) When locating a structure and incorporating it in the landscape, the restrictions stipulated by the legal regulations on protection of public priorities,²⁾³⁾ and foreseen area development, which is described in the planning documentation or in the non-statutory planning materials, must be respected. Structure location must go with the urban and architectural nature of the environment and with the requirements of cosy housing. The location of structure and its operation must not disturb, excessively, its surrounding, particularly in residential districts, and it must not menace the safety and fluency of traffic on the adjacent roads.
- (2) The location of structures, accordingly to their type and needs, shall be convenient for connecting them to the technical infrastructure networks and roads.
- (3) Outside the building ground, only the temporary building site structures and connection installations to the technical infrastructure networks and roads may be permanently located.
- (4) Temporary structures, which could deteriorate an area by their architectural design, volume, appearance, operation (utilisation) and materials used, must not be located in the areas overloaded from the urban point of view; this requirement is not applicable in cases of building site structures for the time of the construction works.
- (5) Energy distribution and telecommunication lines shall be led underground in the developed areas of the municipalities.
- (6) Bay and parking places for the cars shall be established at all potential departure points and destinations of traffic (e.g. close to blocks of flats, structures designated for assembly of a large number of people, market structures, structures of the public accommodation facilities), if there does not exist any limiting restriction according to the specific regulations.⁴⁾⁵⁾ Basic indicators of the foreseen number of bay and parking places are defined by the standard values.
- (7) Garages, bay and parking places for the trucks, buses, tractors etc. shall be located outside the residential districts of the town or municipality, except the garages, bay and parking places in the closed areas of the structures for agriculture, except the bay and parking places for the special vehicles of the Police, Fire Brigades, Ambulance Service, and except the caravans, if there does not exist any limiting restriction according to the specific regulations.⁴⁾⁵⁾
- (8) Car services, workshops and petrol station including the installations for manipulating and transporting the fuels (e.g. reloading stations, filling plants, car wash facilities, evaporating plants) must not be located in the hygiene protective zones I and II round the drinking water sources⁶⁾ and in the first grade protective zones or in the interim protective zones of the natural curative resources or of the mineral drinking waters.⁵⁾

2) E.g. act No 17/1992 Coll., on the environment, act No 244/1992 Coll., on the environmental impact assessment, act No 114/1992 Coll., on the preservation of nature and landscape, as amended by the later regulations, act No 18/1997 Coll., on the peace utilisation of nuclear power and ionising radiation (Nuclear Act) and on the amendments of some acts.

- 3) *E.g. act N° 49/1997 Coll., on the civil aviation and on the amendments of act N° 455/1991 Coll., on the trade licensed activities (Trade License Act), as amended by the later regulations, act N° 13/1997 Coll., on the ground roads, act N° 266/1994 Coll., on the railways, act N° 110/1964 Coll., on the telecommunications, as amended by the later regulations, act N° 138/1973 Coll., on waters (Water Act), as amended by the later regulations, act N° 20/1987 Coll., as amended by the later regulations, act N° 20/1966 Coll., on the health care, as amended by the later regulations and its executive directives, act N° 222/1994 Coll., on the conditions for business activities and state administration execution in the field of power and energy, and on the State Energetic Inspection, as amended by the later regulations, act N° 114/1992 Coll., act N° 114/1995 Coll., on the in-country navigation, act N° 44/1988 Coll., on the protection and utilisation of raw materials (Mining Act), as amended by the later regulations, act N° 334/1992 Coll., on the protection of agricultural land, as amended by the later regulations, act N° 289/1995 Coll., on the forests and on the amendments of some acts (Forest Act), act N° 133/1985 Coll., on the fire protection, as amended by the later regulations, decree N° 174/1994 Coll., specifying some general technical requirements ensuring the utilisation of the structures by handicapped persons with a limited ability to walk and to orientate.*
- 4) *Act N° 20/1966 Coll.*
- 5) *Decree N° 26/1972 Coll., on the protection and development of the natural curative spas and the natural curative resources.*
- 6) *Act N° 138/1973 Coll.*

Section 5

Wells for individual water supplies

- (1) **The well for an individual water supply (hereinafter only the „well“) must be located in a place where the water can be neither polluted nor menaced and where the well does not affect the water yield of the neighbouring wells.**
- (2) **The closest distance of the well from the possible pollution sources and from the neighbouring wells is specified by standard values.**

Section 6

Cesspits and small sewage plants

- (1) **Cesspits shall be constructed only on the places where the sewage water can not be drained though the sewerage networks or where the treatment in small sewage plants would not meet the specific needs of the place. The cesspits must not be constructed with outlets and must be ventilated.**
- (2) **A cesspit or a small sewage plant must be located and constructed so that the future connection of the structure to the sewerage network is possible. After the structure is connected to the sewerage network, the cesspit must be closed and cleaned.**
- (3) **The location of a cesspit or a small sewage plant must be accessible for emptying its contents.**
- (4) **The closest distance of a cesspit or a small sewage plant from a well is specified by standard values.**

Section 7

Building ground, protective zones and fire risky space

- (1) **The ground to be developed must, particularly by its location, area, shape and foundation conditions, allow the construction of the projected structure and its utilisation.**
- (2) **If the building ground overlaps with a protective zone, the conditions and requirements according to the specific regulations on the protective zones must be respected.³⁾**
- (3) **If the building ground interferes with several overlapping protective zones, the conditions and requirements of all respective protective zones must be respected.**

- (4) Plants and trees on the undeveloped parts of grounds must be preserved and protected except the cases according to the specific regulations.⁷⁾ Soil from the developed area of the ground must be also preserved.**

- 3) *E.g. act No 49/1997 Coll., on the civil aviation and on the amendments of act No 455/1991 Coll., on the trade licensed activities (Trade License Act), as amended by the later regulations, act No 13/1997 Coll., on the ground roads, act No 266/1994 Coll., on the railways, act No 110/1964 Coll., on the telecommunications, as amended by the later regulations, act No 138/1973 Coll., on waters (Water Act), as amended by the later regulations, act No 20/1987 Coll., as amended by the later regulations, act No 20/1966 Coll., on the health care, as amended by the later regulations and its executive directives, act No 222/1994 Coll., on the conditions for business activities and state administration execution in the field of power and energy, and on the State Energetic Inspection, as amended by the later regulations, act No 114/1992 Coll., act No 114/1995 Coll., on the in-country navigation, act No 44/1988 Coll., on the protection and utilisation of raw materials (Mining Act), as amended by the later regulations, act No 334/1992 Coll., on the protection of agricultural land, as amended by the later regulations, act No 289/1995 Coll., on the forests and on the amendments of some acts (Forest Act), act No 133/1985 Coll., on the fire protection, as amended by the later regulations, decree No 174/1994 Coll., specifying some general technical requirements ensuring the utilisation of the structures by handicapped persons with a limited ability to walk and to orientate.*
- 7) *Sec. 8 of the act No 114/1992 Coll.*

Section 8

Distances between structures

- (1) Distances between structures must comply with urban, architectural, environmental, hygienic, and veterinary requirements, with the requirements of the ground and underground water protection, protection of monuments, fire protection, safety, civil defence, and with the requirements for illumination, insolation and cosy housing. The distances must also allow the structure maintenance and utilisation of the spaces between the structures for technical or other installations and activities related to the land use (e.g. technical infrastructure networks, children playgrounds).**
- (2) If the residential houses create by their positions an open space in between them, the distance between them must not be shorter than 7 metres. Distance of the houses from the ground borders must not be shorter than 2 metres. In particularly tight locations, the minimum distance between houses may be decreased to 4 metres, if there are no living room or living space windows in these facing walls of the houses; in such cases the condition of the minimum distance from the ground borders need not be respected.**
- (3) Distances between the leisure time structures for individuals, which create an open spaces in between them, must not be shorter than 10 metres**
- (4) Distance of the facade with living room and living spaces windows from the edge of the road or way must be at least 3 m; this requirement shall not be applied in cases of structures located in the terrace houses vacant lots and in cases of structures with the location specified in the binding part of planning documentation.**
- (5) The distances and spaces shall be measured by the shortest join between the outer surface of the structure walls, balconies, loggias, terraces, and further from the ground borders and the road edges.**

Section 9

Connection of structure to access roads

- (1) In cases of structures, where according to their nature it is deemed necessary, the capacity-appropriate connection to the ground road shall be established.⁸⁾**
- (2) Connections of structures to the ground roads must, by their design, quality and manner of connection, comply with the requirements of the safe structure utilisation and safe and fluent road traffic on the ad-**

jacent roads.⁹⁾ According to the nature of structure, the requirements of the transport means access, the parking and the fire fighting vehicles accessibility must be respected.

- (3) In cases of structures designated for assembly of large number of people, market structures, public temporary accommodation structures, manufacture or storage structures and agriculture structures, the access of supply vehicles must be ensured, as well as the space for loading and unloading these vehicles.

8) Act N° 13/1997 Coll. Decree N° 104/1997 Coll., which is executive for the Act on the ground roads.

9) Act N° 12/1997 Coll., on the safety and fluency of ground road traffic.

Section 10

Scatter spaces and parking places

- (1) Structures must have scatter spaces in front of their entrances (e.g. pavement, public open space), appropriate to their type. Design of such scatter space must allow a fluent and safe access, departure and scatter of persons, including handicapped persons with a limited ability to walk and orientate, in the structure's surrounding.
- (2) Structures must be equipped with a standard number of bay and parking places,⁸⁾ including a standard number of parking places for the handicapped persons' cars,¹⁰⁾ designed as an integral part of the structure or as an operational, non separable part of the structure, or located on the structure's ground, if it is not restricted by the specified protective measures.⁵⁾ In cases of flat houses, the bay and parking places may be located outside the structure's ground.

5) Decree N° 26/1972 Coll., on the protection and development of the natural curative spas and the natural curative resources.

8) Act N° 13/1997 Coll. Decree N° 104/1997 Coll., which is executive for the Act on the ground roads.

10) Decree N° 174/1994 Coll.

Section 11

Connection of structure to technical infrastructure networks

- (1) According to the type and needs the structures shall be connected to drinking water supply, possibly industrial water and fire extinguishing water supply, to energy supplies and sewage water plants and must allow the connection to the telecommunication lines.
- (2) Any connection of structure to the water supply or energy line must be equipped with a separate valve or switch to close. The point of the main valve or switch, as well as the connection points for fire extinguishing water supply, must be accessible and permanently marked.
- (3) Structures must be connected to the public sewage network if it is technically or economically feasible and if its capacity is sufficient. Otherwise it is necessary to construct an installation for waste water treatment (e.g. small sewage plants, cesspits).
- (4) All underground passages of technical infrastructure lines into the structures or their parts must be gasproof.

Section 12

Fencing the grounds

- (1) Grounds with the following structures must be surrounded by fences,
- a) structures that may affect the environment negatively (e.g. manufacture structures with dirty operation conditions, sewage water plants, rendering plants),
 - b) structures where the free movement of persons and animals must be prevented (e.g. penitentiaries, barracks, hospital pavilions of infection diseases, closed psychiatric separations, zoos),

- c) structures which require protection against the outside influence (e.g. food and beverages processing and manufacturing plants),
 - d) structures with restricted access for authorised persons only (nuclear installations, regulatory and measuring installations etc.).
- (2) A fence must not disturb, by its extent, shape and material, the nature of a structure on the fenced ground and its surrounding¹¹⁾ and it must not hide the vision range of the structure's connection to the ground road.
 - (3) The fence design must not menace the safety of persons including the handicapped persons with a limited ability to walk and to orientate and the road traffic.

11) E.g. act N° 114/1992 Coll., act N° 20/1987 Coll.

Section 13 Structures' impact on environment

- (1) The negative impacts of the structures on the environment, particularly air pollution, noise, heat, vibrations, quakes, dust, odour, water pollution, pollution of roads and shading the structures from the sun, must not exceed the limits specified in the respective regulations.¹²⁾
- (2) In cases of structures, where their utilisation generates wastes, the waste disposal regime must be designed (collecting, disposal or recycling of wastes) according to the specific regulations.¹³⁾
- (3) Installations and spaces for waste disposal must be located in accordance with the requirements of the human health and environmental protection.

12) E.g. act N° 20/1966 Coll., act N° 17/1992 Coll., decree N° 45/1966 Coll., on creation and protection of sound environment, as amended by the later regulations, decree N° 13/1977 Coll., on the health protection against the adverse impacts of noise and vibrations.

13) Act N° 125/1997 Coll., on wastes.

Section 14 Building site

- (1) Building site must be arranged, organised and equipped so that the access roads for transportation of material allow proper and safe construction activities. There must not occur any excessive annoyance of the surrounding, particularly by noise, dust etc., any menace to the safe road traffic, particularly having in mind handicapped persons with a limited ability to walk and to orientate, further any road pollution, air and water pollution, any access limitation to the adjacent structures or grounds, to the technical infrastructure networks and fire installations.
- (2) Requirements on the fire protection features of the building site installations are specified by standard values.
- (3) Establishment of building site in a cultural monument area or a nature preserved area is subject to conditions saying that any installation can not be joined to the ground by the means of solid fundament, or only mobile installation may be used. The building site structures can not be permitted as permanent structures additionally, either.
- (4) The drainage of rain, waste and technological waters from the building site must be organised so that any maceration of the ground could not occur including the maceration of internal roads on the site, neither breaks nor pollution of the road drainage systems and other adjacent areas could happen, and no maceration thereon could occur.
- (5) Underground energy, telecommunication, water and sewerage networks in the area of building site must be located as to their position and altitudes prior to the construction start up.

- (6) Public open spaces¹⁴⁾ and ground roads, temporarily used for the building site while keeping their utilisation by public (pavements, subways etc.), including the handicapped persons with a limited ability to walk and to orientate, must be well maintained and protected for the time of their shared utilisation. Stipulation of the specific regulation¹⁰⁾¹⁵⁾ is not affected by this.**
- (7) Public open spaces and ground roads may be used for building site only in a limited extent and time. After finishing their utilisation as building site they must be set in the original state unless they will be used otherwise.**
- (8) Other requirements regarding the labour safety on the building site are governed by the specific regulation.¹⁵⁾**

10) Decree N° 174/1994 Coll.

14) E.g. the Sec. 4 of the act N° 565/1990 Coll., on local tolls and fees, as amended by the later regulations.

15) Decree N° 324/1990 Coll., on the labour safety and on the technical installations when performing the constructions.

PART TWO

GENERAL REQUIREMENTS ON SAFETY AND UTILISATION FEATURES OF STRUCTURES

Section 15 Basic requirements

- (1) The design and construction of a structure must be economical, must satisfy the projected purpose, and must comply with the following requirements
 - a) mechanical resistance and stability,
 - b) fire safety,
 - c) protection of health, sound living conditions⁴⁾ and environment,
 - d) protection against noise, ⁴⁾¹⁶⁾
 - e) utilisation safety,
 - f) energy savings and heat insulation.
- (2) The structure must comply with the requirements of the par. 1 when exercising the usual maintenance and when receiving the usually foreseen impacts for its whole foreseen lifetime.

⁴⁾ Act No 20/1966 Coll.

¹⁶⁾ Decree No 13/1977 Coll.

Section 16 Mechanical resistance and stability

- (1) The structure and its alteration must be designed and constructed so that neither load nor other impacts, to which it is exposed during the construction time and utilisation, can, supposed that it is well maintained, cause
 - a) a sudden or gradual breakdown, or destructive damage to any of its parts or adjacent structure,
 - b) a higher grade of unacceptable transformation (distortion of construction or cracks), which can affect the stability, mechanical resistance and utilisation features of the structure or its parts, or which can lead to shorter lifetime of the structure,
 - c) a damage or a menace of serviceability of the connected technical installations due to the bearing construction distortions,
 - d) a menace of serviceability of the ground roads in the close surrounding of the building site and a menace of safety and fluency of road traffic on the road adjacent to the building site,
 - e) a menace of serviceability of the technical infrastructure networks in the structure's surrounding,
 - f) a damage to the structures e.g. by explosion, stroke, overload, or by human failure, which could be prevented without inappropriate troubles or costs, or which could be at least reduced,
 - g) a menace of flow rates in inundation areas in cases of floods by their possible transition.
- (2) In cases of structures for supplying the consumers with water or energy, the construction must be designed and made so that no unforeseen permanent or temporary menace of serviceability of the structure could occur.
- (3) Constructions and elements must be designed and manufactured so that they can serve for the required purpose for the foreseen structure's lifetime and to withstand all loads and impacts, which can normally occur when constructing and using the structure, to withstand the harmful environmental conditions, especially atmospheric and chemical processes, corrosion, radiation and quakes.
- (4) Design of structures in the areas of mining or earthquakes shall take into consideration the foreseen distortions of the fundamental ground caused by these mining activities or earthquakes on the surface.

DIVISION ONE FIRE SAFETY

Section 17 Terminology

- (1) Structure's fire safety is a feature that reduces the risk of fire and its spreading to a minimum level, preventing thus the losses of human lives and human health, including the firemen, possibly also the animals and losses of property in case of fire. This can be achieved by an appropriate urban incorporation of the structure, by its disposition, design of construction and materials used, possibly by fire protection measures and installations (e.g. built-in extinguish installation, heat and smoke fire outlets) and by the means of fire protection.
- (2) Fire space is a part of a structure separated from other parts or neighbouring structures by fire separation constructions.
- (3) Fire resistance is the time, for which the constructions or the fire walls can withstand the fire temperatures without breaking their effective operation.
- (4) Escape corridor is a way, which allows the safe evacuation of the persons from the structure or its part endangered by fire to an open space, possibly the access of firemen.
- (5) Fire risky space is the space round the burning structure where the danger of fire spreading by heat radiation or falling and collapsing parts of the structure exists; it must not exceed the building ground border.
- (6) Shielded escape corridor is the permanently free communication way leading to the exit to an open space, creating a separate fire space with a constructional design and technical equipment based on the standard values (e.g. regarding the materials used, fire resistance of constructions, ventilation).

Section 18 General requirements

- (1) To prevent the losses of human lives and human health, possibly the losses of animals and property, the structures, according to their type and needs, must be designed, constructed, used and maintained so that
 - a) the stability and the load-carrying capacity of constructions is sustained for the time specified according to par. 4,
 - b) they prevent the inception and spreading of fire and its waste products among the fire spaces inside the structure,
 - c) they prevent the spreading of fire outside the structure, e.g. to the neighbouring structure or its part,
 - d) the safe evacuation of persons and animals may be done from the burning or the fire-damaged structure, or possibly its part, to the open space or to the other fire-safe space,
 - e) the effective and safe intervention of fire brigades would be possible during the fire and consequent works.
- (2) The structure's alterations must not degrade the fire safety features of the structure and the safety of persons and they must not make the fire operations more difficult.
- (3) The structure must be divided into fire spaces if its size exceeds the limit dimensions specified by the standard values, or if there are spaces within the structure, which must form independent fire spaces (e.g. escape corridors).
- (4) Materials used for the construction must comply with the standard values (e.g. flammability degree). Fire resistance characteristic of the construction must comply with the standard values. Load-carrying constructions supporting the structure's stability must have at least the fire resistance of
 - a) 60 minutes for structures with 9 through 12 over ground floors,

- b) 90 minutes for structures with 13 through 20 over ground floors,
- c) 120 minutes for structures with more than 20 over ground floors.

Section 19 Persons evacuation and escape requirements

- (1) For the reasons of evacuation of persons, escape corridors must lead from each of the fire space. These corridors shall comply with the standard values by its type, number, position, capacity, technical equipment and constructional design, and thus they shall allow for a safe escape of persons to the open space or to the fire-safe spaces.
- (2) The least width of the non-shielded escape corridor is one escape lane; the least width of the shielded and semi-shielded escape corridor is 1.5 times the escape lane with the door width on the way of this corridor at least 800 millimetres. The width of one escape lane is 550 millimetres.
- (3) The structures with more than three over ground floors, where permanently or regularly more than 10 handicapped persons with a limited ability to walk, or persons not able to walk at all, stay, must be equipped with evacuation lifts. Other structures shall be equipped with evacuation lifts according to the standard values. Operation of the evacuation lift must be backed up by two, independent power supply sources.
- (4) The escape ways must be properly illuminated. Shielded escape ways for evacuation of persons with a limited ability to walk and to orientate and for persons not able to walk at all and the escape ways for partial evacuation must be equipped with an emergency illumination.

Section 20 Distance requirements

- (1) To prevent the spreading of the fire by heat radiation or by falling or collapsing of constructional burning parts from the fire spaces or structures evaluated onto the other fire space or structure, possibly onto the open storage spaces of inflammable substances, the necessary distance, demarcated by the fire risky space, must be kept. When evaluating the fire risky space, the fire dangerous spaces of the existing structures shall be taken into account.
- (2) The fire risky space must be also specified for the open storage spaces of inflammable substances, open technological installations, non-covered distribution lines and for other installations and plants, where the potential fire transfer to other structures may occur.
- (3) Only the structures and installations complying with the standard fire safety values may be located in the fire-risky space.

Section 21 Fire operations requirements

- (1) Each structure must allow the fire intervention from outside or inside of the structure, possibly by both ways.
- (2) Access areas and access roads must be designed and constructed so that they comply with the standard fire safety values for the arrival and placing of fire vehicles and the access areas must be connected to the access roads.
- (3) Internal intervention ways must be built in cases when the fire operations can not be led from outside, or when the operations shall be parallel from outside and inside of the structure.
- (4) In cases of structures higher than 45 metres, the internal intervention ways must be equipped with a fire lift. Fire lift must comply with the standard values and must allow the transportation of firemen and equipment to all floors of the structure. If the dimensions of fire lift are at least 1100 x 2100 millimetres

the lift may be rated as an evacuation lift. Operation of the fire (evacuation) lift during the fire must be backed up by two, independent power supply sources.

- (5) In all cases where water is foreseen as an extinguishing substance, the appropriate amount must be ensured according to the standard values. If the nature of inflammable materials or equipment of the structure excludes water as extinguisher, the structure must be equipped with other appropriate and effective extinguishing substances.
- (6) Source of the fire extinguishing water or other extinguishing facilities must allow by their capacity, location and equipment, an effective fire intervention in any place of the structure.
- (7) All electrical appliances and installations, which are supposed to operate during the fire to protect persons and property, must be supplied in the time of fire from two, independent power sources, at least for the necessary foreseen time of their utilisation.

DIVISION TWO PROTECTION OF HEALTH, SOUND LIVING CONDITIONS AND ENVIRONMENT

Section 22 General requirements

- (1) Design and construction of the structure must not menace human lives and health, sound living conditions of its users and the neighbouring structures' users⁴⁾ and must not menace the environment by exceeding the limits specified in the specific regulations,¹²⁾ especially
 - a) by releasing the substances harmful for human and animal health and lives,
 - b) by presence of hazardous particles in the air,
 - c) by releasing the danger radiation, especially ionising radiation,
 - d) by negative impacts of the electromagnetic field,¹⁷⁾
 - e) by air and soil pollution,
 - f) by insufficient disposal of waste water, smoke, solid and liquid wastes,
 - g) by presence of moisture inside the constructions or on the internal surfaces of constructions,
 - h) by insufficient noise insulating features.
- (2) The structure must withstand the negative impacts of the environment, for instance soil humidity and underground water, atmospheric and chemical processes, radiation and quakes.
- (3) The floor level of a residential room must be at least 150 millimetres above the level of the modified ground terrain that borders this room and at least 500 millimetres above the level of underground water, if the room is not insulated against the undesirable water by technical means. Requirements of the specific regulation¹⁰⁾ are not affected by the above stated.
- (4) The clear height of the rooms, if neither specific regulation¹⁸⁾ nor stipulation of the part four of this decree specifies otherwise, shall be at least:
 - a) 2600 millimetres in the residential and staying rooms,
 - b) 2300 millimetres in the residential and staying rooms in an attic; the rooms with slanting ceilings must have this clear height at least over the half of their floor area.
- (5) The grounds, which are built from all their sides (e.g. yards, spaces) must be accessible; if their area is over 200 square metres, the access passage must be at least 3.5 wide and at least 4.1 metres high.
- (6) Every flat must have at least one toilet and one bathroom. The number of toilets for each operating unit with staying rooms shall be calculated according to the standard values, unit's purpose and number of its

users. A toilet must not be accessible directly from a staying room or a residential room, if it is the only toilet in the flat. If the flat is composed only of two residential rooms, the toilet and the bathroom may be situated together in one room.

- (7) **Requirements specifying the protection of persons against radon radiation inside the structures are described in a specific regulation.¹⁹⁾**

4) *Act N° 20/1966 Coll.*

10) *Decree N° 174/1994 Coll.*

12) *E.g. act N° 20/1966 Coll., act N° 17/1992 Coll., decree N° 45/1966 Coll., on creation and protection of sound environment, as amended by the later regulations, decree N° 13/1977 Coll., on the health protection against the adverse impacts of noise and vibrations.*

17) *E.g. decree N° 408/1990 Coll., on the protection of health against the harmful electromagnetic radiation.*

18) *Guideline N° 46/1978 Coll. Hygiene regulations on hygiene requirements of the working conditions as stipulated in decree N° 66/1985 Coll. Hygiene regulations and directive N° 77/1990 Coll. Hygiene regulations, reg. part 21/1978 Coll., 16/1985 Coll. and 9/1989 Coll. Guideline N° 58/1981 Coll. Hygiene regulations on the principal hygiene requirements, on the highest admissible levels of the most dangerous pollutants in the air and on air pollution measurements and evaluation, reg. part 14/1981 Coll. Decree N° 174/1994 Coll.*

19) *Act N° 18/1997 Coll. Decree N° 184/1997 Coll., on the requirements of radiation protection.*

Section 23

Day light, ventilation and heating

- (1) **Day light illumination must be designed and assessed together with other aspects, particularly with the possibility of shared illumination and artificial light, with heating, cooling, noise barriers, insolation including the impacts of neighbouring structures and including the opposite impact of the structure on the neighbouring existing structures. The aim is to achieve the sufficient and cosy visual conditions with a minimum energy consumption in accordance with the standard values.**
- (2) **Residential rooms must be sufficiently illuminated by day light, directly ventilated and sufficiently heated with a possibility to adjust the heat.**
- (3) **Staying rooms shall be illuminated by day light accordingly to their function and stay duration of the persons inside. In justified cases, the shared illumination, possibly artificial light according to the standard values may be designed. Residential rooms must have either direct, or powered ventilation, and sufficient heating with a possibility to adjust the heat.**
- (4) **Toilets, personal hygiene spaces, cooking spaces, pantries and kitchen cabinets for storing the food must be ventilated effectively. Toilets, personal hygiene spaces and cooking spaces must be sufficiently heated with a possibility to adjust the heat.**
- (5) **Ventilation outlets of the flats must not lead to the house infrastructure spaces or to the house communication corridors.**
- (6) **Ventilation and illumination of the flat facilities²⁰⁾ is acceptable also by the means of skylight and ventilation wells if their area is at least 5 square metres and the shorter dimension is at least 1500 millimetres. Their bottom must be accessible, easy to clean and must be equipped with an outlet and an odour stopper. Skylight and ventilation wells, in their whole height, may be only shared for ventilation of the rooms of a similar character. No smoke ducts, no waste gases outlets from gas-heated devices etc. may be placed in these wells.**

20) *the Sec. 121, par. 2 of the Civic Code.*

Section 24
Sun light

- (1) Residential rooms and those staying rooms, which require it according to their function, must be insulated. However, cosy visual conditions must be ensured as well as the dazzle protection, particularly in the rooms designated for the visually precise and demanding activities.
- (2) All flats must be insulated. A flat is insulated if the sum of its insulated residential rooms' areas is equal at least to 1/3 of the sum of all its residential rooms' areas. Insolation assessments are based on the standard values.

Section 25
Protection against noise and vibrations

- (1) The structure must withstand the noxious impacts of noise and vibrations. The structure must eliminate the noise and vibrations affecting people and animals to the level, which does not menace health, ensures night quiet and is acceptable for the residential and working conditions not only inside the structure, but also on the neighbouring grounds and in the structures.
- (2) The highest admissible values of noise and vibrations for the individual types of structures are specified by a specific regulation.²¹⁾
- (3) When ensuring the protection of structures against noise, especially from traffic, the urban measures shall be preferred to the measures protecting single structures.
- (4) All built-in technical installations generating noise and vibrations (e.g. lifts, pumps, switches, waste shafts, air conditioning, heat exchangers, transformers etc.) must be installed in the structures with residential and staying rooms in such manner, that the transfer and spreading of noise and vibrations onto the construction frame is limited,²¹⁾ especially paying attention to the muffled rooms (e.g. residential rooms, cabinets, hospital rooms, reading rooms).
- (5) Pipelines (water, gas, air conditioning, sewage, steam, warm, heat) shall be led and fixed in such a manner, that they do not transfer noise of their operation and noise captured outside to the muffled rooms.

21) Decree No 13/1977 Coll. Guideline No 41/1977 Coll. Hygiene regulations, the highest admissible values of noise and vibrations, reg. part 4/1977 Coll.

DIVISION THREE

Section 26
Safety of building and using structures

- (1) Design and construction of the structure must prevent accidents caused by slip, falling down, stroke, burn, electric shock, and explosion²²⁾, when using the structure, inside or in the close surrounding of the structure, or accidents caused by a moving car.
- (2) The main in house communication ways in the structures with residential and staying rooms must allow transportation of objects 950 x 1.950 x 800 mm; in cases of structures for health and social care, these dimensions must be 1950 x 1950 x 900 millimetres. The above described requirement shall not be applied to houses and leisure time structures for individuals.
- (3) Safety requirements for construction process of structures and their parts are governed by a specific regulation.¹⁵⁾

(4) When constructing and using the structure, the road traffic safety must not be menaced.

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- 15) Decree No 324/1990 Coll., on the labour safety and on the technical installations when performing the constructions.
 22) Decree No 18/1987 Coll., specifying the requirements for the protection against inflammable gases and vapours explosions.

Section 27

Accessibility and utilisation of structures by handicapped persons with a limited ability to walk and to orientate

Requirements specifying the structures from the point of view of their utilisation by handicapped persons with a limited ability to walk and to orientate, including the designs of access ways to the structures, requirements on roads, constructions and facilities are governed by a specific regulation.¹⁰⁾

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- 10) Decree No 174/1994 Coll.

Section 28

Energy savings and heat insulation

- (1) Design and construction of the structure must minimise consumption of energies for heating, ventilation, or air conditioning; energy consumption shall be regulated by the structure's shape, disposition, orientation and window size, materials and products used and heating systems. When designing the structure, the climatic conditions of the place shall be respected (e.g. air temperature and its variations, humidity, wind speed and direction and frequency of dominant winds, volume and frequency of precipitation).**
- (2) The structures where certain values of inside environmental conditions are required shall be designed and constructed so that the following features are ensured**
- a) cosy temperature conditions for the users,
 - b) required technical-thermal characteristics of the construction,
 - c) values of the inside environmental conditions for technological processes and for breeding the cattle,
 - d) low energy consumption of the structure's operation.
- (3) Technical-thermal characteristics of the structures are specified by the standard values.**

Section 29

Structure removal

- (1) When removing the structure or its parts (demolitions, disassemble, or moving), no menace to safety, lives and health, fire, or uncontrolled failure of the structure's stability or its part, may occur. When removing the structure or its parts, no menace to the stability of other structures¹⁵⁾ or to the serviceability of the technical infrastructure networks may occur.**
- (2) Surrounding areas of the removed structure must not be excessively annoyed, particularly by noise and dust.**
- (3) Structure removal is carried out in accordance with the priorly approved technological schedule.⁴⁾¹⁵⁾**
- (4) Rubble and waste material from the removed structure must be disposed immediately and continuously not to affect the road traffic safety and fluency and not to affect the environment.**
- (5) Disposal of rubble and waste material from the removed structure is governed by a specific regulation.¹³⁾**

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- 4) Act No 20/1966 Coll.

13) Act No 125/1997 Coll., on wastes.

15) Decree No 324/1990 Coll., on the labour safety and on the technical installations when performing the constructions.

PART THREE

REQUIREMENTS ON CONSTRUCTIONS AND TECHNICAL INSTALLATIONS OF STRUCTURES

DIVISION ONE CONSTRUCTIONS

Section 30 Founding of structures

- (1) Structures must be founded accordingly to the foundation conditions of the site; the stability of other structures must not be menaced.
- (2) When founding the structure, the possible consequential changes to foundation conditions on neighbouring grounds to be developed must be taken into account, as well as the possible changed regime of underground water.
- (3) The foundations must be, according to the need, protected against the aggressive water and substances that can damage them.
- (4) In cases of structures the foundations of which are exposed to the temperature changes (kilns, freezing boxes), the impacts of these changes on the conditions of the foundation ground, especially for cohesive soils, must be taken into account.
- (5) Underground constructions separating the interior spaces from the surrounding soil or foundations must be insulated against the soil humidity, possibly against the underground water. Rooms designated for growing plants and storing vegetable products (e.g. mushrooms, vegetables, potatoes) are governed by the Sec. 55, par. 5.

Section 31 Walls and partitions

- (1) Fire separating and load-carrying walls inside the fire spaces must be fire resistant according to the standard values. Materials for all walls and partitions must comply with the standard values.
- (2) Peripheral walls and their parts not complying with the fire conditions according to the par. 1, shall be deemed to be fire open areas. These peripheral walls must be, at the dividing lines of the fire spaces, constructed with fire zones, which comply with the standard values, possibly with fire safety installations, which can replace the zones. Fire zones are not required for houses.
- (3) Peripheral walls, internal walls dividing the spaces with different heating regimes and walls adjacent to the terrain must comply with the requirements on the technical-thermal characteristics for heat transmission, water vapour penetrability and air penetrability of the constructions, which are specified by the standard values of
 - a) construction thermal resistance,
 - b) distribution of the internal surface temperatures over the construction,
 - c) thermal inertia of the construction related to a room or the structure,
 - d) water vapour diffusion and humidity balance,
 - e) air penetrability of the construction, of its joints and splices.

- (4) A wall or partition is acceptable from the point of view of acoustic insulation if it complies with the requirements of the building acoustics on the air soundproof features among the rooms in the structure, based on the standard values.

Section 32

Ceilings

- (1) Fireproof ceilings and fire spaces ceilings must be fire resistant according to the standard values and characteristics of the materials used for the ceilings must comply with the standard values.
- (2) Internal ceiling constructions must have the proper technical-thermal characteristics of heat transmission both in stable and unstable thermal conditions, according to the standard values. Ceiling constructions above the open passages and spaces must further comply with the requirements on water vapour diffusion and air penetrability.
- (3) Ceilings do have acceptable acoustic insulation, if they comply with the requirements of the building acoustics on air and walking soundproof characteristics, according to the standard values.

Section 33

Floors, walls and ceilings surfaces

- (1) Floor constructions must have the proper technical-thermal characteristics of heat transmission both in stable and unstable thermal conditions and further they must comply with the requirements of the building acoustics on air and walking soundproof characteristics, according to the standard values. The whole ceiling construction sandwich shall be assessed globally.
- (2) All floors in residential and staying rooms shall be equipped with an anti slippery surface having a sliding friction coefficient at least 0.3. In cases of public structures, including the passages and sheltered passages, this value must be at least 0.6.
- (3) In the shielded escape corridors the constructional and material composition of the floors must comply with the standard values (e.g. when designing the level changes, locating the thresholds). The walking surface of the floor must not be made of a material having a fire spreading index higher than 100 mm/minute.
- (4) Floor installations must not affect the floor characteristics required for the respective space.
- (5) In the shielded escape corridors the surfaces of walls and ceilings must be made of materials having a fire spreading index equal to zero.
- (6) Surfaces of the walls and partitions in the spaces, where potentially a dust explosion may occur, must be smooth and washable.

Section 34

Staircases and slant platforms

- (1) Each floor, except the entrance accessible directly from the modified terrain, and each used loft space of the structure must be accessible, at least, from one staircase (main staircase). Other staircases (auxiliary) shall be designed especially for the purposes of escape, or intervention ways in accordance with the standard values. Instead of staircases the slant platforms may be designed, which in their escape parts must not have a gradient higher than 1 : 8.
- (2) The least walking and passing through height of the staircases is specified by the standard values.
- (3) All staircase steps in one flight must have equal heights, and also equal widths in direct flights.

- (4) The least widths of a stair step and a tread are specified by the standard values.
- (5) The stair step height (h) – width (b) relation in millimetres must be $2h + b = 630$ millimetres. This value may be decreased to 600 millimetres provided that the highest admissible staircase flight gradient is not exceeded.
- (6) Number of stair steps heights in one flight of a main staircase may be 16 at maximum, the maximal number for auxiliary and flat interior staircases is 18; tread of the stair step must be horizontal, without slant in any direction, transverse and longitudinal.
- (7) The gradient of staircase flights in all residential flat houses with lifts and of flat interior staircases must not be higher than 35, and not higher than 33 in all residential flat houses without lift. The gradient of flat interior staircases with the flat constructional height lower than 3000 millimetres and the gradient of staircases flights leading to the underground floors may be increased up to 41. The structures listed in a specific regulation¹⁰⁾ must not have, in their public parts, the staircase flight gradient higher than 28 and the stair step height higher than 160 millimetres.
- (8) The least admissible passing through height of the staircase flight, dimensions of landings and inter-landings and other safety requirements are governed for the individual structure types by a specific regulation²³⁾ or specified by the standard values.
- (9) The landing surface of interior staircases must be horizontal, without slant in any direction, transverse and longitudinal. The landing surface of the exterior staircases may have a maximal 7% longitudinal gradient in the direction of descend.
- (10) Ladder staircase may be designed only for occasional use by a limited number of persons (e.g. manholes leading to roofs, permanently unused lofts). The least passing through width of a ladder staircase flight is 550 mm; this width must not be reduced in any case and by any means. The least admissible width of a ladder staircase step is 150 millimetres.
- (11) Sliding friction coefficients of the surface must be at
 - a) a tread on the edge of a stair step at least 0.6, over the remaining tread surface at least 0.3 and the anti slippery treatment must not project from the tread surface more than 3 millimetres,
 - b) an interior staircase landings at least 0.6,
 - c) an exterior staircase landings at least $0.6 + \text{tg } \alpha$, where α stands for a slant angle of the landing,
 - d) the whole ladder staircase at least 0.6,
 - e) a slant platform at least $0.6 + \text{tg } \alpha$, where α stands for a slant angle of the platform,
- (12) Technical requirements on the slant platforms are specified by the standard values; the specific regulation¹⁰⁾ requirements remain unaffected by it.
- (13) The level of noise transmitted from the staircases and landings to the neighbouring rooms must comply with the requirements of the building acoustics based on the standard values.
- (14) Staircase spaces must be illuminated and ventilated.

10) Decree No 174/1994 Coll.

23) Decree No 48/1982 Coll., specifying the basic requirements on labour safety and safety of technological installations, as amended by the later regulations.

Section 35 Chimneys and smoke ducts

- (1) Chimneys and smoke ducts must be designed and constructed to ensure in all operation circumstances the safe exhaust and diffusion of waste gases to the open air, thus preventing their accumulation and pre-

serving the safety. The smoke way formed by a smoke duct and a chimney must not affect the efficiency of fuel consuming devices.

- (2) Chimneys for waste gases exhaust of liquid and gas fuel consuming devices must be resistant to waste gases condensates.
- (3) Design materials of chimneys, smoke ducts and chimney linings shall be
 - a) non-flammable, or hardly flammable for the devices with a guaranteed low output temperature of waste gases,
 - b) liquid-absorbing in accordance with the standard values,
 - c) frost resistant in their parts exposed to atmospheric processes,
 - d) resistant to waste gases and their condensates.
- (4) Chimneys with a permanent occurrence of condensates must be tight and protected against the frost.
- (5) Location of a chimney, its height and top characteristics are specified by the standard values.
- (6) The least admissible diameter of a clear vent hole of a suction or a pressure chimney is specified by the standard values.
- (7) A chimney must be constructed with cleaning, or sweeping, or emptying and checking holes. These holes shall be covered with tight chimney lids made of non-flammable material, secured against their incidental opening or falling. The lids for gas consuming devices ducts may be made of hardly flammable material. No air conditioning may be led into the chimneys.
- (8) The chimneys, which shall be checked and cleaned from the top, must be safely accessible from the structure, by a manhole in the roof, possibly across a chimney footbridge. Access ways and footbridge requirements are specified by the standard values.

Section 36 Roofs

- (1) The roofs must collect and drain away rainwater, snow and ice in a manner not menacing the pedestrians and traffic in the associated traffic zone, and shall prevent penetrating water into the structure constructions. The roof skin must be resistant to climatic processes and conditions. The roof skin overlapping a fire risky space must be made of non-flammable materials, or it must be certified for fire non-spreading features.
- (2) Walk roofs and terraces must be safely accessible and must be equipped with the safety features (railings, walls etc.) and with the features ensuring its air soundproof character.
- (3) Roof constructions must comply with the requirements on the technical-thermal characteristics for the heat transmission, water vapour penetrability and air penetrability of the constructions, which are specified by the standard values of
 - a) construction thermal resistance,
 - b) distribution of the internal surface temperatures over the construction,
 - c) thermal inertia of the construction related to a room or the structure,
 - d) water vapour diffusion and humidity balance,
 - e) air penetrability of the construction, of its joints and splices.
- (4) Roof constructions must comply with the fire safety requirements based on the standard values.

Section 37 Openings

- (1) Constructions and frames in the openings (windows, doors etc.) must be appropriately solid to avoid distortions during the normal operation, or drooping, or other malformations, and must withstand the load including its own weight and the load caused by wind, when the casement is open, without damages, shifts, distortions or operating failures.
- (2) Opening panels must have the proper technical-thermal characteristics in stable thermal conditions. Heat transmission coefficient for the opening panels is specified by the standard values accordingly to the structure type and the panel type, including jambs and doorframes.
- (3) The acoustic characteristics of opening panels in residential and staying rooms must ensure the sound-proof requirements at a certain outside noise level, while in the same time enabling the change of an inside air volume in all residential and staying rooms at least once an hour.
- (4) Opening dimensions, if it is to be an alternate emergency exit, must be at least 500 x 800 millimetres and the window sill may be 1200 millimetres above the floor level at maximum. If the opening is to be used for fire intervention, its size must be at least 800 x 1500 millimetres.
- (5) The main entrance door to the flats and staying rooms must have a clear width at least 800 millimetres.
- (6) The window sills in residential and staying rooms, which lead to an outside open space deeper than 0.5 metres, must be at least 850 millimetres high or must be constructed with a railing up to at least this height.
- (7) The least dimensions of the roof, shaft and gutter chamber manholes are specified by a specific regulation.²³⁾
- (8) Openings in the fire separating constructions (doors, gates, shaft coverings) must be equipped with fire locks, which comply with the standard values as to their types and fire resistance. Escape corridor doors must allow easy and quick transit and they must not, by their locking, hinder the evacuation of persons, possibly of animals, and fire intervention.

²³⁾ Decree № 48/1982 Coll., specifying the basic requirements on labour safety and safety of technological installations, as amended by the later regulations.

Section 38 Railing

- (1) All walk areas of the structure, where a potential danger of falling down exists, and which are accessible, must be equipped with a railing (or with another barrier), which must safely withstand a load acting in both vertical and horizontal direction.
- (2) A railing must be constructed at the open edge of a walk area, where the space in front is deeper and wider than the standard values related to the type of the walk area (e.g. with a limited accessibility, freely accessible for adults, children spaces, auditoriums). The open space is not deemed to be a space covered by a construction, which complies with the load-carrying values for walking.
- (3) A railing need not be constructed if
 - a) it hinders the designated function of an area (platforms, loading ramps, swimming pools, stages etc.),
 - b) the open space is not deeper than 3.0 metres, provided that the free edge of a walk area with normal or low traffic creates at least 1500 millimetres wide non-walking zone, clearly demarcated.
- (4) The least admissible railing height including the handle is
 - a) lowered – 900 millimetres, if the open space is not deeper than 3.0 metres,

- b) basic – 1000 millimetres, in all cases when neither lowered nor higher height is allowed or required,
 - c) higher – 1100 millimetres,
 - 1. open space depth is more than 12.0 metres, or
 - 2. walk area is slant towards the free edge within the distance lower than 1.0 metres from the edge and the gradient is more than 10% or is formed by steps, regardless of the open space's depth [if it is not necessary to use a railing according to letter d)], or
 - 3. there exists a danger of hazardous substances in the open space,²⁴⁾
 - d) special – 1200 millimetres, open space depth is more than 30.0 metres
- (5) The least admissible railing height at staircases or slant ramps with a mirror is specified by the standard values.
 - (6) Railing design in the spaces for children and in the flat houses must be either solid, panelled, or rail post-formed by vertical posts or by a lattice. Rail post gaps must not be wider than 120 millimetres in flat houses and 80 millimetres in the spaces for children.
 - (7) If there exists a danger of slipping or falling down, the railing must be at its bottom equipped with a protective fillet at least 100 millimetres thick.
 - (8) Slant railings of the staircases and slant ramps must be equipped with handles installed in the height at least 900 millimetres up to 1200 millimetres at maximum. In cases of structures where children younger than 12 years shall stay, another handle must be also installed in the height at least 400 millimetres up to 700 millimetres at maximum. A handle must be free from sharp edges, jags etc.
 - (9) Shielded escape corridor railing, except the handle, must be made of non-flammable material.

24) Government Order № 192/1988 Coll., on poisons and other hazardous substances.

Section 39 Lifts

- (1) Structures, according to the needs, shall be equipped with personal, freight, fire and evacuation lifts.
- (2) Lifts must be installed in the flat houses with more than four over ground floors (including the ground floor – transl. note). When constructing superstructures and annexes of flats on the fifth floor of flat houses, new lifts need not be installed and the existing ones need not be extended to the fifth floor.
- (3) Lift cabin of a personal lift must have at least the size of 1100 x 1400 millimetres, in cases of constructional alterations and changes of structure use these dimensions shall be at least 900 x 1200 millimetres, in cases of evacuation and fire lifts at least 1100 x 2100 millimetres. Entrance door or entrance opening of the lift cabin must be at least 800 millimetres wide. Requirements on the lift cabin dimensions, door width, free space in front of the lift and lift equipment specified by a specific regulation¹⁰⁾ remain unaffected by the above stated.
- (4) Design and location of the lift engine rooms must ensure that the maximal admissible noise level, specified by a specific regulation²¹⁾, in the neighbouring, acoustically insulated rooms is not exceeded. Engine room must be located in a special, lockable, illuminated and ventilated space. No other equipment than the one, which serves for lift operation, is allowed in the engine room. Lift engine rooms either form a separate fire space, or a common fire space with the lift shaft, if they are located above this shaft. Engine rooms of evacuation and fire lifts must be, for fire precautions, separated from other lifts engine rooms.

10) Decree No 174/1994 Coll.

21) Decree No 13/1977 Coll. Guideline No 41/1977 Coll. Hygiene regulations, the highest admissible values of noise and vibrations, reg. part 4/1977 Coll.

Section 40
Lift, pipe and ventilating shafts

- (1) Other lines or pipes of technical installations or other devices than those, which are necessary for the lift operation and safety, are not allowed in the lift shaft. Lift shaft must be sufficiently ventilated with the vents leading outside the structure and it must not be used for ventilation of spaces, which are not pertinent to the lift.**
- (2) Lift shaft must not directly border with acoustically insulated rooms.**
- (3) Lift, pipe and ventilating shafts leading through more fire spaces, must form separate fire spaces themselves.**
- (4) Fire resistance of the fire separating constructions of the lift and pipe shafts, including the fire seals of openings, is specified by the standard values.**
- (5) Shell constructions of lift, pipe and ventilating shafts, including insulation, must be made of non-flammable or at least hardly flammable materials.**
- (6) No pipe installation may be placed in the ventilating shaft.**

Section 41
Refuse shafts

- (1) Refuse shafts must ensure the safe waste disposal. Location, design and construction of refuse shafts, their inlets and cleaning openings, possibly inlet cabins and spaces for wastes collection, must not allow fire, smoke, odour, dust and noise to leak in the other parts of structure. Refuse shafts must be effectively ventilated.**
- (2) Inlets and other refuse shaft facilities must not be in residential and staying rooms and they must be located at least 1100 millimetres above the floor level or secured somehow against incidental falling inside. Refuse shafts must lead to a separate collection room, accessible from the structure's outside, easy to clean, with an effective ventilation.**
- (3) Refuse shafts and other collection spaces must form separate fire spaces; fire spaces requirements are specified by the standard values.**

Section 42
Balconies, loggias and oriel windows

- (1) Balconies, loggias and oriel windows must not menace the traffic and function of public spaces by their location and construction. Their height above the road surface and above a pavement, which is a safety distance (0.5 m) of a traffic space, is at least 4.8 metres**
- (2) Balcony and loggias floors must be waterproof. They must be equipped with a rainwater drainage.**
- (3) Balconies and loggias must be equipped with a railing or with another, mechanically solid and stable protective construction.**

DIVISION TWO STRUCUTRES' TECHNICAL INSTALLATIONS

Section 43

Water connections and internal water pipes

- (1) Connection of drinking water from the water distribution network must not be interconnected to another source.**
- (2) Water connection, or the part of underground internal water pipe, must be placed in a non-freezing depth or it must be somehow protected against frost, e.g by insulation.**
- (3) The main water valve of the internal pipes shall be placed ahead the water meter; it must be accessible and its location must be visibly and permanently marked.**
- (4) If the water distribution network is designed separately for drinking and industrial water, the internal water pipes must be designed accordingly.**
- (5) Cool water pipe must be insulated in those cases, when the water could freeze. Distribution and circulation pipes for hot water must be always insulated. Corrosive pipes must be protected against the corrosion.**
- (6) Internal water pipes must be secured against the possible reverse suction of the polluted water.**
- (7) Internal water pipes distributing the fire extinguishing water in accordance with the standard values, must be equipped with hydrant permanent pressure systems so that the water is immediately available.**

Section 44

Sewage connections and sewage drains

- (1) If the sewerage system is designed as divided, the sewage drains must be also divided.**
- (2) The sewage connection duct must be placed into the non-freezing depth or must be protected somehow against frost, e.g by insulation.**
- (3) Cleaning adapting pipes must not be installed in places, where the possible waste water leakage could menace the sound living conditions of the structure's utilisation.**
- (4) Ventilating pipes of the sewage drains must not lead in the chimneys, vents, pipe shafts and lofts, and the outlet must be at least 500 millimetres above the roof shell level.**
- (5) Rooms and spaces with wet process floor cleaning, with water reservoirs and with equipment, which are connected to sewage drains, must be equipped with a floor sewage inlet. If the nature of activities requires so, the inlet shall be equipped with a dirt trap (grease, oils, solids etc.).**
- (6) Plastic pipe leading through a shielded escape corridor must be covered with a non-flammable shield.**

Section 45

Electrical connections and internal heavy-current installations and telecommunication lines

- (1) Internal heavy-current installations and telecommunication lines shall be connected to distribution networks by connections.**

- (2) Electrical installation must according to the nature of operation comply with the requirements on
 - a) safety of persons, animals and property,
 - b) operational reliability in the required environment and way of its operation,
 - c) well-arranged installation enabling fast location and remedy of possible failures,
 - d) easy adaptability of the installation if any rearrangements of electrical appliances or machines are required,
 - e) power supply to the systems that must be kept working in case of fire,
 - f) elimination of negative interference and unweighted voltage when heavy-current and telecommunication lines are crossed or parallel.
- (3) Requirements on the heavy-current connections of structures are specified by a specific regulation.²⁵⁾
- (4) Transformer station and back up power sources located in the structures must comply with all requirements on safety, hygiene (particularly noise and vibration effects), environmental protection (stopping the leakage of fuels and oils, minimising the waste gases leakage etc.) and fire safety.
- (5) Structure design must allow the inlets of heavy-current installations and telecommunication lines to enter the structure, to locate the distribution boxes and to install internal heavy-current and telecommunication distribution lines²⁶⁾ as far as the distribution endpoints. Requirements on the heavy-current and telecommunication endpoints are specified by a specific regulation.²⁷⁾ Internal heavy-current installations and telecommunication lines must comply with the security anti-abuse requirements.
- (6) Each structure must be equipped with a main power switch, which shall be permanently accessible and visually permanently marked.

25) Act N^o 222/1994 Coll.

26) Act N^o 110/1964 Coll., as amended by the later regulations.

27) Decree N^o 130/1997 Coll., on telecommunication network endpoints.

Section 46

Gas connections and gas consuming appliances

- (1) Gas connections and gas consuming appliances²⁵⁾ may be made only of those materials, which are appropriate for the intended purpose, the type of media distributed and the operating pressure.
- (2) Internal gas distribution installations must not be made of plastic. Gas distribution must be designed so that the necessary operating pressure is ensured for all gas consuming appliances.
- (3) Gas distribution installation must not lead through a place, where it is exposed to enormous mechanical stress, or damage, or corrosion, or heat (for plastic the temperature must not exceed 20°C and for steel it is 50°C) and through places, which hinder its checking, or maintenance, unless the measures according to the par. 5 are taken.
- (4) A main gas valve must be installed at the beginning of the gas consuming appliance²⁵⁾, located in the permanently accessible and ventilated place, permanently and visibly marked. This valve must not be located in residential and staying rooms, pantries, skylights and shafts, bathrooms and toilets, laundries and boiler rooms, garages, food stores, stores of flammable substances and liquids, assemble spaces, collectors and technical corridors, shielded escape corridors and non ventilated and inaccessible spaces.
- (5) Gas distribution pipe shall be installed in a protective pipe (shell)
 - a) to be protected against mechanical damages or corrosion,
 - b) when leading through hollow, inaccessible constructions,
 - c) when leading through the peripheral walls and foundations.

- (6) **Connected appliances²⁸⁾ must fit the gas type and operating pressure and, according to their design, they may be located only in spaces corresponding by their volume, purpose, or amount of incoming air, to the nominal heat capacity and the function of an appliance.**

25) *Act N° 222/1994 Coll.*

28) *Act N° 22/1997 Coll., on technical requirements on products and on amendments of some acts. Government Order N° 177/1997 Coll., specifying the requirements on gas consuming appliances.*

Section 47 Lightning protection

Protection against lightning must be installed on those structures and objects, where the lightning could cause

- a) **menace to human lives and health (e.g. flat house, structure designated for assembly of a large number of people, market structure, health and educational structures, accommodation structures), or to a larger number of animals,**
- b) **a failure with extensive consequences (e.g. power plant, gasworks, waterworks, communication structures, stations),**
- c) **an explosion (e.g. manufacture and storage of explosive and flammable substances, liquids and gases),**
- d) **damages to cultural, or other valuable objects (e.g. picture galleries, libraries, archives, museums, listed structures),**
- e) **spreading of a fire to neighbouring structures, which must be according to the letters a) through d) protected against the lightning,**
- f) **menace to a structure, which is potentially more endangered by the lightning due to its location on an elevation or due to its sticking out (e.g. factory stacks, towers, view-tower).**

Section 48 Air-conditioning

- (1) **Air-conditioning must create satisfactory internal environment in the ventilated spaces, which complies with hygiene and technological requirements. Its operation must be safe, economic, must not menace the environment and health, and must correspond to the maximal admissible limits of noise and vibrations.²¹⁾ Its design must not allow spreading of fire and waste gases.**
- (2) **Design and location of outlet air exhaust must not annoy and menace the surrounding. Outlets of the exhausted air must be at least 1.5 metres from the open air suction inlets, exits of escape corridors, openings for natural ventilation of shielded, or partially shielded escape corridors, and 3 metres from exhaust outlets of the powered ventilation in the shielded escape corridors.**
- (3) **If there exists a possibility of condensing in the pumping of the air with a high water contents, the air duct must be waterproof, slant and equipped with a drainage.**
- (4) **Air-conditioning systems with adjustable temperature of the incoming air must be equipped with an automatic control.**

21) *Decree N° 13/1977 Coll. Guideline N° 41/1977 Coll. Hygiene regulations, the highest admissible values of noise and vibrations, reg. part 4/1977 Coll.*

Section 49
Heating

- (1) Technical level of heaters must ensure their economic, safe and reliable operation.**
- (2) Boilers and appliances must be installed with the inlets for combustion and air ventilation. Exhaust of the waste gases, condensates and other harmful substances must not menace the environment and human health.**
- (3) Calculation of heat losses of the structures is specified by the standard values.**
- (4) Radiators in the structures with a higher risk of injuries (e.g. pre-school and school structures) must be equipped with radiator guards.**
- (5) Heating systems must include devices for measuring and adjusting their operating parameters (e.g. temperatures, pressure, pressure differences, flow rates). Performance of the heating systems must be adjustable, as a function of the heat need.**
- (6) In cases of heat supplies from external sources, the entrance and the exit to/from the internal heating system of the structure must be equipped with a main valve of the heating medium; measuring devices for the supplied heat must be installed in the internal heating system.²⁵⁾**
- (7) Devices according to the par. 5 and the main valves of the heating medium must be accessible and secured against an unauthorised manipulation.**
- (8) Heating system, which leads through the technical floors, must be insulated.**

²⁵⁾ Act No 222/1994 Coll.

PART FOUR

SPECIAL REQUIREMENTS FOR CERTAIN STRUCTURE TYPES

Section 50

Houses and leisure time objects for individuals

- (1) A house must have a specified place to put the house refuse. If such place can not be situated in the house, it is necessary to specify a dust bin place on the house's ground.
- (2) A house must have at least one garage parking place per a flat. If this garage parking place can not be situated in the house or in the annex, there must be specified an appropriate area for parking a car on the ground of the house.
- (3) Clear height of residential rooms in a house and of staying rooms in leisure time object for individuals must be at least 2500 millimetres, 2300 millimetres in an attic respectively. The least clear height in the staying rooms with slant ceilings must spread over at least half of the room's area.
- (4) Gradient of the main staircase flights leading to residential floors in a house and in leisure time object for individuals must not exceed 35°; if the construction height does not exceed 3000 millimetres, the staircase flights gradient may be increased up to 41°. Number of staircase steps heights in one flight must not exceed 18.
- (5) In cases of main staircases and corridors in a house and in leisure time object for individuals, the least underpass height may be 2100 millimetres and the least passing width may be 900 mm; in cases of auxiliary staircases (e.g. cellar, loft), the least passing width is 750 millimetres.
- (6) A house or leisure time object for individuals forms one fire space, except the spaces, which must form separate fire spaces (e.g. garage).
- (7) A house and leisure time object for individuals shall be constructed only with non-shielded escape corridors.
- (8) Garages, minor structures, which are auxiliary to the house, or one structure for entrepreneurial activity with a built area up to 16 square metres and height up to 4.5 metres, may be also located on the ground of a house if their functions can not be ensured within the house due to its tight space. These structures must be located not to disturb residential character and environment by their appearance and impacts, and, accordingly to the type of entrepreneurial activity, to satisfy the requirements on accessibility and parking.
- (9) Ground of a leisure time object for individuals is subject to allow here only a minor structure, provided that the conditions of the par. 8 are respected.

Section 51

Structures designated for assembly of large number of people

- (1) Structures designated for assembly of large number of people
 - a) must be located and equipped (e.g. by fire safety installations) so that in case of fire or break down a fast and effective fire intervention is possible, and the highest possible safety of persons inside the structure or in its surrounding is ensured; appropriate access roads must be constructed for fire or other emergency vehicles, possibly access platforms,

- b) must have at least two exits leading to an open space,
 - c) must be equipped with evacuation lifts, except the structures, where the exit from a floor to an open space leads on flat ground or on a ramp,
 - d) must have a specified limit number of visitors.
- (2) The persons inside assemble spaces must always have at least two escape corridors available, which lead in different directions and respect the maximal admissible capacity of one corridor for 250 persons. Capacities of other escape corridors must comply with the standard values.
 - (3) Each part of the assembly space, which is elevated or lowered by more than 500 millimetres, and which serves for assembly of more than 100 persons (e.g. balconies, stages, orchestra pits), must have a separate exit.
 - (4) Escape corridors from underground and ground floors must lead directly to an open space. At least one escape corridor must be accommodated for the handicapped persons with a limited ability to walk and to orientate. Escape corridors from underground and over ground floors must be separated, except when they serve for evacuation from one assemble space.
 - (5) Level differences along the escape corridors from assemble spaces, which are higher than 400 millimetres, must be levelled by slant ramps with the highest admissible slant 1 : 12.
 - (6) Staircases inside assemble spaces and staircases of the escape corridors from assemble spaces, which are designated for more than 50 persons, must have the staircase flights gradient within the range of 25° to 35°. Their flights must be straight. Staircases from assemble spaces, except the staircase in the auditorium, must be divided by landings each 15 steps at maximum and must have landings in front of and behind the doors. A landing width must comply with the calculated escape corridor width even when the door is open.
 - (7) The design, which is based on the standard values, must allow a safe vacation of seats for the quick evacuation of assemble spaces. Step width at the stepped standing places must be at least 400 millimetres. Stepped or slant standing places must be equipped with protection and support railings. In cases of tribunes for standing spectators, a horizontal railing must be installed each 10 rows, divided in relation to the spectators' coming and leaving.
 - (8) Assemble spaces including escape corridors must be equipped with an emergency illumination. Evacuation directions must be clearly marked wherever the exits to open spaces are not directly visible. Doors of the escape corridors from assemble spaces must be fitted with deblocking locks.
 - (9) Each assemble space must form a separate fire space, designed and equipped in accordance with the standard values (e.g. construction materials used, fire resistance of the constructions, heat and smoke exhaust in case of fire).
 - (10) At least one toilet bowl per 50 ladies or 100 men must be provided, further one pissoire per 50 men, and at least one toilet for persons using the wheel chairs. Staff sanitarities must be separated from the public sanitarities. Sanitarities must be arranged separately for each sex.
 - (11) Slant ramps in auditoriums with the length of 3000 millimetres at maximum may have the maximal gradient of 1 : 8 and must be covered with an anti slippery surface.
 - (12) According to the structure's function and purpose, there must be provided a possibility for taking off the garments.

Section 52 Market structures

- (1) Market structures having more than three over ground market floors (including the ground floor – transl. note) must be equipped with evacuation lifts.

- (2) The main communication way inside the market must be at least 2000 millimetres wide; main ground floor communication way must be at least 2500 millimetres wide. There must be markers and signs on their crossings showing the directions to exits and to the main staircase.
- (3) At least one cash desk area of each department must have a passing-through width of at least 900 millimetres and manipulating space at the height of 800 millimetres above the floor level at most. The least passing-through width between the self service market desks must be 1800 millimetres. In cases of constructional alterations of the existing structures, the least width between the self service market desks may be 1500 millimetres.
- (4) Customer entrances must be separated from the staff and operation entrances (goods consignments, staff entrances, waste disposal etc.). Food stores²⁹⁾ must be separated from the storage of other goods. All stores must be equipped with temperature and humidity measurement devices.
- (5) Ventilating and air-conditioning installations must enable their automatic halting in case when flammable gases are detected.
- (6) Requirements on fire safety of the market structures are specified by the standard values. Market structures, which are considered for the reasons of fire safety to be the structures for assembly of a larger number of people, must further comply with the conditions of the Sec. 51, par. 1, 2, 4, 5, 6, 8 and 9.
- (7) In cases of food markets, regardless of their market area, the hygiene requirements and the equipment shall be specified according to a specific regulation.²⁹⁾
- (8) In cases of market structures with 50 and more parking places, the access from the adjacent roads must be arranged when turning to the left by a separate left turning lane.
- (9) Market structures must be equipped with toilets for public in an appropriate capacity according to the nature of structure and specific regulation.¹⁰⁾

10) Decree No 174/1994 Coll.

29) Decree No 295/1997 Coll., on hygiene requirements in food marketing and range of market equipment.

Section 53 Accommodation structures

- (1) The entrance halls of accommodation structures must allow a fluent arrival and check in of guests.
- (2) Clear height of a guest room must be at least 2600 millimetres. Spaces in the rooms with slant ceilings (e.g. attics) with clear height at least 1600 millimetres shall be included in the room's area. The room's area under a slant ceiling may cover 30% of the total room's area at most.
- (3) Vestibule's minimal passing-through width must be 900 mm; in cases of rooms designated for the accommodation of handicapped persons with a limited ability to walk and to orientate, the vestibule's minimal passing-through width must be 1500 millimetres and length 2200 millimetres. Minimal width of guests corridors is 1500 millimetres, minimal passing-through width of a staircase for guests is 1100 millimetres. Minimal width of staff corridors is 1200 millimetres, minimal passing-through width of a staircase for staff is 1100 millimetres. Corridors and ways for staff must not cross those of guests.
- (4) The least room area in an accommodation facility according to its class is
 - a) 8 square metres for single room, 12.6 square metres for double room (class one and two stars),
 - b) 9.5 square metres for single room, 13.3 square metres for double room (class three stars),
 - c) 11.4 square metres for single room, 13.3 square metres for double room (class four stars),
 - d) 12 square metres for single room, 16 square metres for double room (class five stars).

If a room is larger than double room in one through three stars facilities, each bed increases the minimal room area by 5 square metres

- (5) Sanitaries in an accommodation facility must have at least 4 square metres
- (6) Sanitaries in three through five stars accommodation facilities must be accessible from vestibules. Rooms in all other accommodation facilities must be equipped at least with a wash basin and running water. However, in these cases, there must be installed a bathroom with a bathtub or a shower bath and with a wash basin, and further toilets arranged separately for men and women with vestibules and wash basins on each floor or at least per every 10 rooms.
- (7) Accommodation structure with more than two floors must be equipped with a lift. Accommodation structures with more than three over ground floors (including the ground floor – transl. note) must be equipped with evacuation lifts.
- (8) The part of an accommodation structure, where the board is provided and where social and cultural activities take place, must be equipped with separate men and women toilets with vestibules and wash basins, and at least one toilet cabin for persons using wheel chairs.
There is required
 - a) one seat per 10 women, and one seat per every next 20 women,
 - b) one seat and one pissoire per 10 men, and one seat and one pissoire per every next 40 men.
- (9) Stipulation of the par. 8 is applicable also for independent public boarding facilities.
- (10) Sanitaries in accommodation facilities according to the par. 8 and in independent public boarding facilities must be equipped with suction ventilation, which must be running all the time when the sanitaries are being used.
- (11) Each accommodation facility must be connected to public telephone network. Accommodation facilities with more than 100 guest rooms must be equipped with wire radios enabling the evacuation control. Accommodation facilities with more than 100 beds must be equipped with electric fire alarms and home wire radios enabling a non-muted forced reception. Accommodation facility with more than 30 beds must be equipped with an acoustic emergency alarm apparatus. If the accommodation premises are situated higher than 30 metres above the first over ground floor, an automatic extinguishing system must be installed.
- (12) Requirements on fire safety of the accommodation structures are specified by the standard values. The structures or their parts including the accommodation facilities must be arranged so that each accommodation unit forms a single fire space with its construction and equipment according to the standard values (e.g. coating and decorating of construction surfaces, quality of flooring).
- (13) Accommodation facilities may have eight over ground floors at most, if the load carrying and fire separating constructions are mixed, and three over ground floors, if the load carrying and fire separating constructions are made of flammable materials. The number of over ground floors is unlimited for the load carrying and fire separating constructions made of non-flammable materials.
- (14) Each accommodation facility must ensure evacuation of persons through escape corridors, which are specified by the standard values as to their type, location, number and their technical equipment (e.g. regarding the formation of fire spaces, extent of random fire load, surface design).
- (15) All escape corridors must be equipped with an emergency illumination and marking of the exit directions.
- (16) Air-conditioning ducts and installations must be made of non-flammable materials. Air-conditioning of the accommodation part must not be shared with the kitchen air-conditioning.
- (17) Stipulations of the par. 1 through 16 shall be fully applied to hotels, motels, and boarding houses; to all other accommodation facilities shall be applied appropriately.

Section 54
Manufacture and storage structures

- (1) Manufacture and storage structures are subject to establishment of protective zones according to the type of production, substances and products stored and leaking out wastes, possibly to keeping a safety distance according to a specific regulation.³⁰⁾**
- (2) Manufacture and storage structures must be designed in accordance with the standard values of fire safety, focusing particularly on fire safety equipment and appliances in case of storage structures.**
- (3) The first and the last steps of the staircase flights in manufacture and storage structures must be visibly marked and thus distinguished from the other flooring.²³⁾**
- (4) Interior wall surfaces, floorings and other surfaces in dusty manufacture or in the environment, where hazardous substances may occur, must be easy to clean.**
- (5) A working site without daylight or with artificially created micro-climate may be established only when complying with conditions of hygiene, labour safety and working conditions.¹⁵⁾¹⁸⁾²³⁾**
- (6) Manufacture and storage structures shall be equipped with sanitarries.¹⁰⁾¹⁸⁾**

10) Decree N° 174/1994 Coll.

15) Decree N° 324/1990 Coll., on the labour safety and on the technical installations when performing the constructions.

18) Guidelines N° 46/1978 Coll. Hygiene regulations on hygiene requirements of the working conditions as stipulated in decree N° 66/1985 Coll. Hygiene regulations and directive N° 77/1990 Coll. Hygiene regulations, reg. part 21/1978 Coll., 16/1985 Coll. and 9/1989 Coll. Guideline N° 58/1981 Coll. Hygiene regulations on the principal hygiene requirements, on the highest admissible levels of the most dangerous pollutants in the air and on air pollution measurements and evaluation, reg. part 14/1981 Coll. Decree N° 174/1994 Coll.

23) Decree N° 48/1982 Coll., specifying the basic requirements on labour safety and safety of technological installations, as amended by the later regulations.

30) Decree N° 99/1995 Coll. on storage of explosives.

Section 55
Agriculture structures

- (1) Structures designated for breeding the animals**
 - a) are subject to establishment of protective zones,¹²⁾³¹⁾**
 - b) shall have required internal environmental conditions based on which the technical-thermal construction characteristics are defined according to the heat balance of the structure, taking into account the biological production of heat, water vapours and gases,**
 - c) if the required internal environmental conditions are not specified, shall shelter and protect the animals from wind, precipitation, and sunlight,**
 - d) must have health non-menacing surfaces of those constructions and technological installations with which the animals come in touch.**
- (2) Structures designated for a larger number of animals must**
 - a) be fenced and must be equipped with filtering systems against infections,**
 - b) be equipped with back up power sources, if the animals are farmyard birds, pigs or dairy cows.**
- (3) Storage structures for silage and farm fertilisers (manure, liquid manure, sewage, silage liquids) must be designed according to the number of animals kept, taking into account the location of storage structure in water resource protective zones, which supply the inhabitants with drinking and industrial water, or in water reservoir protective zones and their tributaries. Their constructions must be proof, must not allow any ground water to leak in, must allow a separate drainage of non-contaminated rain water and contaminated water, and must hinder the leakage of stored liquid substances from the structure.**

- (4) Storage structures for plants and their processing must
 - a) in cases of cereals, fruits and vegetables, protect their contents against birds and rodents,
 - b) be easy to clean and to disinfect,
 - c) in cases of potatoes, fruits and vegetables, comply with the required thermal insulating properties of peripheral walls, ceilings and floors.
- (5) Structures for growing the plants and storing the plant products (e.g. mushrooms, potatoes and root vegetables) need not have underground water insulation of their floors or may be constructed without floors.
- (6) Storage spaces for mineral fertilisers and substances for chemical treatment of plants must be protected against the impacts of ground humidity and atmosphere processes and must not allow the triggering of pyrolytic decomposition of fertilisers.
- (7) Storage spaces of mineral fertilisers and substances for chemical treatment of plants, decontamination areas, consignment sites etc. must be protected against rain water and must not be drained into the sewerage network.
- (8) Spaces, where the contamination of rain waters by mineral fertilisers and substances for chemical treatment of plants may occur, must be constructed as waterproof and drained into sumps or effective purification apparatuses. Individual sumps for waters contaminated by mineral fertilisers and substances for chemical treatment of plants may catch and retain only waters of the same nature.
- (9) Storage spaces of substances for chemical treatment of plants must be equipped with a catch sump without outlet, volume of which shall be equal to the highest amount stored, or with a waterproof floor surrounded by a waterproof mop board and elevated threshold. Storage spaces of these substances are, from the fire safety point of view, considered to be the storage spaces of flammable liquids.
- (10) Over ground storage tanks of liquid mineral fertilisers, the volume of which is bigger than 100 cubic meters, must be equipped with leakage indicators in those parts that can not be checked. Filling sites must be protected by sumps without outlet for catching the fore-runs.
- (11) Filling ramps of the storage spaces of substances for chemical treatment of plants must be sheltered from rain and drained to sumps without outlets with the capacity of 1 cubic meter at least.
- (12) Other requirements on the designing of agriculture structures are governed by specific regulations.³¹⁾³²⁾
- (13) Requirements on fire safety of the agriculture structures are specified by the standard values.

12) E.g. act No 20/1966 Coll., act No 17/1992 Coll., decree No 45/1966 Coll., on creation and protection of sound environment, as amended by the later regulations, decree No 13/1977 Coll., on the health protection against the adverse impacts of noise and vibrations.

31) Act No 87/1987 Coll., on veterinary care, as amended by later regulations.

32) Act No 246/1992 Coll., on protection of the animals against torture, as amended by the later regulations. 3) Act No 61/1964 Coll. on plant growing development, as amended by the later regulations. Act No 147/1996 Coll., on the health care for plants and on amendments of some related acts. Decree No 84/1997 Coll., specifying the registration of plant treatment substances and way of their application, and technical and technological requirements on application machinery for plant protection and plant checking tests.

Section 56

Bay and parking areas, garages

- (1) Clear height of garages and access ramps is specified by the standard values.
- (2) Garages, where some people work permanently, shall be equipped with sanitariums complying with the standard values.

- (3) Dimensions of vents for natural ventilation of detached and row garages are specified per a car by the standard values.
- (4) Parking spaces and internal spaces of mass garages shall be ventilated in accordance with the standard values' requirements so that occurrences of inadmissible concentrations of harmful gases and vapours would be prevented.
- (5) Sewage drains shall be installed in mass garages only in those parts, where the internal water supply taps and floor inlets are located.
- (6) Gas consuming appliances must not be located in the spaces of mass garages parking places and internal communications.
- (7) Requirements on fire safety of the garages are specified by the standard values.
- (8) The least garage escape corridors width is 1.5 times the escape lane. Fire space of a mass garage must have at least two non-shielded escape corridors leading either to an open space or to a shielded escape corridor. One non-shielded escape corridor may lead from a mass garage fire space if it includes only 50% of the regulate number of parking places at most.
- (9) Escape corridors and escape directions must be marked in the mass garages. Escape corridors in underground garages must be equipped with an emergency illumination.
- (10) Mass garages with two and more underground floors or with more than three over ground floors must be constructed with the internal intervention ways, which may be situated in all types of shielded escape corridors.

Section 57

Car services, workshops and petrol station

- (1) Effluents from car services and workshops must be purified in accordance with the standard values before they can be poured into the sewerage or water recipient so that the composition of effluents complies with the requirements of a specific regulation.⁶⁾
- (2) Operating places of petrol stations must be waterproof and must be slanted into the catch sumps with outlets to the sewerage for oiled water.
- (3) Car services, workshops and petrol stations shall be equipped with sanitaries in accordance with the relevant standard values and a specific regulation.¹⁰⁾
- (4) Clear heights of rooms and spaces in car services, workshops and petrol stations are specified by the standard values.
- (5) Car service, workshop and petrol station ventilation must keep the concentration of harmful substances in air within the limits given by the standard values, which respect the views of health protection and danger of explosion.²²⁾
- (6) Car services and workshops, if constructionally incorporated in a structure designated for a different purpose, or annexed to such structure, must form a separate fire space. Requirements on the car services and workshops fire spaces are specified by the standard values.
- (7) Petrol stations are open technological installations, where the storing tanks including their filling places and car filling sites form the separate fire spaces. Car filling site fire space may include also a stall, if its market space is not larger than 75 square metres. Fire safety design of petrol station is given by the fire safety standard values.

- (8) Construction of petrol station must be made of non-flammable materials, except a petrol station with no more than 6 filling stands, which can be together with a stall sheltered by a construction made of mixed materials, unless the fuels storage is in an over ground tank.
- (9) Distances for demarcating the fire risky spaces of individual petrol station parts are specified by the standard values.

6) Act N° 138/1973 Coll.

10) Decree N° 174/1994 Coll.

22) Decree N° 18/1987 Coll., specifying the requirements for the protection against inflammable gases and vapours explosions.

Section 58 Health service structures

Technical requirements on health service structures are specified by a specific regulation.¹⁰⁾³³⁾

10) Decree N° 174/1994 Coll.

33) Decree N° 49/1993 Coll., on technical and factual equipment requirements of health service institutions, as amended by the later regulations.

Section 59 School, pre-school, educational and sport structures

- (1) This section's provisions shall be applied to the structures of universities and university facilities as appropriate.
- (2) The least clear heights of rooms and spaces must be
 - a) 3000 millimetres in cases of kindergartens and special kindergartens; reduction down to 2500 millimetres is acceptable if the minimum air volume of 12 cubic meters per a child is achieved,
 - b) 3300 millimetres in cases of elementary schools, grammar schools, secondary schools and special schools; reduction down to 3000 millimetres is acceptable if all conditions of studying desks daylight illumination are observed, and if the minimum air volume of 5.3 cubic meters per a student is achieved,
 - c) 6000 millimetres for the gyms of ground plan areas 12 x 18 metres and 12 x 24 metres, and 7000 millimetres for the gyms of ground plan areas 18 x 30 metres and larger,
 - d) 2.5000 for change-rooms.
- (3) Every school, pre-school, educational and sport structure must be equipped with students' cloakrooms. Cloakroom spaces must be illuminated and ventilated. Cloakrooms of pedagogical staff and other staff must be separated from students' cloakrooms.
- (4) The width of central students' cloakrooms with one-side coat-racks must be at least 1500 millimetres, with coat-racks on both sides at least 2200 millimetres. Normally, an area of 0.25 square metres per student shall be reserved.
- (5) Toilets and wash-rooms in schools, pre-school and sport facilities shall be designed separately for each sex. They must be situated within a reachable distance of 60 metres at most. Toilets at classrooms must be directly illuminated and ventilated. One toilet cabin must be designed per 80 boys and one pisseoire per 20 boys. One hygiene cabin must be designed per 80 girls and one toilet cabin per 20 girls. The toilet vestibules, which are used as wash-rooms, must be designed with one washbasin per 20 students. At least one toilet cabin must be designed for persons using the wheel chairs.
- (6) Toilets and wash-rooms designated for pedagogical and non-pedagogical staff people must not be accessible from the students' toilets and wash-rooms. One toilet cabin and one washbasin must be designed per 20 persons.

- (7) Toilets and wash-rooms in pre-school facilities must be accessible from cloakrooms and day staying rooms for children. They shall not be separated by sex and one children toilet bowl and one washbasin must be designed per 5 children.
- (8) Toilets and wash-rooms in special educational schools must be located and designed appropriately to the nature and grade of the students' handicaps.
- (9) The least clear width of school corridors must be 3000 millimetres, if the classrooms are on both sides of the corridor, and 2200 millimetres, if the classrooms are on one side of the corridor. If this corridor serves as a main communication way, it must be at least 3000 millimetres wide. The least clear width of pre-school facilities corridors must be 1200 millimetres.
- (10) The door width in classrooms must be at least 900 millimetres. Gyms must have at least one entrance of the size 1800 x 2100 millimetres.
- (11) The swing-doors or turnstile doors must not be used in any of pre-school, elementary school and special school facilities. Glass in door wings must be a safety glass. The bottom third of door wings in all pre-school facilities must not be glazed.
- (12) There must be at least one drinking water tap in each classroom. If the hot water pipes are installed, the water in taps, which the students may reach, must not be warmer than 45° C.
- (13) Fire safety design of schools, pre-school, school and sport facilities is specified by the standard values of the fire safety rules for structures.
- (14) Stipulations of par. 2 through 13 shall be applied to structures of schools, school and sport facilities,³⁴⁾ which are designated for education.

34) Act No 29/1984 Coll., on the system of elementary schools, secondary and grammar schools (School Act), as amended by the later regulations. Act No 76/1978 Coll., on school facilities, as amended by the later regulations.

Section 60

Information, advertising and promotional installations and structures

- (1) The design and location of information, advertising and promotional installations and structures must not disturb the landscape character, menace public safety and order, hinder the range of vision on the roads and annoy its surrounding excessively, particularly residential areas, by noise or light, especially intermittent. The location and operation of such structures and installations must not create barriers for handicapped persons with a limited ability to walk and to orientate on ground roads and at public and open spaces¹⁰⁾. These structures and installations must not be located on military structures and close to them without a prior approval of the respective Military Building Office.
- (2) Information, advertising and promotional installations and structures may be located in a neighbourhood of preserved monuments, natural preserved areas and significant leisure time and spa centres only after their environmental impact assessment made according to the respective specific regulations.
- (3) Information, advertising and promotional installations and structures placed on the buildings must be accommodated to their architectural design and must not disturb the major front face articulation and its outstanding details.
- (4) Information, advertising and promotional structures and installations located on the roof of a building must not surmount ridge of the roof and their total height must not be higher than 2 metres. When locating the installation on fences or close to them in a distance equal to the installation height, it must not surmount the fence by more than 20%.

10) Decree No 174/1994 Coll.

PART FIVE

FINAL AND INTERIM PROVISIONS

Section 61 Exceptions

Provided that the conditions of the Sec. 138 a) of the Building Act are respected, the exceptions from the stipulations of the Sec. 4 par. 5, the Sec. 8 par. 2, 3, 4, the Sec. 9 par. 1, the Sec. 10 par. 2, the Sec. 14 par. 3, the Sec. 17 par. 5, the Sec. 22 par. 3, 4, the Sec. 23 par. 6, the Sec. 24 par. 2, the Sec. 30 par. 5, the Sec. 42 par. 2, the Sec. 47 letter a), the Sec. 48 par. 4, the Sec. 49 par. 5, the Sec. 50 par. 2, 5, 8, 9, the Sec. 51 par. 10, the Sec. 59 par. 5 and the Sec. 60 par. 4 of this decree may be, in justified cases, granted.

Section 62 Repealing provisions

The following legal rules shall be repealed:

1. Decree No 83/1976 Coll., on general technical constructional requirements, as amended by decree No 45/1979 Coll. and decree No 376/1992 Coll.
2. Decree No 17/1982 Coll., on technical requirements on the construction of private terrace houses.
3. Decree No 3241/1948, on aggrieved municipalities.
4. Decree No 1056/1947, on determination of the largely devastated areas.
5. Guidelines of the Federal Ministry for Technical Development No 3/1975 regarding the structures on the undermined areas, reg. part 33/1975 Coll.
6. Guidelines of the State Research and Technical Development Committee No 7/1984, specifying the conditions for construction of the nuclear power plant of Mochovce and related consequential structures, reg. part 4/1985 Coll.
7. Order of the Federal Ministry for Technical Development No 5/1982 on house building grounds with difficult foundation conditions, reg. part 17/1982 Coll.
8. Order of the State Research and Technical Development Committee No 5/1987, specifying the documentation of nuclear power plants structures, reg. part 1/1988 Coll.
9. Order of the Federal Ministry for Technical Development No 10/1981 on issuing the profession calculating formulas for evaluation of design and engineering works, and its executive instructions, reg. part 27/1981 Coll.

Section 63 Interim provisions

Planning documentation, which had been made, in its before approval stage, before this decree came into force, structures, which had received the cognisable location permit before this decree came into force, and further structures, the design documentation of which had been elaborated before this decree came into force, shall be governed by the so far existing legal regulations.

Section 64 Force

This decree comes into force on the day of its announcement.

Minister:
MVDr. Černý
in his own hand

DECREE

of the Ministry for Regional Development
 N° 369/2001 Coll.
 as of 10 October, 2001
 on general technical requirements related to the operation and utilisation of structures
 by the handicapped persons with limited ability to walk and to orientate

The Ministry for Regional Development stipulates in accordance with the Sec. 143, par. 1, letter k) of the act N° 60/1976 Coll., on town & country planning and building regulations (the Building Act) as amended by the act N° 83/1998 Coll.:

PART ONE

GENERAL PROVISIONS

Section 1 Force

- (1) This decree shall be followed when elaborating and procuring planning materials and planning documentation, designing, locating, granting permits, or notifying, constructing, and making the final inspections of structures
 - a) residential houses with more than three independent flats (hereinafter only "block of flats"),
 - b) houses with flats of a special purpose and houses of a special purpose,¹⁾ structures and facilities of medical or social nature for handicapped persons with a limited ability to walk and orientate (hereinafter only „social care structures"),
 - c) those parts of structures for public services intended for public,
 - d) where it is presumed that there will work more than 20 persons, if the operation in these structures allows employment or work of handicapped persons with a limited ability to walk and orientate,
 - e) that are intended for work of seriously handicapped persons,
 - f) schools, pre-school facilities and educational facilities.²⁾
- (2) This decree stipulations shall also apply to maintenance works, structure alterations, and changes in use, provided that there are no serious contradicting reasons.
- (3) In case of listed structures, cultural monuments, the stipulations of this decree shall be applied in accordance with the interests of national monument preservation authority.³⁾

1) the Sec. 9, par. 1, and the Sec. 10, par. 1 of the act N° 102/1992 Coll., regulating certain aspects related to the issue of the act N° 509/1991 Coll., that amends the Civic Code.

2) Act N° 29/1984 Coll., on the system of elementary schools, secondary and grammar schools (School Act), as amended by the later regulations, Act N° 111/1998 Coll., on universities and on amendments of other acts (act on universities), as amended by the latter regulations, Act N° 76/1978 Coll., on educational facilities, as amended by the later regulations. the Sec. 3, par. 3 and 8, the Sec. 5, par. 2 of the decree N° 108/2001 Coll., stipulating the hygienic requirements on spaces and rooms in schools, pre-school facilities and some educational facilities.

3) the Sec. 14, par.3 of the act N° 20/1987 Coll., on the national preservation of monuments.

Section 2

Fundamental terminology

This decree uses the following definitions and terms

- a) public services which are structures intended for
 1. public administration and authorities, courts, prosecution, police, prisons, posts and bodies of self-administration,
 2. media (e.g. radio, TV, press), civil associations, political parties and movements,
 3. shops, services, boarding, operating parts of structures intended for manufacturing and storage, management and maintenance of structures, public networks,
 4. sports and leisure time activities,
 5. facilities for out-of-school education,
 6. structures for culture, in particular theatres, cinemas, libraries, public halls, museums, castles, chateaux, show rooms, churches, chapels, ceremonial rooms,
 7. medical and social care,
 8. public transport including local communications and public spaces,
 9. motoring (e.g. service stations, petrol stations, technical tests stations, highway parking sites, motor-racing circuits),
 10. accommodation facilities for tourists (e.g. hotels, boarding houses, motels, dormitories),
 11. hostels (e.g. school hostels, residences, lodging houses for workers, structures or the their parts intended for accommodation of more than 20 persons except outdoor camps and accommodation facilities for tourism),
 12. public telephone boxes, similar facilities, and pillar boxes,
- b) handicapped persons with a limited ability to walk and orientate – persons with a locomotive handicap, particularly persons using the invalid chair (hereinafter only "invalid chair"), with a handicap in sight or hearing, pregnant women and persons accompanying a baby in a pram, or a child younger than 3 year, or a person with a mental handicap,
- c) inclined ramp – part of communications or an independent construction enabling to access a structure or to pass a height difference between individual parts of the structure. It is a bordered inclined platform surmounting its surrounding by more than 20 mm,
- d) point of orientation for persons with a sight handicap – a permanent site, which can be easily, quickly, and distinctly perceived by touch, or also by hearing, and which is clearly different from its surrounding,
- e) mark of orientation for persons with a sight handicap – additional permanent information, that can be touched, heard, or smelled, and that leads to correct perception of persons with a sight handicap on their surrounding or space,
- f) guiding line – a line connecting touchable points of orientation located on the walking zones and on interior and exterior communications. Guiding lines can be natural or artificial; pavement kerbstone at the edge of a roadway is not a guiding line,
- g) natural guiding line – a line connecting touchable points of orientation created by the structure's layout or its elements located in the walking zones and on the interior and exterior communications,
- h) artificial guiding line – a line connecting artificially created touchable points of orientation located in the walking zones and on the interior and exterior communications,
- i) signal zone – a special form of an artificial guiding line for persons with a sight handicap to be able to determine an exact walking direction, in particular when crossing the roadway or when accessing the place where they get on the means of public transport,
- j) warning zone – a special form of an artificial guiding line marking a place, which is permanently dangerous for the persons with a sight handicap, in particular marking the border between pavement and roadway or a descending step built-in the pavement,
- k) touching zone – a special form of a warning zone marking a place, which forms a border between a pedestrian and bicycle way on the pavement with a bicycle track; this zone in a residential district marks an area of safe movement for persons with a sight handicap,
- l) guiding zone at crossing – a 550 mm wide zone located on the roadway that is one part of horizontal traffic signs,

- m) acoustic orientation beacon – acoustic device producing certain dedicated sounds or also a voice phrase, which operates permanently or which can be remote-operated by the persons with a sight handicap,
- n) remote control of acoustic or other devices – broadcast radio device operated and activated by persons with a sight handicap,
- o) induction loop – technical solution for hard of hearing persons enabling them to perceive the sounds of acoustic amplifiers using the personal compensatory aid, especially reproduction in cinema halls or an interpreter service.

Section 3

- (1) Natural lines may be interrupted for a maximal distance of 6000 mm between the individual parts of touchable guidance intended for persons with a sight handicap, particularly between peripheral walls of individual buildings located at the pavement. Individual parts of a natural touchable guidance must be at least 1500 mm long, 400 mm wide, and 300 mm high.
- (2) Artificial guiding line must be straight, at least 300 mm wide in an interior, and 400 mm wide in an exterior. Changes in direction and turnings shall form, preferentially, right angles. A turning must be marked with a guiding line interruption in a form of flat surface, the length of which corresponds with the guiding line width. There must not be any obstacles on both sides of the artificial guiding line, at least 800 mm from the line axis. An artificial guiding line must continue in a natural guiding line. In the case of tramway-stops, bus stops, and outer railway platforms there is a function of guiding line combined with a function of warning zone.
- (3) A signal zone must be 800 to 1000 mm wide and its structure and surface must be substantially different from the surrounding; it must be possible to perceive it by a walking stick and by stepping on it, and in the same time it must be marked with a contrast colour. The requirement of colour contrast may be waived in historical and protected zones, at concourse of bicycle track and pavement, and when coloured patterns are applied to the pavement itself. A signal zone must end at a natural or an artificial guiding line. Changes in direction and turnings shall form, preferentially, right angles. In the place where two signal zones connect, there must be an interruption of these zones 800 mm long. Material that is used for construction of a signal zone must not be used for another purpose in the public open spaces and communications.
- (4) A warning zone must be 400 mm wide and its structure and surface must be substantially different from the surrounding; it must be possible to perceive it by a walking stick and by stepping on it, and in the same time it must be marked with a contrast colour. The requirement of colour contrast may be waived in historical and protected zones. A warning zone must exceed a signal zone by at least 800 mm on both sides. Material that is used for construction of a warning zone must not be used for another purpose in the public open spaces and communications.

PART TWO

ACCESS TO STRUCTURES, ACCESSIBILITY OF COMMUNICATIONS AND PUBLIC SPACES

Section 4

- (1) Structures listed in the Sec. 1, par. 1 must have at least one entrance at the level of communications for pedestrians without any steps. If there exist serious technical reasons that hinder from such solution the compensation of the height difference may be resolved by an inclined ramp in accordance with the article 1.3 of the Appendix N° 1 to this Decree, or by a special lift (hereinafter only "barrierless access").
- (2) Access to structures according to the Sec. 1, par. 1, letters c), e), and f) for persons with a sight handicap must be marked with natural or artificial guiding lines, or by acoustic signs.

Section 5

- (1) Pavements, footbridges, subways, platforms, public transport stops, and other walking areas must be designed and constructed according to the article 1 of the Appendix N° 1 to this Decree.
- (2) All marked bay or parking places for personal cars must have at least the following numbers of reservations for cars of handicapped persons:
 - one place at sites with less than 20 parking places,
 - two places at sites with 20 to 40 parking places,
 - 5% from the total number of parking places exceeding 40 places; percentage of reservations shall be a rounded-up integer.

Parking reservations must have a form that corresponds to the article 3.1. of the Appendix N° 1 to this Decree and must be marked with an international symbol of accessibility according to the article 1 of the Appendix N° 2 to this Decree. These parking reservations must have a barrierless access from the pedestrian communications.

- (3) Construction and location of telephone boxes, call offices, public telephones and similar facilities, and access to them and to pillar-boxes is described in the articles 1 and 3.2 of the Appendix N° 1 to this Decree.
- (4) Arrangement of public spaces, plantations, and parks is described in the article 1 of the Appendix N° 1 to this Decree.

PART THREE

CONSTRUCTION AND DESIGNING BLOCK OF FLATS, BUILDINGS FOR SOCIAL CARE, STRUCTURES WHERE MORE THAN 20 PEOPLE WORK, STRUCTURES INTENDED FOR EMPLOYING PERSONS WITH SERIOUS HANDICAPS, AND SCHOOLS, PRE-SCHOOL AND EDUCATIONAL FACILITIES

Section 6

Interior communications and equipment

- (1) Access to all spaces of structures listed in the Sec. 1, par.1, letters a), b), d) through f) must be enabled via horizontal communications, staircases, lifts and lift platforms that are designed in accordance with the articles 1., 1.2, 1.3 and 1.7 of the Appendix N° 1 to this Decree, unless specifically stipulated otherwise below. Structures under the Sec. 1, letters a) and d), that have multiple floors and are not equipped with lifts, must have a barrierless access via interior communications to at least one floor where the majority of spaces serving for the main purpose of such structures is located.
- (2) Structures under the Sec. 1, par.1, letters b), d) through f) must have at each sanitary fitting a part, which is modified in accordance with the requirements in the article 2.4 of the Appendix N° 1 to this Decree, for persons using an invalid chair. Administration and similar buildings must have one such modified sanitary fitting at least for each two floors.
- (3) Spaces where 50 or more persons gather in the structures listed in the Sec. 1, par.1, letter f) must be equipped with an induction loop and marked with an international symbol of deafness in accordance with the article 2 of the Appendix N° 2 to this Decree.

Section 7

Flats of special purpose and residential parts of structures for social care

Requirements on construction and design of flats of special purpose¹⁾ and residential parts of structures for social care are listed in the Appendixes N° 1, 3, and 4 to this Decree.

Section 8

Common spaces in the block of flats and in the structures for social care

Common spaces in the block of flats and in the structures for social care, which are not structures with multiple floors and lifts, particularly laundries, drying rooms, and cellars must be designed and constructed in such manner that also the persons with a limited ability to walk and to orientate can use them.

Section 9

Business spaces of structures where more than 20 people will work, business spaces of structures intended for employing persons with serious handicaps, and structures of schools, pre-school and educational facilities

- (1) **Business spaces of structures listed in the Sec. 1, par.1, letters d) through f) must comply with all requirements specified in the articles 2.5.1 and 2.5.3 of the Appendix N° 1 to this Decree so that the handicapped persons with a limited ability to walk and to orientate can perform all activities these spaces are designed for. Requirements on sanitary fittings located in these business spaces are specified in the article 2.4 of the Appendix N° 1 to this Decree.**

- (2) The requirements according to the paragraph 1 related to the safety and protection of health of workers and to the fire protection shall be applied to the designs of
- a) business spaces layouts,
 - b) facility layout,
 - c) communications areas,
 - d) manufacturing machinery installation,
 - e) access and control means of manufacturing machinery,
 - f) signal system,
 - g) storage spaces.

Section 10

If the structures intended for work of persons with serious handicaps compose one entity together with blocks of special purpose flats, or also with structures for public services, the design of spaces intended for use by handicapped persons shall reflect the stipulations of part two, three and four of this Decree adequately.

PART FOUR

DESIGN AND CONSTRUCTION OF STRUCTURES FOR PUBLIC SERVICES

Section 11

Interior communications and equipment

- (1) Access to those parts of structures for public services intended for public use must be ensured in accordance with the Sec. 6, par. 1.
- (2) The handicapped persons with a limited ability to walk must have a chance to use at least the entrance floors in cases of structures with two or more floors that are not equipped with lifts or inclined ramps and where it is not possible to install a lift or an inclined ramp due to technical reasons additionally. In order to ensure the access for handicapped persons with a limited ability to walk it may be necessary to use a cargo lift equipped with an adaptation for transport of these persons if the structure design does not allow other solution. The handicapped persons with a limited ability to walk and to orientate must have a chance to access all floors intended for public use in the structures equipped with lifts.
- (3) Basic graphical information system for orientation in the structures for public services according to the Sec. 2, letter a), articles 1 through 4 and 6 through 10 must have contrast and illuminated inscriptions and pictograms.

Section 12

Other spaces

- (1) If there are sanitary fittings for public in the structure, there must be in each such room at least one WC box in the area for men and at least one WC box in the area for women adapted in accordance with the requirements in the article 2.4 of the Appendix N° 1 to this Decree. In cases of structure changes there may be one WC box for both genders, complying with the requirements according the to first sentence, and accessible directly from a corridor. The box may be, in exceptional cases, accessible from women's area only, if there exist serious reasons that hinder from other technical solution. The box need not have an antechamber, if it is accessible from a space that is neither dwelling nor staying room.
- (2) An auditorium must have at least 2 places for invalid chairs adapted in accordance with the article 2.5.2 of the Appendix N° 1 to this Decree.
- (3) Those parts of structures intended for public use must be designed and constructed so that the handicapped persons with a limited ability to walk and to orientate can use them, particularly there must be accessible at least one cash desk or counter with an adapted height, showers, WC, race areas or other stadiums, and the information systems must be modified in this sense.
- (4) The structures for tourist accommodation and tourist dormitories with more than 10 apartments must have at least the following number of apartments meeting the requirements specified in the Appendix N° 1 and 3 to this Decree:
 - one apartment if the total number of apartments is less or equal than 100,
 - 1% of apartments if the total number of apartments is greater than 100; percentage of adapted apartments shall be a rounded-up integer.

A touchable orientation sign for the common sanitary fitting must be located close to the door handle in the height of 1500 mm from the floor.

- (5) Spaces and facilities specified under the Sec. 1 through 4 must be marked with an international sign of accessibility in accordance with the article 1 of the Appendix N° 2 to this Decree. At the same time there must be an orientation board marking the access to these facilities placed on a suitable location.**
- (6) Spaces intended for gathering of 50 and more people and places where public inquiry is provided in the structures for public services specified in the Sec. 2, letter a), articles 1, 2, 6 and 8 must be equipped with and induction loop and marked with an international sign of deafness in accordance with the article 2 of the Appendix N° 2 to this Decree.**

PART FIVE

INTERIM AND FINAL PROVISIONS

Section 13

In the proceedings and cases led in accordance with the Building Act, which were opened and which were not closed before the day when this Decree came into force, and at final inspection and performance of the state building inspection at the constructions permitted on the basis of proceedings that were opened before the day when this Decree came into force, the structures shall be assessed according to the present legal regulation – the general technical construction requirements ensuring the possibility of using the structure by handicapped persons with a limited ability to walk and to orientate.

Section 14

The decree N° 174/1994 Coll., which specifies the general technical requirements ensuring the possibility of using the structure by handicapped persons with a limited ability to walk and to orientate, is repealed.

Section 15

This decree comes into force on December 15th, 2001.

Minister:
Ing. Lachnit
in his own hand

Appendix N° 1 to the decree No 369/2001 Coll.

1. Communications

1.1 Structure of surfaces

- 1.1.1 Surfaces of pavements, staircases, inclined ramps and interior communications floors must be flat, stable and antislip. Sliding friction coefficient must be at least 0.6; in case of inclined ramps it must be $0.6 + \text{tg } \alpha$, where α represents the ramp slope angle.
- 1.1.2 Zebra crossings, rail crossings, and bicycle track crossings must be designed in accordance with the article 1.5 of this Appendix.
- 1.1.3 The slope of walking inclined areas, if they are not ramps as stated in the article 1.3 of this Appendix, may be 1:12 (8,33%) at maximum.
- 1.1.4 The design of pedestrian communications must strictly observe the guiding line for persons with a sight handicap. Location of obstacles on the pedestrian communications, particularly lamp-posts, traffic signs, trees, telephone boxes, must not narrow the original least walking width of 1500 mm. This width may be narrowed not more than to 900 mm in cases of technical installations related to communications and vertical traffic signs. Natural line, if interrupted for a distance longer than 6000 mm, must be supplemented with an artificial guiding line.
- 1.1.5 Obstacles on the pedestrian communications must be equipped with a firm protection (railing bar, upper part of the fence) at the height of 1100 mm, and with a stop for walking stick (lower railing bar, pedestal) at the height of about 100 to 250 mm, that follows the ground outline of the obstacle; or it is possible to locate the stop behind the obstacle's outline by up to 200 mm.
- 1.1.6 Above the public communications and areas there are allowed only solid structure parts in the height range from 250 to 2200 mm, which do not exceed from the outline walls more than 250 mm, in particular shop windows, technical and other installations and technical structures' equipment of the similar nature. This value may be 300 mm in cases of equipment and technical installations not longer than 400 mm (measured concurrently with the structure's wall).

1.2 Height differences

Height differences at zebra crossings, interior and exterior communications must not be higher than 20 mm, otherwise they must be passed by inclined ramps in accordance with the articles 1.3.3 through 1.3.7 and 1.3.9 of this Appendix, or by lifts.

1.3 Staircases and inclined ramps, including staircases and inclined ramps in subways

- 1.3.1 Slope of a flight of stairs must not be greater than 28° and a step height must not be greater than 160 mm; this does not apply to the structures under the Sec. 1, par.1, letter a).
- 1.3.2 Flights of stairs and inclined ramps must be equipped with handrails at both sides in a height of 900 mm, and these handrails must exceed the first and the last step, or the beginning and the end of an inclined ramp, by 150 mm. The ground outline of the overlap must be marked.
- 1.3.3 Inclined ramps must be at least 1300 mm wide and their slope must not be greater than 1:12 (8,33%) lengthwise.
- 1.3.4 If the inclined ramp is not longer than 3000 mm, its slope must not be greater than 1:8 (12,5%); this does not apply to the structures under the Sec. 1, par.1, letters b) and e).
- 1.3.5 Inclined ramps must be equipped with a guiding bar at both sides in the height of 250 mm.
- 1.3.6 An inclined ramp longer than 9000 mm must be interrupted by at least 1500 mm long landing. A winding or curved inclined ramp must also have a landing.
- 1.3.7 Inclined ramps landings must be at least 1500 mm long.
- 1.3.8 The first and the last steps of each flight of stairs or compensation stairs must be distinctly recognisable and in contrast to its surrounding. The steps of staircases in transport structures and at local communications must be painted with a yellow stripe, 100 mm wide, the whole step long, located not more than 50 mm from the step's edge. In other structures it is acceptable also to mark a whole step in contrast, or only a stripe. It is not acceptable to mark a riser in contrast. Advertising may be placed on risers provided that the previous conditions are observed.

- 1.3.9 Staircases, ramps and constructions projected to room must be adapted in accordance to the article 1.1.5 of this Appendix so that the persons with a sight handicap can not enter the spaces lower than 2200 mm in exterior and 2100 mm in interior.

1.4 Pavements

- 1.4.1 Pavements must be at least 1500 mm wide. Their lengthwise slope can not be more than 1:12 (8,33%) and their transverse slope can not be more than 1:50 (2,0%).
- 1.4.2 Those parts, where the lengthwise slope is higher than 1:20 (5,0%) and which are longer than 200 m, must be equipped with landings with lengthwise and transverse slope not higher than 1:50 (2,0%).
- 1.4.3 Pavements at zebra crossings must have a lower kerbstone so that the height difference to the level of road would be 20 mm and must be equipped with signal zones connecting the warning zones with guiding lines. In cases of changes to completed structures there must signal zones only if the safety of persons with sight handicaps is ensured when they cross the road. Related inclined platforms must comply with the requirements on the inclined ramps according to the article 1.3 of this Appendix. Along the whole lowered kerbstone towards the pavement there must be a warning zone at least 400 mm wide, overlapping at the same time the signal zone at both ends by at least 800 mm. Similarly this zone must be also in the places of exits from common garages and parking sites. A warning zone may be constructed also instead of the lowered kerbstone.
- 1.4.4 In the streets of residential districts where no natural guiding line may be found, there must be a touching zone 400 mm wide on one side, 800 mm from the road edge. Its specifications are the same as those of the signal and warning zones.
- 1.4.5 At the border between the pedestrian and bicycle tracks there must be a touching zone, 300 to 400 mm wide, which is a part of the pedestrian track.

1.5 Crossings and public transport platforms

- 1.5.1 Crossings with traffic lights at the structures according to the Sec. 1, par.1, letter c), must be equipped with a self-service control for a prolonged interval.
- 1.5.2 Crossings with traffic lights must be also equipped with traffic acoustic signals. Pillar with traffic lights for pedestrians shall be placed in the signal zone.
- 1.5.3 Traffic signals self-service control must not be higher than 1200 mm from the level of the pedestrian track.
- 1.5.4 In cases of crossings that lead across the roads in a traverse direction, or that are longer than 8000 mm, or that lead in a bow-shaped direction, there must be the crossing guiding zone marked as the horizontal traffic sign and must be connected to the signal zone on the pavement.
- 1.5.5 At least one access to the public transport platform must be barrierless.
- 1.5.6 Public transport platforms must have the 200 mm high refuge and the edge must have a structure that the persons with sight handicap can perceive, i.e. to be perceived by the limited sight (contrast), by stepping on, and by the walking stick. The specific modification depend upon the public transport mean according to the special regulation⁴⁾. At public transport stop signs there must be a signal zone.
- 1.5.7 On the access to structures for transport in cities, particularly in railway stations, subway halls, or tube stations there must be acoustic navigating and orientation systems. Acoustic navigating systems shall be designed in accordance with the assessment of the consulting centre of the Association for environment of handicapped people in the Czech Republic, and after consultation with a specialist trainer for independent movement of persons with a sight handicap.

4) *Act No 266/1994 Coll. on railways as amended by the act No 189/199 Coll., the act No 23/2000 Coll., the act No 71/2000 Coll., and the act No 132/2000 Coll.*

1.6 Entrances into the structures

- 1.6.1 In front of the entrance into a structure there must be a horizontal platform, at least 1500 mm x 1500 mm; if the door opens out, at least 1500 mm x 2000 mm. A horizontal platform means an area with a maximum incline of 1:50 (2,0%).

- 1.6.2 Entrance door must open at least 900 mm; this requirement shall be applied also to a main wing of double-wing door. Door may be glazed from the height 400 mm up, or must be protected against mechanical damage that could be caused by an invalid chair, particularly glazed with break-resistant glass. Door wing that opens must be equipped with a horizontal handle across the whole width of a wing in a height of 800 to 900 mm. The handle shall be located on the side of a wing opposite to the hinge. Doors that open automatically are exceptions to this rule. Carousel door must be designed so that a person on an invalid chair can pass it without any other special measures, otherwise the carousel door must be equipped with additional standard-open door.
- 1.6.3 Glazed entrances must be marked in accordance with the article 2.2.2 of this Appendix.
- 1.6.4 Door lock must not be located higher than 1000 mm from the floor, door handle/knob must not be higher than 1100 mm.
- 1.6.5 The upper edge of a doorbell panel must not be higher than 1200 mm from the floor.
- 1.6.6 An illumination of the entrance must not create a big contrast between the exterior and interior structure illumination.

1.7 Lifts and lift platforms (inclined and vertical)

- 1.7.1 Dimensions of free space in front of the entrances to lifts, staircase lifts and vertical lift platforms intended for transport of persons on invalid chairs, must be at least 1500 mm x 1500 mm or diameter of 1500 mm. Dimensions of free space in front of entrances to staircase lifts and vertical lift platforms, intended for transport of sitting or standing persons, may be smaller provided that a safe access into these lifts is ensured.
- 1.7.2 The least width of shaft and cage lift doors, staircase lifts and vertical lift platforms with enclosed shafts, and entrance openings of unenclosed places, must be 800 mm.
- 1.7.3 Lifts may be equipped with horizontally sliding doors only.
- 1.7.4 A lift cage must be at least 1100 mm wide, 1400 deep. A lift cage in cases of structure changes must be at least 1000 mm wide and 1100 mm deep. Transport platforms of staircase lifts and vertical lift platforms intended for transport of persons on invalid chairs must be at least 800 mm wide and 1250 mm long. If this platform is installed in a structure of public services it must be at least 900 mm wide and 1400 mm long. A vertical lift platform for standing person must be at least 650 mm wide and 650 mm long; if the transport height is less or equal 500 mm the least dimensions may be W 325 mm x L 350 mm.
- 1.7.5 A lift cage must be equipped with a bi-directional communication device located not higher than 1000 mm above floor, and with a foldaway seat located 500 mm above the floor within a reach of the lift control panel. Control panel elements must be located in a height of 800 mm to 1200 mm and at least 400 mm from the front or back cage wall.
- 1.7.6 Floor selection control elements in the cage and in the floor stops as well as the control elements for reopening the door, bi-directional communication, or other controls in the cage must be marked with touchable indication according to their functions. Touchable indication may be located
 - on the non-active parts of control elements; indication in the Braille code on the left side, touchable symbols on the right side of the controls.
 - on the active parts of control elements; the least control touching power shall be 2.5 N, the biggest control touching power shall be 5 N.
 Touchable symbol size must be at least 15 mm but not more than 40 mm, the symbols must have an embossed design with typeface thickness of 1 mm + 0.5 mm – 0 mm, in contrast with the basis material. Touchable mark must not be engraved.
- 1.7.7 Arrival of a cage in the stop, both in the cage and in the stop, must be announced acoustically. Acoustic signal setting must be within the range of 35 to 55 dBA.
- 1.7.8 Operation of travelling pavements, escalators and ramps as well as their location and travelling direction in the structures of public services must be indicated by an acoustic device that may be remote controlled by persons with a sight handicap. Racks at the entrance and exits to/from escalators/travelling pavements must be painted in contrast, yellow colour.

2. Interiors

2.1 Floors

The least sliding friction coefficient of floor surfaces in the rooms must be 0.6; this does not apply to the structures according to the Sec. 1, par.1, letter a).

2.2 Windows

- 2.2.1 At least one window must be equipped with lever closings not higher than 1100 mm above the floor; this does not apply to the structures according to the Sec. 1, par.1, letter a).
- 2.2.2 The bottom parts (up to 400 mm) of widows with sills⁵⁾ and glazed walls with sills that are lower than 500 mm must be protected against mechanical damage, and must be marked by a contrast stripe at least 50 mm wide in the height of 1100 mm to 1600 mm, or by a stripe of marks 50 mm x 50 mm that are not more than 150 mm from each other, and that are clearly visible against their background.

5) Sec. 37, par. 6 of the decree N° 137/1998 Coll. on the general technical construction requirements

2.3 Doors

- 2.3.1 The door clear width must be at least 800 mm; in cases of structures according to the Sec. 1, par.1, letter b) at least 900 mm.
- 2.3.2 Glazed walls or doors with the glazed parts lower than 800 mm above the floor must be marked by a contrast stripe at least 50 mm wide in the height of 1100 mm to 1600 mm, or by a stripe of marks 50 mm x 50 mm that are not more than 150 mm from each other, and that are clearly visible against their background. The bottom part of such wall must be protected similarly as the glazed walls in article 2.2.2 of this Appendix.
- 2.3.3 Door wing that opens must be equipped with a horizontal handle across the whole width of a wing in a height of 800 to 900 mm. The handle shall be located on the side of a wing opposite to the hinge.

2.4 Sanitary fittings and facilities

- 2.4.1 Upper edge of the toilet bowl seat must be 500 mm above the floor if it is not specified otherwise in the appendix N° 2 to this Decree. Flush control must be located at side not higher than 1200 mm above the floor, there must be foldaway handles at both sides of the toilet bowl in a distance of 600 mm from each other and in a height of 780 mm above the floor. A toilet bowl must be placed so that at one side a free space of at least 800 mm remains, and the least distance between its front and the back side of the WC box is 700 mm. The door must open outside the box and must be equipped with a horizontal handle from the inner side. The door lock must have the option to unlock from outside. There must be a wash basin in the WC box. The least dimensions of the box are 1600 mm x 1800 mm; in cases of changes to completed structures 1400 mm x 1400 mm.
- 2.4.2 The wash basin must be equipped with lever controlled water taps. There must be a horizontal handle aside the wash basin to lean on. A mirror above the basin must be adjustable.
- 2.4.3 Bath tub design must comply with the article 1.6 of the appendix N° 3 to this Decree.
- 2.4.4 The least ground plan dimensions of shower boxes and shower baths are 1400 mm x 1400 mm. They must be equipped with a foldaway seat located 500 mm above the floor, accessible from a side or the front. Hand shower with lever control, lean on handle, and soap compartment must be within a reach of the seat, and mounted on the wall normal to the wall on which the seat is installed. The height difference between the floor and shower box/shower bath bottom must not be greater than 20 mm.

2.5 Manipulating spaces and areas

- 2.5.1 The least steering area for an invalid chair is 1200 mm x 1500 mm.
- 2.5.2 The least invalid chair place in an auditorium must have a ground plan dimensions 1000 mm x 1200 mm, must be located on a flat floor with the view over the stage, accessible from backside.
- 2.5.3 Equipment objects and manipulating devices must be installed in the height range from 600 mm to 1200 mm above the floor.
- 2.5.4 Parts of shop desks and counters in the structures of public services according to the Sec. 2, letter a), articles 1., 3., 6. through 10. of this Decree, must not be higher than 800 mm above the floor in their least lengths of 900 mm. These parts of shop desks must have forward spaces, at least 250 mm wide, for handling the goods. In front of the counters there must be free passage space at least 900 mm wide.

2.6 Information signs and systems

- 2.6.1 The main information systems for navigation must be supplemented with acoustic, touchable and optical elements that serve for persons with a sense handicap. Their pictograms must be contrast, large enough, unified, with illuminated inscriptions.
- 2.6.2 Electronic information systems for public must enable using by the persons with a sight handicap without a necessity to modify their software or hardware installation.

3. Public spaces

Large pedestrian areas, particularly squares, pedestrian zones, halls, and places where no natural guiding lines for a safe movement of persons with a sight handicap can be used, must be equipped with artificial guiding lines.

Parking sites and bay sites

Parking place width for cars of handicapped persons on parking sites, bay sites, and in garages, must be at least 3500 mm and its incline must not exceed 1:20 (5.0%). The least length of lengthwise parking place (along the pavement) must be 7000 mm.

3.2 Public telephone boxes, similar facilities, and pillar boxes

- 3.2.1 Incline of free area in front of the public telephone box, or similar facility, or pillar box must not exceed 1:20 (5.0%) in its least ground plan dimensions 1000 mm x 1200 mm, that apply also to public telephones.
- 3.2.2 Installation height for control elements of a telephone box, or similar facility, or a pillar-box, must be in a range from 600 mm to 1200 mm.
- 3.2.3 Room of the public telephone box must be equipped with a foldaway seat installed in a height of 500 mm above the floor, or with a sitting support located close to the phone device.
- 3.2.4 At least one from the telephone boxes installed in a group must be equipped with a device enabling operation with a hearing aid. Such telephone box must be marked by an international symbol of deafness in accordance with the article 2 of the appendix N° 2 to this Decree.
- 3.2.5 Telephone boxes and similar facilities with side walls that do not reach the ground (floor) must have a ground plan indication of side walls on the floor in accordance with the article 1.1.6 of this Appendix.

Appendix № 2 to the decree No 369/2001 Coll.

1. International symbol of accessibility



The international symbol of accessibility is represented by a blue square with a stylised person on an invalid chair looking to the right drawn in white line. The least dimensions of the symbol are 100 mm x 100 mm.

2. International symbol of deafness



The international symbol of deafness is represented by a blue square with a stylised auricle interrupted by a diagonal leading from the upper right corner, drawn in white line. The least dimensions of the symbol are 100 mm x 100 mm.

3. Symbol marking a facility or a space intended for persons with a sight handicap



This symbol is a blue rectangle with a stylised walking person holding a long stick in one hand, drawn in white line.

Appendix N° 3 to the decree No 369/2001 Coll.

Requirements on flats of a special purpose for persons with a serious motion handicap and on residential parts of the social care structures for persons with a serious motion handicap

1 Technical requirements

- 1.1 Flat layout must be accommodated to the steering possibilities of an invalid chair so that it can freely pass through all rooms and spaces in the flat.
- 1.2 Doors and passages in the flat must be at least 900 mm wide. Entrance door to the flat must be at least 800 mm wide. No doors in the flat, except the entrance door, must have thresholds. There must be sufficient space at both sides of the doors for an invalid chair steering.
- 1.3 Staircases and inclined ramps located in front of the doors must have horizontal parts at least 1500 mm long, or 2000 mm long – depending on the direction in which the door opens.
- 1.4 Residential and staying rooms, vestibules, and corridors must allow an invalid chair to turn by 360°, taking into account the projected furniture disposition; this represents a circle with a diameter of 1500 mm.
- 1.5 Loggie or balconies in a flat of special purpose must be at least 1500 mm deep with a floor incline not greater than 1:50 (2%) and must be accessible on the level of residential room floor with the height difference not greater than 20 mm. The least length of railing, that must be modified so that the person on an invalid chair can see through the terrain in the structure close surrounding, is 1200 mm.
- 1.6 Bath tub, wash basin and WC, which must be installed in a bathroom, must be freely accessible in a bathroom. Upper edge of the toilet bowl seat must be in a height of 460 – 480 mm above the floor. Bathroom wall construction must enable installation of assistant handles in different positions. Design of the bathtub surrounding space must enable front or transversal access to the bathtub, and side access from an invalid chair by shifting onto a built place in the bathtub head. A bathtub, indented lengthwise by 80 mm from the wall tiling due the installed handles, must allow the mobile lift apparatus to underpass. Distance between the floor and the bathtub bottom must be at least 140 mm, the upper bathtub edge must not be higher than 500 mm above the floor. The floor in the place of mobile lift apparatus must be flat and smooth. Bathtub taps with lever control must be installed on the long side of the bathtub, within a reach of the sitting person. Distance between the front edge of a wash basin and the wall must be 600 mm; water taps must be lever controlled.
- 1.7 Flats that are intended for several people to share must be equipped with another WC box, dimensionally suitable for non-handicapped people, with the door at least 800 mm wide.
- 1.8 Location of all hand-controlled elements, particularly switches, sockets, circuit breakers, door handles, flush handles, must be in a height range of 600 to 1200 mm.
- 1.9 A kitchen must be furnished with a barrierless kitchen furniture allowing the invalid chair to underpass and providing the handicapped person on an invalid chair with accessibility to all elements. No control elements may be located on the wall behind the kitchen furniture. There must be ensured an accessibility and easy control of the upper cupboards, control elements of cooker, oven, and ventilation.
- 1.10 At least a part of wardrobes must have hinges allowing the door to open in 180° angle and must be equipped with foldaway mechanism to hang the clothes on. They must have retreating mopboards at least 300 mm high.
- 1.11 Residential and staying rooms heating in the flats of special purpose for seriously handicapped persons must be designed to a temperature by 2 degrees higher than the temperature specified by the standard, technical regulations for other flats.

2. Area requirements

- 2.1 Flats of special purpose must provide enough space for steering, storing and movement of invalid chairs or other mechanisms or devices supporting the motion of seriously handicapped persons.
- 2.2 Flats that are intended for several persons to share must have enough space for steering and movement of two invalid chairs at the same time, particularly in residential rooms like a living room and a bed room.

3. Auxiliary rooms and services in a house with flats of special purpose for seriously handicapped persons

- 3.1 A seriously handicapped user of a flat of special purpose must have the possibility to use all auxiliary spaces and services in the house, i.e. cellar box, room for bicycles and prams, workshop, laundry and drying room, spaces for collection of the garbage, or civic defence shelter. There must be garage parking for cars of seriously handicapped persons in the house.
- 3.2 Depending on the house type and its possibilities the houses with flats of special purpose shall have extended auxiliary rooms and services – room for health visitors or for other social services (day staying room, kitchen, laundry and drying room), or also spaces for rehabilitation (gym, electrotherapy, adjusting mechanisms).

Appendix N° 4 to the decree No 369/2001 Coll.

Requirements on flats of a special purpose for persons with a sight handicap and on residential parts of the social care structures for persons with a sight handicap

1. Technical requirements

- 1.1 All doorframes in a flat, including entrance door to the house with flats of special purpose for persons with a sight handicap, must be markedly contrast to its background.
- 1.2 Flooring border in corridors of the house with flats of special purpose for persons with a sight handicap must be markedly contrast to the floor and wall in the least width of 50 mm. In case of floor tiles there must be one row of tiles adjacent to the walls markedly contrast to the colour of remaining tiles and the walls.
- 1.3 The flat must not be equipped with local heating nor other appliances with open flame.
- 1.4 Covers of electric installation control elements in the flat, i.e. breakers, sockets, and switches, must have markedly contrast colour to their background.
- 1.5 Water taps must be lever controlled.
- 1.6 Staying room intended for a person with a sight handicap must be equipped with at least three electric double-sockets.
- 1.7 Phone line must be installed in all residential and staying rooms except the kitchen.
- 1.8 There must be places for well-organised storage of compensatory appliances and other materials used by persons with a sight handicap in the flat.

2. Inner communications in the house with flats of special purpose for persons with a sight handicap including entrance

- 2.1 The entrance to a house with flats of special purpose for persons with a sight handicap must be equipped with a remote controlled acoustic beacon that is permanently attached to the electric supply.
- 2.2 Doorbell labels must be accommodated for usage by persons with a sight handicap, i.e. with contrast and touchable indication of buttons. In case of an additional modification there must be accommodated at least the doorbell belonging to the flat of special purpose in this manner.
- 2.3 Layout of corridors and other common spaces must have rectangular design.

Act N° 50/1976 Coll. on town & country planning and on building regulations
(the Building Act) in the wording of later regulations
Decree N° 132/1998 Coll. on detailed specification of some Building Act stipulations
Decree N° 135/2001 Coll. on non-statutory planning materials and planning documentation
Decree N° 137/1998 Coll. on general technical construction requirements
Decree N° 369/2001 Coll. on general technical requirements related to the operation
and utilisation of structures by the handicapped persons
with limited ability to walk and to orientate

Edited by Lubor Fridrich

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