Општина
ЛАКТАШИ

FROM LOCATIONS TO CERTIFICATES OF OCCUPANCY IN 13 STEPS

(for investment project)

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FROM LOCATIONS TO CERTIFICATES OF OCCUPANCY

Introduction

RECEPTION OFFICE

The Reception Office of the Department of Spatial Planning is located on the ground floor of the Laktasi Municipal Hall, office No. 17. The Reception Office is open work days 7.30–15.30 hours or may be contacted by phone (+387) (0) 51 33 42 67 for following information and services:

- spatial planning documentation (public insight and issuance of extracts);
- information and advice to prospective investors on the construction (development) options and conditions;
- instructions on the procedures and manner of applying;
- information on the documents accompanying different applications and how to obtain them;
- laws and bylaws regulating matters related to construction and acquisition of different approvals, and other documentation and information.

Decisions pertaining to building structures shall be issued on the grounds of executive spatial planning documents, such as:

- zoning plan for special-purpose areas;
- regulatory plan;
- urban planning project; and
- lot allocation plan.

In the absence of the listed planning documents, the location approvals shall be prepared on the basis of the valid spatial planning document and expert assessments by licensed legal entities.

All application forms falling under the competences of the Laktasi Municipal Administration with the relevant attachments may be submitted at the office No. 9 (customer desk) or sent by mail.

All application forms are available at the office No. 9 (customer desk), on the ground floor of the Laktasi Municipal Hall (www.opstina laktasi.net) or at the Reception Office of the Department of Spatial Planning (office No. 17, ground floor).

STEP 1.

INSIGHT INTO SPATIAL PLANNING DOCUMENTS

Competent authority: Department of Spatial Planning

Insight into spatial planning documents is possible at the Reception Office of the Laktasi Municipality Department of Spatial Planning (office No. 17).

Having expressed a verbal request and presented a copy of the cadastre plan with the Reception Office of the Department of Spatial Planning, an investor may receive the relevant verbal information immediately and a certified extract from the valid planning documentation within one (1) day.

The planning document defines locations and provides information on the building possibilities and limitations.

The municipal administrative fee for the issuance of a certified extract from the spatial planning documentation amounts to 32 BAM.

Contact persons:
Miroslav Protic
Biljana Grahovac, urban construction technicians
☎: (+387) (0) 51 33 42 67

STEP 2.

LOCATION APPROVALS

Competent authority: Department of Spatial Planning

The location approval is a technical document regulating the conditions for project designs and construction issued in accordance with the Law on Spatial Planning and Construction ("Republika Srpska Official Gazette", No. 40/13), special laws and bylaws.

An application for the issuance of a location approval shall be accompanied by:

- the urban-planning and technical approval and, in the absence of an executive spatial planning document, also an expert assessment, all submitted in three (3) copies;
- a copy of the cadastre plan – original (not older than six months);
- in case of expansion, building superstructures or change of assignment of an existing structure, proof that the structure had been built with all due permits in place;
- the location-related permits/consents foreseen by the urban-planning and technical approval, unless already included in the approval;
- the decision regulating the obligation to conduct an environmental impact assessment and the scope of the assessment, if that required by special legislation;
- municipal administrative fee in the amount of 2.00 BAM.

The location approval shall be issued with **fifteen (15) work days as of the date of submission of completed application.**

The location approval shall remain valid until a change of the existing or the adoption of an executive spatial plan. Should the investor fail to submit an application for the issuance of building permit within one (1) year as of the date of issuance of the location approval, before submitting the application, the investor shall be obliged to acquire a certificate confirming that there were no changes to the issued location approval.

Pending on the assignment and location of structure, other approvals/guidelines may be required, namely:

Step 2.1
WATER GUIDELINES

Competent authority: JU "Vode Srpske" Bijeljina */water management company/*, Banja Luka Regional Office
Address: Slavka Rodica No. 5, Banja Luka
☎: (+387) (0) 51 21 54 85
Home page: www.voders.org

Step 2.2
GUIDELINES BY JP "PUTEVI RS" BANJA LUKA

Competent authority: JP "PUTEVI RS" Banja Luka /road management company/
Address: Trg Republike Srpske No. 8, Banja Luka
☎: (+387) (0) 51 33 45 00

Step 2.3
ANTI-FIRE PERMIT FOR THE LOCATION

Competent authority:
Ministry of Interior, Inspectorate for Explosives and Anti-Fire Protection
Address: Jug Bogdana No. 108, Banja Luka
☎: (+387) (0) 51 33 84 85

STEP 3.

SOLVING PROPERTY RELATIONS

Competent authority: RS Administration for Geodetic and Property Matters, Laktasi Regional Office
Address: Karadjordjeva 63 (combined residential and office unit, 2nd floor)
☎: (+387) (0) 51 49 06 60
Home page: www.rgurs.org

Should the urban-planning and technical approval (the location approval) require that the urban construction land (parcel) be defined, the property relations must be solved first and a proof of this submitted.

The following shall be considered as the proof of solved property relations:

- an extract from the public record of immovable property, showing the registered ownership and property rights;
- a contract or a decision by the competent authority that may serve as legal grounds for the investor to obtain ownership or construction rights;
- a contract on joint construction concluded with the owner of the land or of the immovable property.

Step 3.1 AGRICULTURAL APPROVALS

Competent authority: Department of Economy and Social Matters

Agricultural land includes: arable land, gardens, orchards, vineyards, meadows, pastures, fish ponds, reeds and wetlands.

In order to build a structure on the lot treated as agricultural land, the investor shall be obliged to change the designation of the agricultural into construction land under the Law on Agricultural Land ("Republika Srpska Official Gazette", No. 93/06, 86/07, 14/10 and 5/12).
The application for obtaining an agricultural approval, i.e. change of designation of agricultural into construction land shall be accompanied by:

- the location approval (with the urban-planning and technical approval);
- a land registry sheet;
- the title deed;
- a copy of the cadastre plan ;
- administrative fee of 12.00 BAM.

The change of designation fee is determined for the entire construction lot and corresponds to the amount of the land registry earnings from the lot for the current year.
The investors building new production facilities in the agriculture, food, textile, shoe or furniture sectors shall be exempted from payment of the fee, provided that the agricultural land subject to change of designation is located outside of the central or broader city zone, i.e. is in the rural area.

Certified photocopies of the documents shall be submitted.

STEP 4.

PREPARATION OF TECHNICAL DOCUMENTATION

Competent authority: a legal entity authorised by the RS Ministry of Spatial Planning, Civil Engineering and Environment

All structures must be designed and build in accordance with the issued location and urban-planning and technical approvals.

Main project designs serve as the basis for the issuance of building permits.

Main project design comprises a number of mutually harmonised projects providing the technical solution for the structure, its position in the environment, prove that the important preconditions pertaining to the structure have been met, etc.

In the event that the main project design is developed in another country, the technical documentation must undergo nostrification, including the review procedure.

Nostrification of technical documentation may be conducted by a legal entity licensed to perform technical documentation reviews under the provisions of the Law on Spatial Planning and Construction ("RS Official Gazette", No. 40/13).

STEP 5.

REVIEWING TECHNICAL DOCUMENTATION

Competent authority: a legal entity authorised by the RS Ministry of Spatial Planning, Civil Engineering and Environment

Once the main project design developed, a review of the technical documentation is performed. All constructions (collective residential or combined residential and office buildings, commercial and infrastructural units, individual structures exceeding 200 square metres in gross building space, etc.) are subject to the review.

The investor shall select a legal entity authorised for preparation of technical documentation (a design agency) to perform the review.

The review of technical documentation with all its integral parts and stages may be carried out only by a legal entity holding the relevant license.

In cases when a legal entity is not licensed for all project stages, the legal entity may subcontract the activities not covered by their license to another legal entity or entities holding relevant licenses for the activities.

The review cannot be entrusted to a person who had been involved in the preparation of the technical documentation in any way or who had been employed by the legal entity which prepared the technical documentation or a part thereof at the time of that preparation. Upon the completion of the review, a Report on the Review (Control) of Technical Documentation is drafted.

STEP 6.

OBTAINING OTHER APPROVALS/CONSENTS

Once the review of the main project design conducted, the approvals/consents with regard to the project documentation shall be obtained, namely the approvals/consents by:

Mandatory:

KP "BUDUCNOST" a.d. Laktasi,
Karadjordjeva, Laktasi /utilities company/
☎: (+387) (0) 51 53 20 72 or

VODOVOD a.d. Banja Luka */water supply company/*
22. aprila No. 2, Banja Luka
☎: (+387) (0) 51 21 23 16
www.vodovod-bl.com

ELEKTROKRAJINA a.d. Banja Luka
P.J. Elektrodistribucija Laktasi */power supply company/*
☎: (+387) (0) 51 53 00 60
www.elektrokrajina.com_

TELEKOM SRPSKE a.d. Banja Luka P.J. Tranzitni Telekom Banja Luka
Mladena Stojanovica No. 8, Banja Luka
☎: (+387) (0) 51 31 13 33
www.mtel.ba_

REPUBLIKA SRPSKA MINISTRY OF INTERIOR,
Inspectorate for Explosives and Anti-Fire Protection
Jug Bogdana No. 108, Banja Luka
☎: (+387) (0) 51 33 84 85
www.mup.vladars.net

Pending on the assignment and location of structure, the following approvals/permits may be required:

J.P. PUTEVI REPUBLIKE SRPSKE */road management company/*
Trg Republike Srpske No. 8, Banja Luka
☎: (+387) (0) 51 33 45 00
www.putevirs.com

AGENCY FOR WATERS, THE VRBAS RIVER BASIN REGIONAL OFFICE BANJA LUKA
Slavka Rodica No. 5, Banja Luka
☎: (+387) (0) 51 21 54 85
www.voders.org

INSTITUTE FOR PROTECTION OF CULTURAL, HISTORICAL AND NATURAL HERITAGE OF REPUBLIKA SRPSKA
Vuka Karadjica 4/IV, Banja Luka
☎: (+387) (0) 51 24 74 19
www.nasljedje.org

RS DIRECTORATE FOR BIH CIVIL AVIATION
Vojvode Pere Krece bb, Banja Luka
☎: (+387) (0) 51 92 12 22

REPUBLIKA SRPSKA RAILWAYS a.d.
Svetog Save No. 71, Doboj
☎: (+387) (0) 53 20 90 21
www.zrs-rs.com

STEP 7.

ADMINISTRATIVE DECISIONS ON APPLICABLE FEES

Competent authority: Department for Housing and Utilities

Before being granted a building permit, an investor building a commercial structure shall be obliged to pay:

- Rent; and
- Fee for the costs of regulation of urban construction land.

The rate of the fee for regulation of urban construction land and one-off rent shall be determined by an administrative decision.

An application for the issuance of the administrative decision determining the fee rates shall be accompanied by:

- The location approval, with a copy of the urban-planning and technical approval;
- The main project design (architectural stage), presented for insight until the completion of the procedure;
- The Report on the Review of Technical Documentation;
- A proof that the structure being demolished has been built with all due permits in place, if this envisaged by the location approval;
- Municipal administrative fee charged at the rate of 12.00 BAM.

The unused and unequipped construction land the location of which is covered by the executive spatial planning document or the local urban plan may be equipped from the funds of the investor who wishes to build on the land based on the appropriate contract signed with the local government body responsible for utilities.

The amount of the fee for the costs of equipping urban construction land and the amount of one-off rent shall be determined based on unit of **usable space** of the structure as given in the main project design serving as the grounds for the issuance of building permit.

For agricultural land which is defined as construction land by the spatial planning document and for which the investor is paying the fee for change of designation from agricultural into construction land in accordance with special regulations, the amount of rent shall be reduced by the amount of paid designation change fee.

The administrative decision determining the fee for regulation of urban construction land and one-off rent shall be passed within thirty (30) days as of the date of submission of completed application.

The decision shall become final within **fifteen (15) days** as of the date of collection from an official at the **office No. 34.**

The decision determining the amount of the fees shall be valid for a period of one (1) year as of the date of its enforcement.

STEP 8.

BUILDING PERMITS

Competent authority: Department of Spatial Planning

Building permit is an administrative document serving as the grounds to start building a new structure or a superstructure, expanding, reconstructing or repairing a structure.

AN application for the issuance of a building permit shall be accompanied by:

- the location approval;
- the urban-planning and technical approval;
- a copy of the cadastre plan, with the construction lot identified as per the urban-planning and technical approval, including old and new survey;
- proof of solved property relations **(STEP 3);**
- three (3) copies of the main project design;
- the Report on the Review of the Project;
- the environment permit, if required by the location approval;
- the water approval pertaining to the main project design, if required by the location approval;
- approvals of the project documentation by the relevant utility company and other public institutions;
- the agricultural approval;
- the administrative decision determining the amount of fee for regulation of urban construction land and one-off rent (proof of payment is submitted only once all other preconditions for building permit issuance met);
- contribution for funding the real estate cadastre in the amount of 0.3 % of the construction works cost estimate;
- municipal administrative fee charged at the rate of 102 BAM.

The copy of the cadastre plan and the proof of solved property relations may not be older than **six (6) months.**

Building permits are issued for building entire structures or parts of structures forming technical, technological and functional whole.

The investor shall be obliged to report the start of construction works to the competent urban-planning and construction inspectorate no later than eight (8) days before the start of the works.

The building permit shall be passed within **fifteen (15) days** as of the date of submission of completed application.

The building permit shall become final within **fifteen (15) days** as of the date of collection from an official at the **office No. 33.**

In the event that the construction works do not start within **three (3) years** as of the date of enforcement of a building permit, the permit shall become invalid.

Step 8.1
ENVIRONMENTAL PERMITS

Competent authority: Department of Spatial Planning

In accordance with the Law on Protection of Environment ("Republika Srpska Official Gazette", No. 71/12), investors shall be obliged to obtain **environmental permit** before submitting the application for building permit for all structures used to perform the activities that pose or could pose a risk to environment and if so required by the location approval.

An application for the issuance of environmental permit shall be accompanied by:

- proof for the issuance of environmental permit, prepared by an authorised institution, in 2 copies + electronic version;
- the location approval for new facilities or the building permit and certificate of occupancy for existing facilities;
- the administrative decision on registration of the business by competent authority;
- water acts, i.e. water approval for new or water permit for existing facilities (issued by JP "Vode Srpske", Bijeljina, Slavka Rodica No. 5, Banja Luka);
- other proof/permits stipulated by special laws;
- administrative fee in the amount of 102.00 BAM.

A notification of submitted application for the issuance of environmental permit shall be published on the announcement board of Laktasi Municipal Hall (ground floor) and at the Muncipality's home page for a period of **thirty (30 days).** The Department shall provide all interested public with a possibility to view the application and all accompanying proof.
Interested citizens may submit written comments on the application to the competent authority.
The environmental permit shall be passed within **sixty (60) days** as of the date of submission of completed application.

The permit shall become final within **fifteen (15) days** as of the date of collection from an official at the fffice No. 48, 2nd floor.

Investors shall be obliged to submit applications to have their **environmental permit renewed** no later than three (3) months before the expiration of the permit, and pursuant to the Law and Rulebook on the Procedure for Reviewing and Renewing Environmental Permits ("Republika Srpska Official Gazette", No. 28/13).

An application for renewal of environmental permit shall be accompanied by:

- valid environmental permit for the facility concerned;
- records of the emissions measuring prescribed by the environmental permit;
- report by environmental inspector prepared on site and confirming that the measures and obligations prescribed by the decision granting the permit have been observed and that there has been no significant change of conditions;
- a statement by the responsible person that as on the day of submission of the permit renewal application all measures and obligations prescribed by the Laktasi Municipality Department of Spatial Planning decision granting the permit have been observed and that there has

been no significant change of conditions pertaining to the facility or the activity, primary and secondary raw material, use of energy, source of emissions and the location of the facility. The statement must be certified by the body responsible for certification of signatures;

- water permit for the facility issued by JU "Vode Srpske" Bijeljina;
- the administrative decision on registration of the business by competent authority;
- other proof/permits stipulated by special laws;
- administrative fee of 52.00 BAM (mail desk at the Municipal Hall ground floor).

Step 8.2
REMOVAL OF STRUCTURES

Competent authority: Department of Spatial Planning

The owner of a structure may have the structure or a part thereof removed only on the basis of a removal permit, notwithstanding the removals granted by inspection decisions.

The Department of Spatial Planning shall issue, *ex officio* or upon application by an interested party, the decision to remove a structure or a part of structure for which they determine that due to deterioration, effects of natural disasters or war activities, or other major damage may no longer serve its purpose or poses a risk to people's lives or health, the surrounding structures or traffic. The decision shall also specify the conditions and measures that must be ensured before proceeding with the removal of the structure or a part thereof.

Pending on gross building space of the structure to be removed (demolished), an application for removal shall be accompanied by:

For structures with under 400 square meters of gross building space

- proof of ownership rights;
- consent by relevant authorities in the cases when such a removal might jeopardise public interests;
- the environmental impact assessment;
- municipal administrative in the amount of 32.00 BAM.

For structures exceeding 400 square meters of gross building space

- proof of ownership rights;
- the project of the structure removal;
- consent by relevant authorities in the cases when such a removal might jeopardise public interests;
- the environmental impact assessment;
- Municipal administrative in the amount of 32.00 BAM.

The originals of the proof of ownership or construction rights must be submitted and

they may not be older than six (6) months.

The project approvals/consents by utility companies shall be obtained with the relevant companies.

The permit for removal of a structure shall be passed within **fifteen (15) days** as of the date of submission of completed application.

The permit shall become final within **fifteen (15) days** as of the date of collection from an official at the **office No. 33.**

STEP 9.

PREPARING CONSTRUCTION SITES

Competent authority: Investor or contractor

Investors shall obliged to report the start of construction works to the competent urban-planning and construction inspectorate no later than eight (8) days before the start of the works.

Based on building permits, investors shall be allowed to carry out preparatory works, such as to build a fence around the construction site, put up temporary structures needed for the duration of the construction works and develop internal traffic communications.

There has to be a plaque displayed at a construction site indicating relevant details on the structure and the parties involved (names of investor, contractor, designer, supervisory body, name and type of structure, number of building permit and the start and end date of the construction works).

All temporary structures built as part of preparation for the works, the construction equipment, unused construction and other material, waste, etc. have to be removed and the land within, as well as access to the construction area have to be conformed to the clean and orderly conditions regulated by the location approval and the building permit for a certificate of occupancy to be issued.

In the event of temporary occupancy of the neighbouring, i.e. adjacent land for the needs of the construction site, the investor shall be obliged to get the consent from the land owner to this end. Contractors shall be obligated to obtain the consent from Laktasi Municipality Department for Housing and Utilities for any temporary occupancy of public areas for the needs of their construction sites.

STEP 10.

STAKING OUT STRUCTURES

Competent authority: An authorised geodetic organisation

Before proceeding with the construction, the structure is staked out in line with the location approval and the conditions given in the building permit, and minutes of this made.

The staking out shall be performed by an organisation authorised to perform geodetic activities, in accordance with special laws.

The action shall be followed by a foundations check, i.e. verifying whether the structure foundation excavation is done in accordance with the stakeout minutes. At the request by the investor, the minutes of the foundations control shall be prepared.

STEP 11.

REPORTING CONSTRUCTION SITES

Obligations of contractors:

Contractor shall be obliged to report construction sites to the labour inspectorate in line with the regulations on work place protection no later than seven (7) days before the start of the works.

Contractors shall be obliged:

- To provide the site organigramme observing the building permit conditions;
- To provide a study on the work place protection prepared in accordance with the relevant work place protection regulations;
- To ensure that the construction site reflects the relevant organigramme;
- To ensure that a building log book is kept at the site;
- To review the main project design and warn the investor, the designer and the reviewer of any possible omissions and demand that they be remedied.

Contractors shall be obliged to ensure that the following are available at the construction site:

- The license for construction, i.e. undertaking of the specific works for the person responsible for the site;
- Decision on appointment of the person responsible for the site, i.e. the person responsible for the performance of specific works;

- The contract with supervisory body;
- The appropriate license for the performance of technical supervision;
- The building contract;
- The building permit;
- The main project design;
- The building log book;
- The inspection record;
- Relevant documentation on the testing of materials, products and equipment used, in accordance with the testing programme outlined by the project;
- The Minutes of the staking out of the construction;
- The Minutes of the Foundations Check;
- The measurement book for the structure, in the cases when the contract stipulates that this be kept;
- The construction site organigramme.

STEP 12.

TECHNICAL SITE INSPECTIONS AND CERTIFICATES OF OCCUPANCY

Competent authority: Department of Spatial Planning

Built structures may not be occupied or put into use without a certificate of occupancy issued by the competent authority upon conducting a technical site inspection.

Certificates of occupancy may be issued for entire structures or parts of structures constituting separate technical and functional wholes in cases when the part may be conformed to its assignment before the entire structure completed or when so required to enable the continuation and completion of the construction works.

Technical site inspections are preformed once the structures built, i.e. upon the completion of all the works envisaged by building permits.

The legal entities entrusted to perform technical site inspections in the area of Laktasi Municipality and holding relevant permits issued by the Department of Spatial Planning are:

- JU RS Institute for Testing Materials and Constructions, Banja Luka; and
- "Institute for Construction" a.d. Banja Luka.

An application for certificate of occupancy shall be submitted by the investor or the

owner of the structure or their legal successor once he/she, together with the supervisory body, determines that the structure or a part of the structure has been build in accordance with the issued building permit.

An application for obtaining the certificate of occupancy shall be accompanied by:

- The building permit with the as-built design;
- A certificate on the performance of a geodetic survey of the structure;
- A proof of the performance of a survey of the underground installation system;
- The approval of the as-built status, when this required by special regulations;
- The contractor's statement on all stages of the construction works carried out;
- Report by the supervisory body;
- Energy-related certificate for the building;
- Municipal administrative charged at the rate of 32.00 BAM.

The applicant shall be obliged, no later than on the day of technical site inspection, to present for insight to the technical site inspection panel the following:

- The building permit, with the main project design serving as the grounds for the permit issuance and the as-built design if that prepared;
- Proof of quality of the construction works, products and equipment;
- Documentation confirming that the construction load testing has been performed and the findings of the testing, if such a testing required by special regulations;
- The building log book;
- The construction record (book) for the structures for which the keeping of the book has been contracted;
- The measurement book for the structure, in the cases when the contract stipulates that this be kept;
- The inspection record; and
- Other documentation defined by special regulations and pending on the type of structure.

Minutes of technical site inspections shall be kept and indicate the opinions of each member of the Panel confirming if the built structure may be used, if there are any observed shortcomings that have to be remedied before that, or that the certificate of occupancy cannot be issued.

The Panel shall prepare a written Report on the findings of performed technical inspection of built structure and submit it to the Department of Spatial Planning, within eight (8) days as of the date of the inspection.

Should the minutes reveal no shortcomings or confirm that any previously identified shortcomings have been remedied, the

certificate of occupancy shall be issued within eight (8) days as of the date of receipt of the Minutes.

Should the technical inspection reveal any shortcomings that need to be remedied, the competent authority shall issue a decision instructing that this be done within a specified deadline.

Once the shortcomings remedied, the applicant shall inform the competent authority of this and submit proof thereof.

When all the shortcomings remedied, the competent authority shall issue the certificate of occupancy within eight (8) days as of the date of the additional technical inspection.
In the event that the identified shortcomings have not been remedied even over the new deadline, the competent authority shall issue a decision rejecting the application for certificate of occupancy.

The decision shall become final within **fifteen (15) days** as of the date of collection from an official at the **office No. 33.**

STEP 13.

ENTERING STRUCTURES INTO PROPERTY RECORDS

Competent authority: RS Administration for Geodetic and Property Matters, Laktasi Regional Office

Address: Karadjordjeva 63
(combined residential and office unit, 2nd floor)
☎: (+387) (0) 51 49 06 60
Home page: www.rgurs.org

Upon receiving the certificate of occupancy and its enforcement, the conditions are met to start using the structure, as well as to enter it into cadastre records and land registry.

GROWTH-ORIENTED LOCAL DEVELOPMENT (GOLD)

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