

ROADMAP: What steps should be taken to construct a building

1. **Application for issuing urban technical specifications** - application form
 - Article 74 paragraph 1 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
 - Rulebook on forms of applications, notifications and statements in the process of construction of structures (Official Gazette of the Republic of Montenegro 70/17 and 60/18).

2. **Issuance of urban technical specifications** - form
 - Article 74 paragraph 13 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
 - Rulebook on forms of applications, notifications and statements in the process of construction of structures (Official Gazette of the Republic of Montenegro 70/17 and 60/18);
 - Decree on entrusting the affairs falling under the competence of the Ministry of Sustainable Development and Tourism to local self-government units;
 - Decree on amount of the fee for issuing urban technical specifications.

Issuance of urban technical specifications have been entrusted by the Government of Montenegro to the local self-government units.

Urban technical specifications shall be issued within 20 days of the submission of of the application, and the amount of the fee to be paid for their issuance is determined by a Decree adopted by the Government. In addition to information prescribed by the law governing administrative procedure, the application must also include data regarding cadastral parcel's identification.

3. **Development of the Conceptual Design of the building** - Engagement of a licensed business organisation for development of the engineering documents and construction of the structure, based on the issued urban technical specifications.
 - Article 76 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18).

4. **Application for obtaining approval of the chief state architect or the chief city architect given to the conceptual design** - form of application
 - Article 87 paragraph 7 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
 - Rulebook on forms of applications, notifications and statements in the process of construction of structures (Official Gazette of the Republic of Montenegro 70/17 and 60/18);

5. **Issuance of the approval of the chief state architect or the chief city architect** – within 15 days
 - Article 87 paragraph 6 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);

6. **Development of the Final Design of the building** – the business organisation that has developed the conceptual design or another business organisation (but it must be licensed for development of engineering documents and construction of structures)

- Article 78 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
- Rulebook on the manner of preparation and content of Engineering Documents for construction of structures (Official Gazette of the Republic of Montenegro 44/18);

7. Review of the Final Design – reviewer (a business organisation licensed for reviewing engineering documents and performing engineering supervision), who is obliged to verify whether the Final Design compliance with the issued urban technical specifications and the Conceptual Design for which has been obtained approval by the Chief City Architect.

The reviewer is obliged to obtain the necessary approvals issued for the engineering documents in accordance with special regulations for the account of the investor, as well as a copy of the plan and property deed for the parcel in question. The authorities that issue mentioned approvals, as well as a copy of the plan and the property deed, are obliged to deliver them in an electronically signed to the responsible reviewer free of charge within 15 days from the date of submission of the application.

The reviewer is obliged to make a written statement that a structure may be built on the basis of the final design – statement form

- Article 81, 82 and 85 paragraph 2 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
- Rulebook on forms of applications, notifications and statements in the process of construction of structures (Official Gazette of the Republic of Montenegro 70/17 and 60/18);
- Rulebook on the manner of performing the review of the Final Design (Official Gazette of the Republic of Montenegro 18/18)

8. Contracting agreements with:

- the contractor (business organisation licensed for developing engineering documents and construction) and
- the engineering supervisor (business organisation licensed for performing the review of engineering documents and performing engineering supervision)
 - Article 91 paragraph 3 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);

9. Notification of building work – form

- Article 91 paragraph 1 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
- Rulebook on the manner of performing engineering supervision over the building of structure (Official Gazette of the Republic of Montenegro 48/18);
- Rulebook on forms of applications, notifications and statements in the process of construction of structures (Official Gazette of the Republic of Montenegro 70/17 and 60/18)

Notification of building works is submitted to the Ministry of Sustainable Development and Tourism - Directorate for Inspection Supervision and Licenses, within 15 days prior to the commencement of construction of the building.

In the aforementioned period, the inspection authority checks the floor area ratio, lot coverage ratio, number of floors or height of the structure and its relation to the building line, and whether the following is delivered:

- final design stamped pursuant to the Law on Spatial Planning and Construction of Structures;
- positive review report of the final design;

- evidence of liability insurance of the design engineer that has developed the final design or of the responsible reviewer that has reviewed the final design, in accordance with the present Law;
- contractor agreement;
- engineering supervision agreement;
- evidence of ownership right over land or another right to build on the land or evidence of ownership right over the structure and approval of the chief state architect or the chief city architect given to the conceptual design; and
- evidence of resolved relations with regard to the payment of a fee for building land connection to utilities and
- if the building is constructed at the Montenegrin coastal zone, evidence of resolved relations with regard to the payment of a specific fee for construction of the regional water supply system for municipalities at the Montenegrin Coast.

10. Placement of an information board at the place of structure construction as of the date of notification of building work to the competent inspection authority – informing the local public of the intended building activity

- Article 89 paragraph 5 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
- Rulebook on the form and appearance of the board for construction of structures (Official Gazette of the Republic of Montenegro 70/17)

11. Application for registration of a structure in the Real Estate Cadastre - application form

- Article 104 paragraph 2 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
- Rulebook on forms of applications, notifications and statements in the process of construction of structures (Official Gazette of the Republic of Montenegro 70/17 and 60/18);

The application is submitted to the Cadastre within 15 days from the date of receipt of the Final report of the engineering supervisor with the following documentation:

- evidence prescribed by the law that governs the registration of rights to real estate,
- final engineering supervision report, which contains a written statement that the structure was built in compliance with the reviewed final design, that it is suitable for use and can be used for its purpose - statement form
 - Article 103 paragraph 1 of the Law on spatial planning and construction of structures (Official Gazette of the Republic of Montenegro 64/17, 44/18 and 63/18);
 - Rulebook on forms of applications, notifications and statements in the process of construction of structures (Official Gazette of the Republic of Montenegro 70/17 and 60/18);
- a study of original as-built field data, stamped by a licenced surveying organisation.

In the case that urban technical specifications have already been issued, the procedure starts from point 3 of this roadmap.