

# "Urban Development Code of the Russian Federation"

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## Table of Contents

### Chapter 1. GENERAL PROVISIONS

- Article 1. Basic terms used in this Code
- Article 2. Basic principles of legislation on urban planning
- Article 3. Legislation on urban development
- Article 4. Relations Regulated by Urban Planning Laws
- Article 5. Subjects of urban relations

### Chapter 2. POWERS OF THE STATE BODIES AUTHORITIES OF THE RUSSIAN FEDERATION, STATE BODIES THE AUTHORITIES OF THE RUSSIAN FEDERATION SUBJECTS, LOCAL BODIES SELF-GOVERNMENT IN THE FIELD OF URBAN DEVELOPMENT

- Article 6. **Powers of the state authorities** of the Russian Federation in the field of urban planning
- Article 6.1. **Transfer of powers of the Russian Federation** in the field of urban planning
- Article 7. **Powers of public authorities** of the constituent entities of the Russian Federation in the field of urban planning
- Article 8. **Powers of local governments** in the field of urban planning
- Article 8.1. Control over compliance with the state authorities of the Russian Federation, local authorities on urban planning legislation
- Article 8.2. Redistribution of powers between local governments and state authorities of the constituent entity of the Russian Federation

### Chapter 3. TERRITORIAL PLANNING

- Article 9. General Provisions on Territorial Planning Documents
- Article 10. The content of territorial planning documents of the Russian Federation
- Article 11. Preparation and approval of territorial planning schemes of the Russian Federation
- Article 12. The order of coordination of the draft scheme of territorial planning of the Russian Federation (Article 13. Lost.)
- Article 14. The content of territorial planning documents of the constituent entities of the Russian Federation
- Article 15. Preparation and approval of territorial planning schemes of the constituent entities of the Russian Federation
- Article 16. The procedure for approval of the draft scheme of territorial planning of the subject of the Russian Federation (Article 17. Lost.)
- Article 18. Documents of the territorial planning of municipalities
- Article 19. The content of the territorial planning scheme of a municipal district
- Article 20. Preparation and approval of the territorial planning scheme of a municipal district
- Article 21. Features of the coordination of the draft scheme of territorial planning of a municipal district
- Article 22. Lost force.
- Article 23. The content of the general plan of the settlement and the general plan of the urban district
- Article 24. Preparation and approval of the master plan of the settlement, the master plan of the urban district
- Article 25. Features of the coordination of the draft general plan of the settlement, the draft general plan of the city district
- Article 26. Implementation of territorial planning documents

- Article 27. Joint preparation of drafts of territorial planning documents by federal executive authorities, executive authorities of the constituent entities of the Russian Federation, local governments
- Article 28. Public hearings on draft master plans for settlements, master plans for urban districts
- Article 29. Void.

#### Chapter 3.1. REGULATIONS OF URBAN DESIGNING

- Article 29.1. Urban planning standards
- Article 29.2. Content of town planning design standards
- Article 29.3. Preparation and approval of regional standards for urban planning
- Article 29.4. Preparation and approval of local standards for urban planning

#### Chapter 4. CITY BUILDING ZONING

- Article 30. Land use and development rules
- Article 31. Procedure for the preparation of draft land use and development rules
- Article 32. Procedure for approval of land use and development rules
- Article 33. The procedure for amending land use and development rules
- Article 34. The procedure for establishing territorial zones
- Article 35. Types and composition of territorial zones
- Article 36. Town Planning Regulations
- Article 37. Types of permitted use of land and capital construction objects
- Article 38. Limit (minimum and (or) maximum) sizes of land plots and limiting parameters of permitted construction, reconstruction of capital construction objects
- Article 39. The procedure for granting permits for the conditionally permitted type of use of a land plot or a capital construction object
- Article 40. Deviation from the limit parameters of the permitted construction, reconstruction of capital construction objects

#### Chapter 5. TERRITORY PLANNING

- Article 41. Purpose and types of territory planning documentation
- Article 42. Territorial Planning Project
- Article 43. Land surveying projects
- Article 44. Urban development plans for land plots
- Article 45. Preparation and approval of territory planning documentation
- Article 46. Features of the preparation of documentation on the planning of the territory, developed on the basis of the decision of the local government of the settlement or local government of the city district
- Article 46.1. Development of built-up areas
- Article 46.2. Development Agreement
- Article 46.3. The procedure for organizing and conducting an auction for the right to conclude an agreement on the development of a built-up area
- Article 46.4. Agreement on integrated development of the territory
- Article 46.5. Agreement on land development for the construction of **economy-class housing**
- Article 46.6. Agreement on integrated development of the territory for the construction of standard housing**
- Article 46.7. The procedure for organizing and conducting an auction for the right to conclude an agreement on the development of the territory for the construction of standard housing, an agreement on the integrated development of the territory for the construction of standard housing
- Article 46.8. Requirements for bidders for the right to conclude an agreement on the development of the territory for the construction of standard housing, an agreement on the integrated development of the territory for the construction of standard housing

- Article 46.9. Comprehensive development of the territory at the initiative of the owners of land and (or) located on them of real estate
- Article 46.10. Integrated development of the territory at the initiative of the local government
- Article 46.11. The procedure for organizing and conducting an auction for the right to conclude an agreement on the integrated development of the territory at the initiative of the local government

## Chapter 6. ARCHITECTURAL AND CONSTRUCTION DESIGN, CONSTRUCTION, RECONSTRUCTION CAPITAL CONSTRUCTION OBJECTS

- Article 47. Engineering surveys for the preparation of project documentation, construction, reconstruction of capital construction objects
- Article 48. Architectural and construction design
- Article 48.1. Especially dangerous, technically complex and unique objects
- Article 48.2. Cost effective reuse project documentation
- Article 49. Examination of project documentation and engineering survey results, state environmental review of project documentation of facilities, construction, reconstruction of which is expected to be carried out in the exclusive economic zone of the Russian Federation, on the continental shelf of the Russian Federation, in inland marine waters, in the territorial sea of Russia Federation, within the boundaries of specially protected natural territories, in the Baikal natural territory
- Article 49.1. Certification of individuals for the right to prepare conclusions for the examination of project documentation and (or) examination of the results of engineering surveys
- Article 50. Accreditation of legal entities for the right to conduct non-state examination of project documentation and (or) non-state examination of engineering survey results
- Article 50.1. Unified State Register of Conclusions of Examination of Project Documentation of Capital Construction Objects
- Article 51. **Construction Permit**
- Article 51.1. **Notification of** the planned construction or reconstruction of **the individual housing** construction or garden house
- Article 52. Implementation of construction, reconstruction, overhaul of a capital construction object
- Article 53. Construction Control
- Article 54. State Construction Supervision
- Article 55. Issuance of permits for commissioning an object

## Chapter 6.1. SELF-REGULATION IN THE FIELD OF ENGINEERING RESEARCH, ARCHITECTURAL AND CONSTRUCTION DESIGN, CONSTRUCTION, RECONSTRUCTION, CAPITAL REPAIR, DEMOLITION OF CAPITAL CONSTRUCTION OBJECTS

- Article 55.1. The main objectives of self-regulatory organizations in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul, demolition of capital construction objects and the content of their activities
- Article 55.2. Acquisition of the status of a self-regulatory organization
- Article 55.3. Types of self-regulatory organizations
- Article 55.4. Requirements for a non-profit organization required to acquire the status of a self-regulatory organization
- Article 55.5. Standards and internal documents of the self-regulatory organization
- Article 55.5-1. Specialists in the organization of engineering surveys, specialists in the organization of architectural and construction design, specialists in the organization of construction
- Article 55.6. Admission to the members of the self-regulatory organization
- Article 55.7. Termination of membership in a self-regulatory organization
- Article 55.8. The right of a member of a self-regulating organization to carry out engineering surveys, to carry out the preparation of project documentation, construction, reconstruction, overhaul, demolition of capital construction objects

Article 55.9. Providing self-regulatory organization access to information about its activities and the activities of its members

Article 55.10. The exclusive competence of the general meeting of members of the self-regulatory organization

Article 55.11. Lost power

Article 55.12. Lost power

Article 55.13. Control by self-regulatory organization over the activities of its members

Article 55.14. Consideration by a self-regulatory organization of complaints against the actions of its members and appeals

Article 55.15. The use of self-regulatory organization disciplinary measures against members of the self-regulatory organization

Article 55.16. Self-Regulatory Organization Compensation Funds

Article 55.16-1. Placing funds of the compensation fund for compensation for harm and the compensation fund for securing the contractual obligations of the self-regulating organization in credit institutions

Article 55.17. Keeping a register of members of a self-regulatory organization

Article 55.18. Maintaining a state register of self-regulatory organization

Article 55.19. State supervision of the activities of self-regulatory organizations

Article 55.20. National associations of self-regulatory organizations

Article 55.21. All-Russian Congress of Self-Regulatory Organizations

Article 55.21-1. Powers of the President of the National Association of Self-Regulatory Organizations

Article 55.22. Council of the National Association of Self-Regulatory Organizations

Article 55.23. State control over the activities of national associations of self-regulatory organizations

Article 55.24. Requirements of the legislation of the Russian Federation to the operation of buildings

Article 55.25. Responsibilities of the person responsible for the operation of the building

Article 55.26. Suspension and termination of buildings

Article 55.27. Agreement on the development of the territory for the construction and operation of a socially hired house, an agreement on the development of the territory for the construction and operation of a commercially hired house

Article 55.28. Procedure for organizing and conducting auctions for the right to conclude an agreement on the development of a territory for the purpose of construction and operation of a hired house for commercial use, an agreement on the development of a territory for the purpose of construction and operation of a hired house for social use

Article 55.29. Requirements to bidders for the right to conclude an agreement on the development of the territory for the construction and operation of a hired house of commercial use, an agreement on the development of the territory for the construction and operation of a hired house for social use

Article 55.30. General provisions for the demolition of capital construction

Article 55.31. Implementation of the demolition of a capital construction object

Article 55.32. Features demolition of unauthorized buildings or bring them into line with established requirements

Article 55.33. Features of the demolition of capital construction facilities located in areas with special conditions of land use, or bringing such capital construction objects in line with restrictions on the use of land plots established within the boundaries of areas with special conditions of land use

## Chapter 7 ?

Article 56. State information systems to ensure urban development activities

Article 57. Creation and operation of state information systems to support urban planning activities, maintain state information systems to support urban planning activities, and provide information, documents and materials from state information systems to ensure urban planning activities

Article 57.1. Federal State Territorial Planning Information System

Article 57.2. Federal State Information System for Pricing in Construction

## Chapter 8 ?

Article 57.3. Urban Development Plan

Article 58. Responsibility for violation of legislation on urban planning

Article 59. Compensation of Harm Caused to Life or Health of Individuals, Property of Individuals or Legal Entities in Territorial Planning, Urban Zoning and Territory Planning

Article 60. Compensation of damage caused as a result of destruction, damage to a capital construction object, violation of safety requirements during construction, demolition of a capital construction object, requirements for ensuring the safe operation of a building or structure

Article 60.1. Compensation of damage caused by non-fulfillment or improper fulfillment by a member of a self-regulating organization of obligations under a contract to carry out engineering surveys, prepare project documentation, construction contract, contract for demolition concluded using competitive methods to conclude a contract

Article 61. Compensation of Harm Caused to the Life, Health, or Property of Individuals

Article 62. Investigation of cases of harm to life or health of individuals, property of individuals or legal entities as a result of violation of legislation on urban planning

## Chapter 9. FEATURES OF IMPLEMENTATION OF URBAN PLANNING ACTIVITIES IN RUSSIAN FEDERATION SUBJECTS – CITIES FEDERAL VALUE OF MOSCOW, ST. PETERSBURG AND SEVASTOPOL

Article 63. Features of the implementation of urban planning activities in the constituent entities of the Russian Federation - federal cities of Moscow, St. Petersburg and Sevastopol

## Chapter 1. GENERAL PROVISIONS

### **Article 1. Basic terms used in this Code**

For the purposes of this Code, the following basic concepts are used:

1) **town planning activity** - development activities for territories, including cities and other settlements, carried out in the form of territorial planning, urban zoning, territory planning, architectural and construction design, construction, major overhaul, reconstruction of capital construction projects, operation of buildings and structures

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

2) **territorial planning** - planning the development of territories, including for establishing functional zones, determining the planned location of federal facilities, objects of regional significance, and local facilities;

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

3) **sustainable development of territories** - ensuring the security and favorable living conditions of a person in urban development activities, limiting the negative impact of economic and other activities on the environment and ensuring the protection and rational use of natural resources in the interests of present and future generations;

4) **zones with special conditions for the use of territories** - security, sanitary protection zones, protection zones of cultural heritage objects (historical and cultural monuments) of the peoples of the Russian Federation (hereinafter referred to as cultural heritage objects), water protection zones, flooded areas, flooding zones, sanitary protection zones of sources drinking and domestic water supply, zones of protected objects, other zones established in accordance with the legislation of the Russian Federation;

(as amended by Federal Law of July 14, 2008 No. 118-FZ, of October 21, 2013 No. 282-FZ)

5) **functional zones** - zones for which territorial planning documents define boundaries and functional purpose;

6) **urban zoning** - zoning the territories of municipalities in order to determine the territorial zones and establish town planning regulations;

7) **territorial zones** - zones for which the land use and development rules define boundaries and establish town-planning regulations;

8) **land use and development rules** - a city planning zoning document, which is approved by the regulatory legal acts of local governments, regulatory legal acts of state authorities of the constituent entities of the Russian Federation - cities of federal significance of Moscow and St. Petersburg and which establishes territorial zones, urban planning regulations, the procedure for applying such document and the procedure for making changes to it;

9) **town planning regulations** - the types of permitted use of land plots established within the boundaries of the relevant territorial zone, as well as everything that is above and below the surface of land plots and is used in the process of their construction and subsequent operation of capital construction objects, are marginal (minimum and/or maximum) sizes of land plots and limiting parameters of permitted construction, reconstruction of capital construction objects, as well as restrictions on use Ania land plots and capital construction projects;

10) **a capital construction object** - a building, structure, structure, facilities whose construction is not completed (hereinafter referred to as construction in progress), with the exception of temporary structures, kiosks, sheds and other similar structures;

11) **red lines** - lines that denote existing, planned (variable, newly formed) borders of common areas, borders of land plots on which power lines, communication lines (including linear-cable structures) are located, pipelines, roads, railway lines and other similar facilities (hereinafter referred to as linear objects);

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

12) **common use areas** - territories that are freely used by an unlimited number of persons (including squares, streets, driveways, embankments, coastal water bodies of public use, squares, boulevards);

(as amended by the Federal Law of 19.07.2011 N 246-FZ)

13) **construction** - the creation of buildings, structures, structures (including at the site of demolished capital construction objects);

14) **reconstruction of capital construction objects** (except for linear objects) - change of parameters of a capital construction object, its parts (height, number of floors, area, volume), including superstructure, reconstruction, expansion of the capital construction object, as well as replacement and/or a restoration of the bearing structures of the capital construction object, with the exception of replacing individual elements of such structures with similar or other improving indicators of such structures and/or rebuilding setting of the indicated elements;

(p. 14 as amended by the Federal Law of 28.11.2011 N 337-FZ)

14.1) **reconstruction of linear objects** - changing the parameters of linear objects or their sections (parts), which entails changing the class, category and/or initially established indicators of the functioning of such objects (power, capacity and others) or which require a change in the boundaries of the right of way and/or security zones of such objects;

(clause 14.1 was introduced by Federal Law of 18.07.2011 N 215-FZ)

14.2) **overhaul of capital construction objects** (with the exception of linear objects) - replacement and/or restoration of building structures of capital construction objects or elements of such structures, with the exception of load-bearing building structures, replacement and/or restoration of engineering systems and engineering networks -technical support of capital construction objects or their elements, as well as the replacement of individual elements of supporting building structures with similar or other improvements guides indicators such constructions elements and/or the recovery of said elements;

(clause 14.2 was introduced by Federal Law of 18.07.2011 N 215-FZ)

14.3) **the overhaul of linear objects** - a change in the parameters of linear objects or their sections (parts) that does not entail a change in the class, category and/or initially established indicators of the functioning of such objects and which does not require a change in the boundaries of the right of way and/or security zones of such objects;

(Clause 14.3 was introduced by Federal Law dated July 18, 2011 No. 215-FZ)

15) **engineering surveys** - the study of natural conditions and factors of anthropogenic impact in order to rational and safe use of territories and land within their limits, the preparation of data on the substantiation of materials necessary for spatial planning, territory planning and architectural and construction design;

16) **developer** - an individual or legal entity providing on the land plot owned by him or on the land plot of another rightholder (who, when making budget investments in capital construction objects of state (municipal) property, state bodies (state bodies), State Atomic Energy Corporation "Rosatom", the State Corporation for Space Activity "Roskosmos", the governing bodies of state extra-budgetary funds or the local authorities In the cases established by the budget legislation of the Russian Federation, on the basis of the agreements, the authorities of the state (municipal) customer transferred construction, reconstruction, overhaul of capital construction facilities, as well as performing engineering surveys, preparing project documentation for their construction, reconstruction, and overhaul;

(as amended by Federal Law of December 28, 2013 N 418-FZ, of July 13, 2015 N 216-FZ)

17) **self-regulatory organization in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul of capital construction objects** - a **non-profit organization** created in the form of an association (union) and based on the membership of individual entrepreneurs and/or legal entities **performing engineering surveys or carrying out architectural and construction design, construction, reconstruction, overhaul of capital construction objects**;

(p. 17 in the wording of the Federal Law of 24.11.2014 N 359-FZ)

18) **objects of federal significance** - capital construction objects, other objects, territories that are necessary for the exercise of authority on matters within the jurisdiction of the Russian Federation, state authorities of the Russian Federation, the Constitution of the Russian Federation, federal constitutional laws, federal laws, decisions of the President of the Russian Federation, decisions of the Government of the Russian Federation, and have a significant impact on the socio-economic development of the Russian Federation. The types of objects of federal significance to be displayed on the territorial planning schemes of the Russian Federation in the areas indicated in paragraph 1 of Article 10 of this Code are determined by the Government of the Russian Federation, with the exception of objects of federal importance in the field of national defense and state security. The types of objects of federal significance in

the field of the country's defense and the security of the state to be displayed on the territorial planning schemes of the Russian Federation are determined by the President of the Russian Federation;

(p. 18 is introduced by the Federal Law of 20.03.2011 N 41-FZ)

19) **objects of regional significance** - capital construction objects, other objects, territories that are necessary for the exercise of authority on matters within the jurisdiction of the subject of the Russian Federation, state authorities of the subject of the Russian Federation, the Constitution of the Russian Federation, federal constitutional laws, federal laws, the constitution (charter) of the subject of the Russian Federation, laws of the subject of the Russian Federation, decisions of the highest executive body of state power that the Russian Federation, and have a significant impact on the socio-economic development of the Russian Federation. The types of objects of regional significance in the areas indicated in paragraph 3 of Article 14 of this Code that are to be reflected on the territorial planning scheme of a constituent entity of the Russian Federation are determined by the law of the constituent entity of the Russian Federation;

(clause 19 was introduced by Federal Law of 20.03.2011 N 41-FZ)

20) **local objects** - **capital construction objects**, other objects, territories that are necessary for local authorities to exercise powers on local issues and within transferred state powers in accordance with federal laws, the law of the constituent entity of the Russian Federation, the charters of municipalities and have significant impact on the socio-economic development of municipal districts, settlements, urban districts. Types of objects of local importance of the municipal district, settlement, urban district in the areas specified in paragraph 1 of part 3 of article 19 and paragraph 1 of part 5 of article 23 of this Code areas to be displayed on the territorial planning scheme of the municipal district, the general plan of the settlement, the general plan of the city district the law of the Russian Federation;

(clause 20 was introduced by Federal Law of 20.03.2011 N 41-FZ)

21) **parking** (parking space) - a specially designated and, if necessary, equipped and equipped place, which is also part of the road and/or adjacent to the carriageway and/or pavement, roadside, overpass or bridge, or is part of the sub-stage or bridge platforms spaces, squares and other objects of the road network, buildings, structures or structures and intended for the organized parking of vehicles on a paid basis or free of charge by the decision of the owner or other owner road, land owner or owner of the relevant part of the building, structure or structures;

(clause 21 was introduced by Federal Law of April 21, 2011 No. 69-FZ)

22) **technical customer** - an individual acting on a professional basis, or a legal entity authorized by the developer and concluding agreements on behalf of the developer on the implementation of engineering surveys, on the preparation of project documentation, on construction, reconstruction, capital repairs of capital construction objects, prepare tasks for performance of the specified types of works, provide to the persons who are carrying out engineering researches and/or carrying out preparation of project documentation, construction, reconstruction, major overhaul of capital construction, materials and documents necessary to perform the types of work, say the project documentation, sign the documents required to obtain a permit to enter the capital construction object into operation, carry out other functions provided by this Code. The developer has the right to perform the functions of a technical customer independently;

(clause 22 was introduced by Federal Law of 28.11.2011 N 337-FZ)

23) **programs of integrated development of municipal infrastructure systems of a settlement, urban district** - documents establishing lists of measures for the design, construction, reconstruction of electrical, gas, heat, water supply and drainage systems, facilities used for processing, disposal, disposal and disposal of solid domestic wastes, which are provided for respectively by the schemes and development programs of the unified national (All-Russian) electric network for a long-term period, the general scheme places electric power industry facilities, the federal gasification program, relevant interregional, regional gasification programs, heat supply schemes, water supply and sewage schemes, territorial schemes in the field of waste management, including municipal solid waste. Programs for the integrated development of municipal infrastructure systems of a settlement, urban district are developed and approved by local authorities of the settlement, urban district on the basis of the general



plans of such settlements and urban district approved in the manner prescribed by this Code, and should ensure balanced, prospective development of municipal infrastructure systems in accordance with requirements for the construction of capital construction projects and the corresponding established reliability, energy efficiency of these systems, reducing the negative impact on the environment and human health and improving the quality of goods supplied to consumers, services rendered in the fields of electricity, gas, heat, water supply and sanitation, as well as services for the treatment, disposal, neutralization and disposal of solid municipal waste;

(clause 23 was introduced by the Federal Law of 12/30/2012 N 289-FZ, in the edition of the Federal Laws of 12/29/2014 N 456-FZ, of 12/29/2014 N 458-FZ)

**24) system of communal infrastructure** - a complex of technologically interconnected facilities and engineering structures designed to supply goods and provide services in the areas of electricity, gas, heat, water supply and drainage to connection points (technological connection) to engineering systems, gas, heat, water supply and drainage of capital construction facilities, as well as facilities used for treatment, disposal, disposal and disposal of municipal solid waste;

(clause 24 was introduced by the Federal Law of 30.12.2012 N 289-FZ; as amended by the Federal Law of 29.12.2014 N 458-FZ)

**25) transportation hub** - a complex of real estate objects, including a land plot or several land plots with transport infrastructure facilities located above or below them, as well as other facilities designed to ensure safe and comfortable passenger service in their places transfers from one type of transport to another;

(clause 25 was introduced by Federal Law of 05.04.2013 N 43-FZ)

**26) standards of town planning design** - a set of calculated indicators for the provision of favorable living conditions for a person to the minimum allowable level of provision with objects provided for in paragraphs 1, 3 and 4 of Article 29.2 of this Code, the population of the constituent entities of the Russian Federation, municipal units and estimated indicators of the maximum allowable level of territorial availability such objects for the population of the constituent entities of the Russian Federation, municipalities;

(clause 26 was introduced by Federal Law dated 05.05.2014 N 131-FZ)

**27) programs of integrated development of the transport infrastructure of a settlement, urban district** - documents establishing lists of measures for the design, construction, reconstruction of transport infrastructure facilities of local importance of a settlement, urban district, which are also provided for by state and municipal programs, strategy of socio-economic development.

## **Article 2. Basic principles of legislation on urban planning**

Legislation on urban planning and regulatory acts issued in accordance with it are based on the following principles:

- 1) ensuring the sustainable development of territories based on territorial planning and urban zoning;
- 2) ensuring a balanced consideration of environmental, economic, social and other factors in the implementation of urban planning activities;
- 3) provision of disabled persons with conditions for unhindered access to social and other facilities;
- 4) construction on the basis of territorial planning documents, land use and development rules and territory planning documentation;  
(as amended by the Federal Law of 20.03.2011 N 41-FZ)
- 5) participation of citizens and their associations in the implementation of urban development activities, ensuring the freedom of such participation;
- 6) the responsibility of the bodies of state power of the Russian Federation, the bodies of state power of the subjects of the Russian Federation, the bodies of local self-government for ensuring favorable conditions for the life of a person;
- 7) the implementation of urban planning activities in compliance with the requirements of technical regulations;
- 8) the implementation of urban planning activities in compliance with the security requirements of territories, engineering and technical requirements, civil defense requirements, ensuring the prevention of natural and man-made emergencies, taking measures to counter terrorist acts;
- 9) the implementation of urban planning activities in compliance with the requirements of

environmental protection and environmental safety;

10) the implementation of urban planning activities in compliance with the requirements of the preservation of cultural heritage sites and specially protected natural territories;

10.1) the unity of the requirements for the procedure for the implementation of the interaction of the subjects of urban development relations referred to in Article 5 of this Code;

(clause 10.1 was introduced by Federal Law of April 20, 2014, No. 80-FZ)

11) liability for violation of legislation on urban planning;

12) compensation for damage caused to individuals, legal entities as a result of violations of the requirements of legislation on urban planning, in full.

### **Article 3. Legislation on urban development**

1. Legislation on urban development consists of this Code, other federal laws and other regulatory legal acts of the Russian Federation, as well as laws and other regulatory legal acts of the constituent entities of the Russian Federation.

2. Federal laws and other regulatory legal acts of the Russian Federation adopted in accordance with them, containing the norms governing relations in the field of urban planning, cannot contradict this Code.

3. Laws and other regulatory legal acts of the constituent entities of the Russian Federation containing the norms governing relations in the field of urban planning activities cannot contradict this Code.

4. Municipal legal acts are adopted on issues of urban planning, which should not contradict this Code.

### **Article 4. Relations Regulated by Urban Planning Laws**

1. The legislation on urban planning regulates relations on territorial planning, urban zoning, territorial planning, architectural and construction design, relations on the construction of capital construction objects, their reconstruction, major repairs, and also on the operation of buildings and structures (hereinafter referred to as urban planning relations).

(as amended by Federal Law of 12/31/2005 N 210-FZ, of 18.07.2011 N 243-FZ, of 28.11.2011 N 337-FZ)

2. To the relations related to taking measures to ensure the safety of construction, operation of buildings, structures, prevention of natural and man-made emergency situations and liquidation of their consequences in the implementation of urban planning activities, the norms of legislation on urban planning activities apply if these relations are not regulated by the legislation of the Russian Federation in the field of protection of the population and territories from natural and man-made emergencies, legislation of the Russian Federation on the safety of hydraulic structures of the Russian Federation legislation on industrial safety of dangerous industrial objects of the Russian Federation on the use of nuclear energy, technical regulations.

(as amended by Federal Law of December 31, 2005 N 210-FZ, of November 28, 2011 N 337-FZ)

3. Land, forest, water legislation, legislation on specially protected natural territories, environmental protection, protection of cultural heritage objects (historical and cultural monuments) of the peoples of the Russian Federation, other legislation of the Russian Federation, if these relations are not regulated, shall be applied to urban development relations. legislation on urban development.

4. To the relations connected with the acquisition and termination of the right of self-regulating organizations in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul of capital construction objects for issuing certificates of approval for engineering survey works, for preparing project documentation, for construction, reconstruction, overhaul of capital construction, which affect the safety of capital construction (gave it also includes works that affect the safety of capital construction facilities), determining the legal status of these self-regulatory organizations, their activities, establishing the procedure for the self-regulating organization to control the activities of its members and applying the self-regulating organization of disciplinary measures to its members supervision of the activities of self-regulatory organizations, civil law legislation is applied Istvo, including the Federal Law of December 1, 2007 N 315-FZ "On self-regulatory organizations" (hereinafter - the Federal Law "On Self-Regulating Organizations"), if these relations are not regulated by

this Code.

(Part 4 was introduced by the Federal Law of July 22, 2008 No. 148-FZ, as amended by the Federal Laws of July 18, 2011 No. 242-FZ, of November 24, 2014 No. 359-FZ)

5. The relations connected with the creation of artificial land plots and the construction of capital construction objects on such land plots are applied by the legislation on urban planning, taking into account the features established by the Federal Law "On artificial land plots created on federal water bodies, and On Amendments to Certain Legislative Acts of the Russian Federation."

(Part 5 was introduced by the Federal Law of 07/19/2011 N 246-FZ; as amended by the Federal Law of 13.07.2015 N 213-FZ)

#### **Article 5. Subjects of urban relations**

1. Subjects of town-planning relations are the Russian Federation, subjects of the Russian Federation, municipalities, individuals and legal entities.

2. On behalf of the Russian Federation, constituent entities of the Russian Federation, and municipal formations, state authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, and local governments within their jurisdiction, respectively, act in town-planning relations.

### **Chapter 2. POWERS OF THE STATE BODIES**

#### **AUTHORITIES OF THE RUSSIAN FEDERATION, STATE BODIES**

#### **THE AUTHORITIES OF THE RUSSIAN FEDERATION SUBJECTS, LOCAL BODIES**

#### **SELF-GOVERNMENT IN THE FIELD OF URBAN DEVELOPMENT**

#### **Article 6. Powers of the state authorities of the Russian Federation in the field of urban planning**

1. The powers of the state authorities of the Russian Federation in the field of urban planning include:

(as amended by the Federal Law of April 20, 2014 N 80-FZ)

1) **preparation and approval of territorial planning documents of the Russian Federation;**

2) approval of documentation on the planning of the territory for the placement of objects of federal significance in the cases provided for by this Code;

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

3) **technical regulation in the field of urban planning;**

3.1) maintaining **a state register of self-regulatory organizations** entitled to issue certificates of admission to work that affect the safety of capital construction projects (hereinafter also referred to as the state register of self-regulatory organizations);

(clause 3.1 was introduced by the Federal Law of July 22, 2008 No. 148-FZ, as amended by the Federal Law of November 24, 2014 No. 359-FZ)

3.2) implementation of state supervision over the activities of self-regulatory organizations;

(clause 3.2 was introduced by the Federal Law of July 22, 2008 No. 148-FZ, as amended by the Federal Law of July 18, 2011 No. 242-FZ)

3.3) appeal to an arbitration court with a request to exclude information about a self-regulating organization from the state register of self-regulating organizations in the cases provided for by this Code and other federal laws;

(clause 3.3 was introduced by the Federal Law of 22.07.2008 N 148-FZ, as amended by the Federal Law of 24.11.2014 N 359-FZ)

3.4) establishment of a list of types of engineering surveys, preparation of project documentation, construction, reconstruction, overhaul of capital construction objects that affect the safety of capital construction objects;

(clause 3.4 was introduced by the Federal Law of July 22, 2008 No. 148-FZ, as amended by the Federal Law of November 24, 2014 No. 359-FZ)

3.5) maintenance of the federal state territorial planning information system;

(clause 3.5 was introduced by Federal Law of 20.03.2011 N 41-FZ)

4) establishing the procedure for maintaining information systems for urban planning;

4.1) the establishment of requirements for programs of integrated development of systems of municipal infrastructure of settlements, urban districts, programs of integrated development of transport infrastructure of settlements, urban districts, programs of integrated development of social infrastructure of settlements, urban districts;

(clause 4.1 was introduced by the Federal Law of 30.12.2012 N 289-FZ, as amended by the Federal Law of 29.12.2014 N 456-FZ)

5) has expired. - Federal Law of 20.03.2011 N 41-FZ;

5.1) organizing and conducting state examination of project documentation of facilities, construction, reconstruction of which is supposed to be carried out in the territories of two or more constituent entities of the Russian Federation, embassies, consulates and representative offices of the Russian Federation abroad, in the exclusive economic zone of the Russian Federation, on the continental shelf of the Russian Federation, internal sea waters, in the territorial sea of the Russian Federation, defense and security objects, other objects, information about which leave state secrets of federal highways, cultural heritage sites (historical and cultural monuments) of federal significance (in the event that the constructive and other characteristics of the reliability and safety of such an object are affected during the preservation of a cultural heritage site of federal significance) specified in the article 48.1 of this Code of especially dangerous, technically complex and unique objects, objects used for neutralization and (or) disposal of waste of I - V classes hazards, other objects identified by the Government of the Russian Federation, as well as the results of engineering surveys performed for the preparation of project documentation of the objects specified in this paragraph;

(as amended by Federal Laws dated December 18, 2006 No. 232-FZ, dated July 24, 2007 No. 215-FZ, dated November 8, 2007 No. 257-FZ, dated July 18, 2011 No. 215-FZ, dated November 28, 2011 No. 337-FZ dated 12.29.2014 N 458-FZ)

5.2) establishing the procedure for organizing and conducting state examination of project documentation and state examination of engineering survey results, non-state examination of project documentation and non-state examination of engineering survey results, the amount of fees for conducting state examination of project documentation and state examination of engineering survey results, the procedure for collecting this fee;

(clause 5.2 was introduced by Federal Law of 28.11.2011 N 337-FZ)

5.3) the establishment of a procedure for appealing the opinions of the expertise of the project documentation and (or) the expertise of the results of engineering surveys;

(clause 5.3 was introduced by Federal Law of 28.11.2011 N 337-FZ)

5.4) establishing the procedure for accreditation of legal entities for the right to conduct non-state examination of project documentation and/or non-state examination of the results of engineering surveys;

(clause 5.4 was introduced by Federal Law of 28.11.2011 N 337-FZ)

5.5) establishment of the procedure for maintaining the state register of legal entities accredited for the right to conduct non-state examination of project documentation and/or non-state examination of the results of engineering surveys;

(clause 5.5 was introduced by Federal Law of 28.11.2011 N 337-FZ)

5.6) maintaining the state register of legal entities accredited for the right to conduct non-state examination of project documentation and/or non-state examination of the results of engineering surveys;

(clause 5.6 was introduced by Federal Law of 28.11.2011 N 337-FZ)

5.7) Establishment of the procedure for certification, re-certification for the right to prepare conclusions for the examination of project documentation and/or examination of engineering survey results, including the procedure for extending the validity period of a qualification certificate for the right to prepare conclusions for examination of project documentation and/or examination of engineering survey results;

(clause 5.7 was introduced by Federal Law of 28.11.2011 N 337-FZ)

5.8) carrying out certification, re-certification for the right to prepare conclusions for the examination of project documentation and/or examination of engineering survey results, cancellation of qualification certificates for the right to prepare conclusions for examination of project documentation and/or examination of engineering survey results;

(clause 5.8 was introduced by Federal Law of 28.11.2011 N 337-FZ)

5.9) establishment of a procedure for maintaining the register of persons certified for the right to prepare conclusions for expert examination of project documentation and/or expert examination of the results of engineering surveys;

(clause 5.9 was introduced by Federal Law of 28.11.2011 N 337-FZ)

5.10) maintaining a register of persons certified for the right to prepare conclusions for expert examination of project documentation and/or expert examination of the results of engineering surveys;

(Section 5.10 was introduced by Federal Law of 28.11.2011 N 337-FZ)

6) the establishment of procedures for the implementation of state construction supervision and

the organization of scientific and methodological support for such supervision;

7) implementation of federal state construction supervision in cases provided for by this Code;  
(as amended by the Federal Law of July 18, 2011 N 242-FZ)

7.1) control over the observance by state authorities of the constituent entities of the Russian Federation, local authorities of the legislation on urban planning activities;

(clause 7.1 was introduced by Federal Law of December 18, 2006 N 232-FZ)

7.2) coordination of draft master plans, draft land use and development rules prepared for the territories of historical settlements of particular importance to the history and culture of the Russian Federation (hereinafter - historical settlements of federal significance), in accordance with Federal Law of June 25, 2002 N 73 -FZ "On the objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation";

(clause 7.2 was introduced by Federal Law of 12.11.2012 N 179-FZ)

7.3) establishing the procedure for monitoring the development and approval of programs for the integrated development of municipal infrastructure systems of settlements, urban districts, programs for the integrated development of transport infrastructure for settlements, urban districts, programs for the integrated development of social infrastructure for settlements, urban districts;

(clause 7.3 was introduced by the Federal Law of 30.12.2012 N 289-FZ, as amended by the Federal Law of 29.12.2014 N 456-FZ)

7.4) approval of exhaustive lists of procedures established by federal laws and other regulatory legal acts of the Russian Federation and carried out by federal executive bodies, executive bodies of state power of constituent entities of the Russian Federation, local authorities, individual entrepreneurs, organizations in relation to individuals and legal entities that are subjects of urban planning relations, in order to prepare such individuals and legal entities documentation of territory planning, implementing architectural design, construction, reconstruction of capital construction projects (hereinafter - the exhaustive lists of procedures in construction), as well as the order of conducting the register descriptions of the procedures referred to in these lists. Given the specifics of urban planning activities in the territories of the constituent entities of the Russian Federation and the territories of municipalities, these lists can be included in the procedures provided for by the regulatory acts of the constituent entities of the Russian Federation on the proposal of the highest official of the constituent entity of the Russian Federation municipal legal acts;

(clause 7.4 was introduced by Federal Law of April 20, 2014 N 80-FZ)

8) the exercise of other powers attributed by this Code and other federal laws to the powers of the state authorities of the Russian Federation.

2. The Government of the Russian Federation approves exhaustive lists of procedures in the areas of construction, taking into account the specifics of urban planning activities in the territories of the Russian Federation and municipalities, the procedure for making changes to these lists, the procedure for maintaining a register of descriptions of the procedures specified in these lists.

(Part 2 was introduced by Federal Law of April 20, 2014, No. 80-FZ)

3. Establishment by bodies, individual entrepreneurs, organizations specified in clause 7.4 of part 1 of this article, the obligation to carry out procedures not provided for by exhaustive lists of procedures in the fields of construction, in relation to individuals and legal entities that are subjects of urban planning relations, in order to prepare such individuals and legal entities of the planning documentation for the territory, the implementation of architectural and construction design, construction, reconstruction of capital of the construction is not allowed.

(Part 3 was introduced by Federal Law of April 20, 2014 N 80-FZ)

## **Article 6.1. Transfer of powers of the Russian Federation in the field of urban planning**

(as amended by the Federal Law of 12/18/2006 N 232-FZ)

(introduced by Federal Law of December 31, 2005 N 199-FZ)

1. The Russian Federation transfers to the state authorities of the constituent entities of the Russian Federation the exercise of authority in organizing and conducting state expertise of project documentation, state expertise of engineering survey results, except for the state examination of project documentation specified in paragraph 6 of Article 6 of this Code, state expertise of engineering survey results, unless otherwise provided by Federal Law of December 29, 2004 N 191-FZ "On the Introduction of Corollary of the Town Planning Code of

the Russian Federation "(hereinafter - the Federal Law on the enactment of this Code).

(as amended by Federal Law of 12/18/2006 N 232-FZ, of 03/20/2011 N 41-FZ)

1.1. The Russian Federation transfers to the state authorities of the constituent entities of the Russian Federation the exercise of powers in the field of monitoring compliance with local government legislation on urban planning.

(Part 1.1 was introduced by Federal Law of December 18, 2006 N 232-FZ)

2. The federal executive body, which performs the functions of state policy development and legal regulation in the field of construction, architecture, urban planning, has the right to adopt regulatory legal acts on issues related to the sphere of delegated authority, as well as to issue guidelines and guidance materials on their implementation by the executive authorities of the constituent entities of the Russian Federation, binding.

3. The federal executive body that performs the functions of implementing state policy, providing public services, managing state property in the fields of construction, urban planning, the building materials industry and housing and communal services:

1) coordinates the structure of the executive authorities of the constituent entities of the Russian Federation in the field of state examination of project documentation, state examination of engineering survey results and in the field of monitoring compliance with local government legislation on urban planning;

(as amended by Federal Law of 12/18/2006 N 232-FZ, of 03/20/2011 N 41-FZ)

2) exercise control over the implementation of regulatory legal acts adopted by the state authorities of the constituent entities of the Russian Federation on the issues of delegated authority, with the right to send binding instructions to abolish the said regulatory legal acts or make changes to them;

(as amended by the Federal Law of July 18, 2011 N 242-FZ)

3) exercises control over the completeness and quality of exercising the powers delegated by the state authorities of the constituent entities of the Russian Federation with the right to send instructions on elimination of the revealed violations, as well as on bringing to justice officials who perform duties on the exercise of the delegated powers;

(as amended by the Federal Law of July 18, 2011 N 242-FZ)

4) in case of non-fulfillment or improper execution by bodies of state power of the subjects of the Russian Federation transferred in accordance with this article, the authority prepares and submits to the Government of the Russian Federation proposals for a decision on the temporary withdrawal of relevant powers from the bodies of state power of the subjects of the Russian Federation;

(Clause 4 as amended by the Federal Law of 12/18/2006 N 232-FZ)

5) establishes the content and forms of reporting on the implementation of the transferred powers, if necessary, sets target projections.

4. The highest official of the subject of the Russian Federation (the head of the highest executive body of state power of the subject of the Russian Federation):

1) independently appoints and dismisses the heads of the executive authorities of the constituent entity of the Russian Federation exercising the delegated powers;

2) approves, in coordination with the federal executive body responsible for implementing state policy, providing public services, managing state property in the field of construction, urban planning, the building materials industry and housing and communal services, the structure of the executive authorities of a subject of the Russian Federation in the state examination of project documentation, state examination of the results of engineering surveys and in the field of control over compliance by local governments with legislation on urban planning;

(as amended by Federal Law of 12/18/2006 N 232-FZ, of 03/20/2011 N 41-FZ)

3) independently organizes activities for the exercise of transferred powers in accordance with federal legislation and regulatory legal acts provided for by paragraph 2 of this article;

4) ensure timely submission to the federal executive body, which performs the functions of implementing state policy, providing public services, managing state property in the field of construction, urban planning, building materials industry and housing and communal services, reporting in the established form on the exercise of transferred powers, about the achievement of target forecast indicators in case of their establishment, copies of regulatory legal acts, accept

s authorities of the Russian Federation regarding the transferred powers.

5. The exercise of the powers of the Russian Federation specified in paragraph 1 of this article shall be transferred to state authorities of the constituent entities of the Russian Federation without subventions from the federal budget. The authority for organizing and conducting state expertise of project documentation and/or state expertise of engineering survey results is financed at the expense of the developer or technical customer, who sent project documentation and/or engineering survey results to state expertise.

(as amended by Federal Law of 12/18/2006 N 232-FZ, of 03/20/2011 N 41-FZ, of 11/28/2011 N 337-FZ)

6. The powers transferred in accordance with this article to the state authorities of the constituent entities of the Russian Federation may be temporarily withdrawn by the Government of the Russian Federation on the proposal of the federal executive body that performs the functions of implementing state policy, rendering state services, managing state property in the field of construction, urban planning, the building materials industry and housing and communal services, in case of non-performance or inadequate This is done by the state authorities of the constituent entities of the Russian Federation.

(Part 6 was introduced by Federal Law of December 18, 2006 N 232-FZ)

7. Within a month from the date of receipt of information about the non-fulfillment or improper performance by the state authorities of a constituent entity of the Russian Federation of the powers transferred in accordance with this article, the federal executive body that performs the functions of implementing state policy, rendering state services, managing state property in construction, urban planning, building materials industry and housing and communal services; and the above information and the results of testing gives an opinion on the proper performance of public authorities of the Russian Federation the delegated powers or prepares and submits to the Government proposals for a decision on the temporary withdrawal of the respective powers of the authorities of the Russian Federation.

(Part 7 was introduced by Federal Law of December 18, 2006 N 232-FZ)

8. The powers specified in paragraph 6 of this article and temporarily withdrawn shall be exercised by the federal executive body exercising the functions of implementing state policy, rendering public services, managing state property in the field of construction, urban planning, building materials industry and housing and communal services, or subordinate state (budget or autonomous) institution.

(Part 8 was introduced by the Federal Law of 12/18/2006 N 232-FZ, as amended by the Federal Law of 24.07.2007 N 215-FZ)

## **Article 7. Powers of public authorities of the constituent entities of the Russian Federation in the field of urban planning**

The powers of the state authorities of the constituent entities of the Russian Federation in the field of urban planning include:

1) preparation and approval of territorial planning documents of the constituent entities of the Russian Federation;

2) approval of documentation on the planning of the territory for the location of objects of regional significance in the cases provided for by this Code;

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

3) approval of regional standards for urban planning;

4) implementation of regional state construction supervision in the cases provided for by this Code;

(as amended by the Federal Law of July 18, 2011 N 242-FZ)

5) coordination of draft master plans, draft land use and development rules prepared for the territories of historical settlements of particular importance for the history and culture of a constituent entity of the Russian Federation (hereinafter - historical settlements of regional significance), in accordance with Federal Law of June 25, 2002 N 73-FZ "On the objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation";

(clause 5 was introduced by Federal Law of 12.11.2012 N 179-FZ)

6) monitoring the development and approval of programs for the integrated development of municipal infrastructure systems of settlements, urban districts, programs for the integrated development of transport infrastructure for settlements, urban districts, programs for the integrated development of social infrastructure for settlements, urban districts.

(clause 6 was introduced by Federal Law of 30.12.2012 N 289-FZ, as amended by the Federal Law of 29.12.2014 N 456-FZ)

## **Article 8. Powers of local governments in the field of urban planning**

1. The powers of local governments of settlements in the field of urban planning activities include:

- 1) **preparation and approval of documents for territorial planning of settlements;**
- 2) approval of local standards for urban planning of settlements;
- 3) approval of rules for land use and development of settlements;
- 4) approval of the documentation on the territory planning prepared on the basis of the documents of the territorial planning of settlements, with the exception of cases provided for by this Code;
- 5) **issuance of construction permits**, permits for commissioning of facilities in the course of construction, reconstruction, overhaul of capital construction facilities located in the territories of settlements;
- 6) making decisions on the development of built-up areas;

(Clause 6 was introduced by Federal Law dated December 18, 2006 N 232-FZ)

7) carrying out an inspection of buildings, structures for their technical condition and proper maintenance in accordance with the requirements of technical regulations for structural and other characteristics of reliability and safety of specified facilities, the requirements of project documentation, issuing recommendations on measures to eliminate the violations found in cases stipulated by this Code;

(Clause 7 was introduced by Federal Law of 28.11.2011 N 337-FZ)

8) development and approval of programs for the integrated development of the municipal infrastructure systems of the settlements, programs for the integrated development of the transport infrastructure of the settlements, programs for the integrated development of the social infrastructure of the settlements.

(Clause 8 was introduced by the Federal Law of 30.12.2012 N 289-FZ, as amended by the Federal Law of 29.12.2014 N 456-FZ)

2. The powers of local governments of municipal districts in the field of urban planning activities include:

- 1) preparation and approval of territorial planning documents of municipal districts;
  - 2) approval of local standards for urban planning of municipal districts;
- (as amended by the Federal Law of 05.05.2014 N 131-FZ)
- 3) approval of land use and development rules of the relevant inter-settlement territories;
  - 4) approval of the territorial planning documentation prepared on the basis of the territorial planning documents of the municipal districts, with the exception of cases provided for by this Code;
  - 5) issuance of construction permits, permits for commissioning of facilities in the course of construction, reconstruction, overhaul of capital construction facilities located in relevant inter-settlement territories;
  - 6) maintenance of information systems to support urban development activities carried out in the territories of municipal districts.

3. The powers of local governments of urban districts in the field of urban planning activities include:

- 1) preparation and approval of territorial planning documents for urban districts;
- 2) approval of local standards for urban planning of urban districts;
- 3) approval of land use and development rules for urban districts;
- 4) approval of the territorial planning documentation prepared on the basis of the territorial planning documents of urban districts, with the exception of cases provided for by this Code;
- 5) issuance of construction permits, permits for commissioning of facilities in the course of construction, renovation, overhaul of capital construction facilities located in the territories of urban districts;
- 6) maintenance of information systems to support urban development activities carried out in the territories of urban districts;

7) making decisions on the development of built-up areas;

(Clause 7 was introduced by Federal Law of 12/18/2006 N 232-FZ)

8) carrying out an inspection of buildings and structures for their technical condition and proper maintenance in accordance with the requirements of technical regulations applicable to the



constructive and other characteristics of reliability and safety of specified facilities, the requirements of project documentation, issuing recommendations on measures to eliminate the violations found in cases stipulated by this Code;

(Clause 8 was introduced by Federal Law of 28.11.2011 N 337-FZ)

9) development and approval of programs for the integrated development of municipal infrastructure systems of urban districts, programs for the integrated development of transport infrastructure for urban districts, programs for the integrated development of social infrastructure for urban districts.

(Clause 9 was introduced by the Federal Law of 30.12.2012 N 289-FZ, as amended by the Federal Law of 29.12.2014 N 456-FZ)

### **Article 8.1. Control over compliance with the state authorities of the Russian Federation, local authorities on urban planning legislation**

(introduced by Federal Law of December 18, 2006 N 232-FZ)

1. The federal executive body responsible for implementing state policy, providing state services, managing state property in the field of construction, urban planning, the building materials industry and housing and communal services, as well as state authorities of the constituent entities of the Russian Federation regional authorities, local authorities The laws on urban planning (hereinafter referred to as the bodies that monitor compliance with legislation on urban planning), including control over:

- 1) the compliance of the regulatory legal acts of the constituent entities of the Russian Federation with the municipal legal acts with the legislation on urban planning;
- 2) compliance with the deadlines for bringing the regulatory legal acts of the constituent entities of the Russian Federation and municipal legal acts in accordance with the requirements of this Code, established by federal laws;
- 3) compliance with the procedures established by the legislation on urban planning for the preparation and approval of territorial planning documents, land use and development rules, documentation on the territory planning, urban planning plans for land plots.

2. Officials of the bodies exercising control over the observance of legislation on urban planning have the right to:

- 1) to conduct inspections of the activities of state authorities of the constituent entities of the Russian Federation, local governments, as well as their subordinate organizations;
- 2) to require the heads and other officials of the state authorities of the constituent entities of the Russian Federation, local governments to provide the necessary documents, materials and information, the allocation of specialists to clarify the issues raised;
- 3) to receive explanations from the leaders and other officials of the state authorities of the constituent entities of the Russian Federation, local self-government bodies on the fact of violation of legislation on urban planning activities.

3. Officials of the bodies exercising control over the observance of legislation on urban planning, in the event of detection of violations by public authorities of the constituent entities of the Russian Federation, local governments, legislation on urban planning activities are obliged to:

- 1) to send to the relevant state authorities of the constituent entities of the Russian Federation, local self-government bodies mandatory prescriptions on the elimination of identified violations of the legislation on urban planning and establish a time frame for the elimination of such violations;
- 2) sent to the prosecutor's office information on violations of the law for the adoption of measures by the prosecutor;
- 3) to take measures necessary to bring the leaders and other officials of the state authorities of the constituent entities of the Russian Federation, local governments to responsibility, established by the legislation of the Russian Federation on administrative offenses.

4. Officials of state authorities of the constituent entities of the Russian Federation, local governments are obliged to:

- 1) to provide, upon request of the body exercising control over the observance of legislation on urban planning, the necessary documents and materials to exercise control;
- 2) to send to the authority supervising compliance with the legislation on urban planning, copies of territorial planning documents, land use and development rules on paper or electronic media

within two weeks after they are approved in the prescribed manner;

3) to assist officials of the body that oversees compliance with legislation on urban planning in their work.

## **Article 8.2. Redistribution of powers between local governments and state authorities of the constituent entity of the Russian Federation**

(introduced by Federal Law dated December 29, 2014 N 485-FZ)

The powers of local governments and state authorities of the constituent entity of the Russian Federation in the field of urban planning activities established by this Code can be redistributed among them in the manner provided for by part 1.2 of article 17 of the Federal Law of October 6, 2003 N 131-FZ self-government in the Russian Federation."

ConsultantPlus: note.

On the procedure for the inclusion of land plots into the boundaries of settlements or the exclusion of land plots from the boundaries of settlements, see article 4.1 of the Federal Law of December 29, 2004, N 191-FZ.

ConsultantPlus: note.

On the order of preparation, coordination and approval of draft boundaries of zones of the planned location of capital construction objects of federal, regional or local importance, see part 12 of article 11 of the Federal Law of 20.03.2011 N 41-FZ.

## **Chapter 3. TERRITORIAL PLANNING**

### **Article 9. General Provisions on Territorial Planning Documents**

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

1. Territorial planning is aimed at determining in the territorial planning documents the designation of territories based on a combination of social, economic, environmental and other factors in order to ensure the sustainable development of territories, the development of engineering, transport and social infrastructures, to ensure that interests of citizens and their associations in the Russian Federation are taken into account, subjects of the Russian Federation, municipalities.

2. Territorial planning documents are divided into:

- 1) territorial planning documents of the Russian Federation;
- 2) territorial planning documents of the constituent entities of the Russian Federation;
- 3) territorial planning documents of municipalities.

3. Territorial planning documents are obligatory for state authorities and local self-government bodies when they make decisions and implement such decisions. The territorial planning documents of the constituent entities of the Russian Federation and the territorial planning documents of the municipalities shall not be applied to the extent contrary to the approved territorial planning documents of the Russian Federation from the date of their approval.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

4. It is not allowed to make decisions by state bodies, local authorities, (except for cases stipulated by federal laws) on the reservation of land, on the withdrawal of land plots for state or municipal needs, on the transfer of land or land plots from one category to another in order to accommodate objects of federal significance in the areas indicated in part 1 of article 10 of this Code, objects of regional significance, objects of local significance and the provision of land plots intended for the location of these objects, if the location of these objects is not provided for by the territorial planning documents of the Russian Federation in the areas specified in paragraph 1 of Article 10 of this Code, the territorial planning documents of the constituent entity of the Russian Federation, the territorial planning documents of municipalities, as well as land transfer or land plots from one category to another for purposes not related to the placement of federal facilities, objects of the region of local importance, objects of local importance of municipal districts, in the absence of a master plan for a city district or settlement (a territorial planning scheme of a municipal district in the case of transfer of land or land plots located in inter-settlement territories from one category to another).

(Part 4 as amended by the Federal Law of December 31, 2014 N 499-FZ)

5. The preparation of territorial planning documents is carried out on the basis of strategies (programs) for the development of individual sectors of the economy, priority national projects, intergovernmental programs, programs for the socio-economic development of the constituent entities of the Russian Federation, plans and programs for the integrated socio-economic

development of municipalities (if available) taking into account the programs adopted in the prescribed manner and implemented at the expense of the federal budget, the budgets of the subjects of the Russian Federation, local budgets, decisions of state authorities, local governments, other main managers of funds of the respective budgets, providing for the creation of federal objects, objects of regional significance, objects of local importance, investment programs of natural monopolies entities, utilities complex organizations and information contained in the federal state territorial planning information system (hereinafter also referred to as the territorial information system planning).

(Part 5 was introduced by Federal Law of 20.03.2011 N 41-FZ)

6. The preparation of territorial planning documents is subject to the provisions on territorial planning contained in the territorial planning documents of the Russian Federation, territorial planning documents of the constituent entities of the Russian Federation, territorial planning documents of municipalities, as well as the proposals of interested parties.

(Part 6 was introduced by Federal Law of 20.03.2011 N 41-FZ)

7. Authorized federal executive bodies, state authorities of the constituent entities of the Russian Federation, local governments are obliged to provide access to the drafts of territorial planning documents of the Russian Federation, territorial planning documents of constituent entities of the Russian Federation, territorial planning documents of municipalities and materials for substantiating such projects in the information system territorial planning using the official website in The Internet, defined by the federal executive body authorized to monitor compliance with the procedure for maintaining the territorial planning information system (hereinafter referred to as the official website), is not less than three months before they are approved.

(Part 7 was introduced by Federal Law of 20.03.2011 N 41-FZ)

8. Authorized federal executive bodies, state authorities of the constituent entities of the Russian Federation, local authorities shall notify the state authorities and local authorities in electronic form and/or by mail in accordance with Articles 12, 16, 21 and 25 of this Code about ensuring access to the drafts of territorial planning documents of the Russian Federation, territorial planning documents of constituent entities of the Russian Federation, territorial planning documents of municipalities and materials on the justification of such projects in the spatial planning information system within three days from the date of providing this access.

(Part 8 is introduced by Federal Law of 20.03.2011 N 41-FZ)

9. Access to the approved territorial planning documents of the Russian Federation, territorial planning documents of the constituent entities of the Russian Federation, territorial planning documents of municipalities and materials for their justification in the territorial planning information system should be provided using the official website respectively authorized by the federal executive body, state authorities of the Russian Federation, local authorities control in a period not exceeding ten days from the date of approval of such documents.

(Part 9 was introduced by Federal Law of 20.03.2011 N 41-FZ)

10. The territorial planning schemes of the Russian Federation, the territorial planning schemes of the constituent entities of the Russian Federation, the territorial planning schemes of municipal districts providing for the placement of linear objects of federal significance, linear objects of regional significance, linear objects of local importance, are approved for a period of at least twenty years. In other cases, the specified territorial planning schemes are approved for a period of not less than ten years.

(Part 10 is introduced by the Federal Law of 20.03.2011 N 41-FZ)

11. The master plans of settlements, the master plans of urban districts are approved for a period of not less than twenty years.

(Part 11 was introduced by Federal Law of 20.03.2011 N 41-FZ)

12. The approval of the boundaries of functional zones in territorial planning documents does not entail a change in the legal regime of the lands within the boundaries of the said zones.

(Part 12 is introduced by the Federal Law of 20.03.2011 N 41-FZ)

13. Requirements for the description and mapping in documents of territorial planning of objects of federal value, objects of regional value, objects of local importance are established by the federal executive body that performs the functions of developing state policy and legal regulation in the field of construction, architecture, urban planning.

## **Article 10. The content of territorial planning documents of the Russian Federation**

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

1. The territorial planning documents of the Russian Federation are the territorial planning schemes of the Russian Federation in the following areas:

- 1) federal transport (rail, air, sea, inland waterway, pipeline transport), highways of federal significance;
- 2) national defense and state security;
- 3) energy;
- 4) higher education;

(as amended by the Federal Law of July 2, 2013 N 185-FZ)

- 5) health care.

2. Territorial planning schemes of the Russian Federation in other areas not specified in paragraph 1 of this article may be developed on the basis of regulatory acts of the President of the Russian Federation or regulatory acts of the Government of the Russian Federation.

3. Preparation of territorial planning schemes of the Russian Federation may be carried out in relation to one or several areas indicated in part 1 of this article. The preparation of territorial planning schemes of the Russian Federation in the relevant regions or regions may be carried out as part of one or several territorial planning documents of the Russian Federation.

Preparation of territorial planning schemes of the Russian Federation is carried out in relation to the entire territory of the Russian Federation. By decision of the President of the Russian Federation or by the decision of the Government of the Russian Federation, the preparation of territorial planning schemes of the Russian Federation may be carried out in relation to a part of the territory of the Russian Federation.

4. The territorial planning schemes of the Russian Federation contain provisions on territorial planning, maps of the planned location of objects of federal significance.

5. The provisions on territorial planning contained in the territorial planning schemes of the Russian Federation contain information on the types, designation and names of the objects of federal significance planned for the location, their main characteristics, their location (the names of the municipal district, settlement, urban district, settlement), as well as the characteristics of zones with special conditions for the use of territories in the event that the establishment of such zones is required in connection with the placement of data Comrade.

6. On the maps of the planned location of objects of federal significance, the objects of federal significance planned for location are displayed in the respective areas.

7. The territorial planning schemes of the Russian Federation are accompanied by materials for their justification in text form and in the form of maps. These maps are drawn up in relation to the territory in respect of which the territorial planning scheme of the Russian Federation is being developed.

8. The materials on the substantiation of the territorial planning schemes of the Russian Federation in text form contain:

- 1) information about the strategies (programs) of development of individual sectors of the economy, priority national projects, intergovernmental programs (if any), for the implementation of which the creation of objects of federal importance is carried out;
- 2) substantiation of the chosen option of placing objects of federal significance on the basis of an analysis of the use of the relevant territory, possible directions for its development and predicted restrictions on its use;
- 3) an assessment of the possible impact of the planned for the location of objects of federal significance on the integrated development of the relevant territory.

9. Materials on the substantiation of territorial planning schemes of the Russian Federation in the form of maps reflect:

- 1) the location of existing and under construction objects of federal significance in the relevant area;
- 2) the boundaries of the constituent entities of the Russian Federation, municipalities, in whose territories it is planned to locate objects of federal significance in the relevant area;

- 3) capital construction objects, other objects, territories, zones that influenced the determination of the planned location of objects of federal significance, including:
- a) objects of regional significance planned for location, objects of local importance in accordance with the territorial planning documents of the constituent entities of the Russian Federation, the territorial planning documents of municipalities;
  - b) special economic zones;
  - c) specially protected natural territories of federal, regional, local significance;
  - d) the territory of cultural heritage sites;
  - e) zones with special conditions for the use of territories;
  - f) areas at risk of occurrence of emergency situations of natural and man-made character;
  - g) other objects, other territories and (or) zones.

#### **Article 11. Preparation and approval of territorial planning schemes of the Russian Federation**

1. The territorial planning schemes of the Russian Federation, including the introduction of changes to such schemes, are approved by the Government of the Russian Federation, with the exception of the territorial planning schemes of the Russian Federation in the field of national defense and state security.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

2. The territorial planning schemes of the Russian Federation in the field of national defense and state security are approved by the President of the Russian Federation.

(Part 2 as amended by the Federal Law of 20.03.2011 N 41-FZ)

3. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

4. Draft schemes of territorial planning of the Russian Federation before their approval are subject to mandatory coordination with the relevant executive authorities of the constituent entities of the Russian Federation in the manner prescribed by Article 12 of this Code.

5. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

6. Stakeholders have the right to submit their proposals on draft territorial planning schemes of the Russian Federation.

7 - 8. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

9. The right holders of land plots and capital construction objects, if their rights and legitimate interests are violated or may be violated as a result of the approval of territorial planning schemes of the Russian Federation, have the right to challenge the territorial planning schemes of the Russian Federation in a judicial proceeding.

10. State authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, local governments, interested individuals and legal entities are entitled to submit proposals for amendments to the territorial planning schemes of the Russian Federation.

11. Amendments to the territorial planning schemes of the Russian Federation should be carried out in accordance with the requirements provided for in this article and articles 9 and 12 of this Code.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

12. The composition, procedure for drafting territorial planning schemes of the Russian Federation, the procedure for amending such schemes shall be established by the Government of the Russian Federation.

13. Composition, preparation procedure, procedure for approval of draft territorial planning schemes of the Russian Federation, including maps of the planned location of defense and security objects, procedure for amending such documents, specifics of their publication are established in accordance with the legislation of the Russian Federation in the field of defense and legislation of the Russian Federation. Federation of state secrets.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

#### **Article 12. The order of coordination of the draft scheme of territorial planning of the Russian Federation**

1. The draft territorial planning scheme of the Russian Federation is to be agreed with the highest executive body of the state of the Russian Federation, on whose territory in accordance with this project it is planned to deploy objects of federal significance, in terms of the possible

impact of the planned federal facilities on the socio-economic development of such of the subject of the Russian Federation, the possible negative impact of these objects on the environment on the territory this subject of the Russian Federation. Other issues may not be subject to agreement in connection with the preparation of the draft territorial planning scheme of the Russian Federation.

(Part 1 as amended by the Federal Law of 20.03.2011 N 41-FZ)

2. The deadline for approval of the draft territorial planning scheme of the Russian Federation may not exceed three months from the date of receipt of the notification of access to the draft territorial planning scheme of the Russian Federation and materials for its justification in the territorial planning information system to the highest executive bodies of state power of the constituent entities of the Russian Federation, the territories of which it is planned to place objects of federal significance or on the environment in areas where x may have a negative impact planned for placement of objects of federal significance.

(Part 2 as amended by the Federal Law of 20.03.2011 N 41-FZ)

3. Failure to obtain from the highest executive body of state power of a constituent entity of the Russian Federation a consolidated conclusion on a draft territorial planning scheme of the Russian Federation, the notification of access to which was received in the territorial planning information system in accordance with paragraph 2 of this article, is considered as consent of such a body. state authorities of the Russian Federation with the draft scheme of territorial planning of the Russian Federation.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

4. The highest executive body of state power of a constituent entity of the Russian Federation sends a notification received in accordance with Part 2 of this article on ensuring access to the draft territorial planning scheme of the Russian Federation and materials on its substantiation in the territorial planning information system to local governments of municipal formations in whose territories it is planned to place objects of federal significance or on the environment in whose territories amb negative impact planned to accommodate objects of federal significance.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

5. Local governments consider the draft scheme of territorial planning of the Russian Federation in terms of the possible impact of the planned for location of federal facilities on the socio-economic development of the municipality, the possible negative impact of such objects on the environment on the territory of the municipality.

(Part 5 as amended by the Federal Law of 20.03.2011 N 41-FZ)

6. The maximum period for consideration of the draft scheme of territorial planning of the Russian Federation and the preparation of opinions on such a project by local governments may not exceed thirty days from the date of receipt of the notification specified in paragraph 2 of this article. If the conclusions of local governments are not received within the prescribed period, the draft territorial planning scheme of the Russian Federation is considered to be coordinated with these bodies.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

7. The highest executive body of state power of a constituent entity of the Russian Federation on the basis of the conclusions of local governments is preparing a consolidated conclusion on the draft territorial planning scheme of the Russian Federation, which may contain a provision on agreement with the draft territorial planning scheme of the Russian Federation or disagreement with such a project and justifying the decision .

8. In case of receipt of consolidated conclusions from one or several constituent entities of the Russian Federation containing provisions on disagreement with the draft territorial planning scheme of the Russian Federation with justification of the decision, within thirty days from the date of expiry of the deadline for approval of such a project, a decision is made to establish a conciliation commission. The maximum duration of the work of the conciliation commission may not exceed three months.

9. According to the results of the work, the conciliation commission shall submit:

1) a document on the approval of the draft territorial planning scheme of the Russian Federation and the draft territorial planning scheme of the Russian Federation prepared for approval, as amended;

2) materials in text form and in the form of maps on uncoordinated issues.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

10. The documents and materials specified in paragraph 9 of this article may contain:

1) the proposal to exclude from the draft scheme of territorial planning of the Russian Federation materials on uncoordinated issues (including by displaying them on the appropriate map in order to fix uncoordinated issues until the moment they are agreed);

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

2) a plan for approving the issues indicated in clause 1 of this part after the approval of the territorial planning scheme of the Russian Federation by preparing proposals for making appropriate changes to such a scheme.

11. On the basis of the documents and materials submitted by the conciliation commission, a decision is taken on the approval of the territorial planning scheme of the Russian Federation or on the rejection of the draft territorial planning scheme of the Russian Federation and on sending it for revision.

12. The procedure for the approval of the draft territorial planning scheme of the Russian Federation, the composition and operation of the conciliation commission shall be established by the Government of the Russian Federation.

13. In the presence of the materials specified in clause 2 of part 9 of this article, the Government of the Russian Federation or in the case specified in part 2 of article 11 of this Code, the President of the Russian Federation may approve a territorial planning scheme of the Russian Federation providing for the placement of objects of federal significance.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

**Article 13. Lost.** - Federal Law of 20.03.2011 N 41-FZ.

## **Article 14. The content of territorial planning documents of the constituent entities of the Russian Federation**

1. The territorial planning documents of the constituent entities of the Russian Federation are the territorial planning schemes of the constituent entities of the Russian Federation. The preparation of these schemes may be carried out as part of one or several territorial planning documents of the constituent entities of the Russian Federation.

2. Preparation of a territorial planning scheme of a constituent entity of the Russian Federation may be carried out in relation to the entire territory of a constituent entity of the Russian Federation or its parts.

3. The territorial planning schemes of the constituent entities of the Russian Federation contain provisions on territorial planning and maps of the planned location of objects of regional significance in the following areas:

1) transport (rail, water, air transport), roads of regional or inter-municipal significance;

2) prevention of emergency situations of inter-municipal and regional nature, natural disasters, epidemics and liquidation of their consequences;

3) education;

4) health care;

5) physical culture and sports;

6) other areas in accordance with the powers of the constituent entities of the Russian Federation.

(Part 3 as amended by the Federal Law of 20.03.2011 N 41-FZ)

4. The provisions on territorial planning contained in the territorial planning schemes of the constituent entities of the Russian Federation specify information on the types, designation and names of the objects of regional significance planned for location, their main characteristics, their location (the names of the municipal district, settlement, urban district, paragraph), as well as the characteristics of zones with special conditions for the use of territories in the event that the establishment of such zones is required in connection with the OF DATA objects.

(Part 4 as amended by the Federal Law of 20.03.2011 N 41-FZ)

5. The maps of the planned location of objects of regional significance display the objects of regional significance planned for location.

(Part 5 as amended by the Federal Law of 20.03.2011 N 41-FZ)

6. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

7. Materials on the substantiation of these schemes in text form and in the form of maps are attached to the territorial planning schemes of the constituent entities of the Russian Federation.

(part 7 as amended by the Federal Law of 20.03.2011 N 41-FZ)

8. The materials on the substantiation of territorial planning schemes of the constituent entities of the Russian Federation in textual form contain:

1) information on the programs of socio-economic development of the constituent entities of the Russian Federation (if any), for the implementation of which the creation of objects of regional significance is carried out;

2) justification of the chosen option for locating objects of regional significance based on an analysis of the use of the relevant territory, possible directions for its development and predicted restrictions on its use;

3) an assessment of the possible impact of the planned for location of objects of regional importance on the integrated development of the relevant territory;

4) information on the formation, utilization, neutralization, and disposal of municipal solid waste contained in territorial schemes in the field of waste management, including municipal solid waste.

(clause 4 was introduced by Federal Law dated December 29, 2014 N 458-FZ)

(Part 8 as amended by the Federal Law of 20.03.2011 N 41-FZ)

9. Maps included in the list of materials for substantiating the territorial planning scheme of a constituent entity of the Russian Federation are drawn up in relation to the territory in respect of which the territorial planning scheme of a constituent entity of the Russian Federation is being developed. On the indicated maps are displayed:

1) the boundaries of municipalities - urban districts, municipal districts, settlements, approved in the prescribed manner by the law of the subject of the Russian Federation;

2) capital construction objects, other objects, territories, zones that influenced the determination of the planned location of objects of regional significance, including:

a) objects of federal significance planned for location, objects of regional significance, objects of local significance in accordance with the territorial planning documents of the Russian Federation, the territorial planning documents of the constituent entities of the Russian Federation, the territorial planning documents of the municipalities;

b) special economic zones;

c) specially protected natural territories of federal, regional, local significance;

d) territories of cultural heritage sites, territories of historic settlements of federal significance and territories of historic settlements of regional significance;

(as amended by the Federal Law of 12.11.2012 N 179-FZ)

e) zones with special conditions for the use of territories;

f) areas at risk of occurrence of emergency situations of natural and man-made character;

E.1) facilities used for the disposal, disposal, disposal of solid municipal waste and included in the territorial scheme in the field of waste management, including municipal solid waste

(paragraphs "e.1" introduced by Federal Law dated December 29, 2014 N 458-FZ)

g) other objects, other territories and (or) zones.

(Part 9 as amended by the Federal Law of 20.03.2011 N 41-FZ)

10 - 11. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

## **Article 15. Preparation and approval of territorial planning schemes of the constituent entities of the Russian Federation**

1. The territorial planning scheme of a constituent entity of the Russian Federation, including the introduction of changes to such a scheme, is approved by the highest executive body of the state power of a constituent entity of the Russian Federation.

1.1. The preparation of the draft territorial planning scheme of a constituent entity of the Russian Federation is carried out in accordance with the requirements of Article 9 of this Code and taking into account regional standards for urban planning.

(Part 1.1 was introduced by Federal Law dated 05.05.2014 N 131-FZ)

2. Lost force. - Federal Law of 20.03.2011 N 41-FZ.



3. The draft territorial planning scheme of a constituent entity of the Russian Federation prior to its approval is subject to mandatory coordination with the authorized federal executive body, the highest executive bodies of state power of the constituent entities of the Russian Federation that have a common border with the constituent entity of the Russian Federation, which ensured the preparation of the draft territorial planning scheme, and local authorities municipalities, in relation to the territories which prepared proposals for territorial planning, in accordance with the procedure established by Article 16 of this Code.

4. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

5. Interested parties are entitled to submit their proposals on the draft territorial planning scheme of a constituent entity of the Russian Federation.

6. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

7. The right holders of land plots and capital construction objects, if their rights and legitimate interests are violated or may be violated as a result of the approval of the territorial planning scheme of a constituent entity of the Russian Federation, have the right to challenge the territorial planning plan of a constituent entity of the Russian Federation in a judicial procedure.

8. State authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, local governments, interested individuals and legal entities are entitled to submit proposals for amendments to the territorial planning schemes of the constituent entities of the Russian Federation.

9. Amendments to the territorial planning schemes of the constituent entities of the Russian Federation should be carried out in accordance with the requirements provided for in this article and Articles 9 and 16 of this Code.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

10. The composition, procedure for drafting territorial planning schemes of constituent entities of the Russian Federation, the procedure for amending such schemes are established in accordance with this Code by the laws of the constituent entities of the Russian Federation.

### **Article 16. The procedure for approval of the draft scheme of territorial planning of the subject of the Russian Federation**

1. The draft territorial planning scheme of a constituent entity of the Russian Federation is subject to coordination with the authorized federal executive body regarding possible negative impact of the planned objects of regional importance in specially protected natural territories of federal significance if there are specially protected natural territories in such a constituent entity of the Russian Federation federal significance. The draft territorial planning scheme of a constituent entity of the Russian Federation is subject to coordination with the authorized federal executive body also in the event that the objects of regional significance planned for location may have a negative impact on water bodies that are in federal ownership.

(Part 1 as amended by the Federal Law of 20.03.2011 N 41-FZ)

2. The draft territorial planning scheme of a constituent entity of the Russian Federation is subject to agreement with the highest executive bodies of state power of the constituent entities of the Russian Federation that have a common border with the constituent entity of the Russian Federation, which ensured the preparation of the design of such a scheme, in order to respect the interests of these constituent entities of the Russian Federation special conditions for the use of territories in connection with the planned location of objects of regional significance when placing objects regional significance that may have a negative impact on the environment in the territories of the specified subjects of the Russian Federation.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

3. The draft territorial planning scheme of a constituent entity of the Russian Federation is subject to coordination with the local government bodies of municipal formations in whose territories it is planned to place objects of regional significance or on the environment in territories of which the objects of regional importance planned for location may have a negative impact in order to respect the interests of the municipal population formations in terms of the possible impact of the planned to accommodate objects of regional importance the socio-economic development of municipalities, the possible negative impact of such facilities on the environment in the territories of municipalities.

(Part 3 as amended by the Federal Law of 20.03.2011 N 41-FZ)

4. Other issues, other than those specified in paragraphs 1 - 3 of this article, may not be subject to agreement in connection with the preparation of a draft territorial planning scheme of a constituent entity of the Russian Federation.

5. The deadline for approval of the draft territorial planning scheme of a constituent entity of the Russian Federation may not exceed three months from the date of receipt of the notification of access to the draft territorial planning scheme of a constituent entity of the Russian Federation and materials on its justification in the territorial planning information system specified in Parts 1 to 3 of this article respectively government bodies and local governments.  
(as amended by the Federal Law of 20.03.2011 N 41-FZ)

6. The conclusions on the draft territorial planning scheme of a constituent entity of the Russian Federation, referred by the authorities specified in paragraphs 1–3 of this article, may contain a provision on agreement with such a project or disagreement with such a project on the rationale for the decision.

7. In the event that the highest executive body of a subject of the Russian Federation does not receive the conclusions of the bodies specified in paragraphs 1–3 of this article within the prescribed period, the draft scheme of territorial planning of the subject of the Russian Federation is considered to be coordinated with such bodies.

8. In case of receipt from one or several bodies specified in parts 1 - 3 of this article, conclusions containing provisions on disagreement with the draft territorial planning scheme of a constituent entity of the Russian Federation justifying the decision, the highest executive body of state power of a constituent entity of the Russian Federation within thirty days from the date of expiration of the deadline for approval of such a project makes a decision on the creation of a conciliation commission. The maximum duration of the work of the conciliation commission may not exceed three months.

9. According to the results of the work, the conciliation commission shall submit to the highest executive body of state power of the subject of the Russian Federation:

- 1) a document on the approval of a draft territorial planning scheme of a constituent entity of the Russian Federation and a draft territorial planning plan prepared for approval by a constituent entity of the Russian Federation, as amended;
- 2) materials in text form and in the form of maps on uncoordinated issues.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

10. The documents and materials specified in paragraph 9 of this article may contain:

- 1) a proposal to exclude from the draft territorial planning scheme of a constituent entity of the Russian Federation materials on uncoordinated issues (including by displaying them on the appropriate map in order to fix uncoordinated issues until the moment they are agreed);

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

- 2) a plan for approving the issues indicated in clause 1 of this part after the approval of the territorial planning scheme of a constituent entity of the Russian Federation by preparing proposals for making appropriate amendments to such a scheme.

11. On the basis of documents and materials submitted by the conciliation commission, the highest executive body of the state of a constituent entity of the Russian Federation has the right to decide whether to approve the territorial planning scheme of a constituent entity of the Russian Federation or to reject the draft territorial planning scheme of a constituent entity of the Russian Federation and send it for revision.

12. The procedure for approval of draft territorial planning schemes of the constituent entities of the Russian Federation, the composition and work procedure of the conciliation commission shall be established by the Government of the Russian Federation.

**Article 17. Lost.** - Federal Law of 20.03.2011 N 41-FZ.

### **Article 18. Documents of the territorial planning of municipalities**

1. The territorial planning documents of municipalities are:

- 1) territorial planning schemes of municipal areas;
- 2) master plans for settlements;
- 3) master plans of urban districts.

2. The composition, the procedure for preparing the territorial planning documents of municipalities, the procedure for preparing changes and introducing them into such documents, as well as the composition and the procedure for preparing implementation plans for such documents are established in accordance with this Code by laws and other regulatory legal acts of the constituent entities of the Russian Federation, regulatory legal acts of local authorities.

3. The procedure for coordinating draft territorial planning documents for municipalities, the composition and procedure for the conciliation commission shall be established by the federal executive body authorized by the Government of the Russian Federation.

(as amended by Federal Law of 23.07.2008 N 160-FZ, of 03/20/2011 N 41-FZ)

4. The territorial planning documents of municipalities may be the basis for establishing or changing the boundaries of municipalities in the prescribed manner.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

5. Establishing or changing the boundaries of settlements that are part of the settlement, urban district, is carried out within the boundaries of such settlements, urban district.

(Part 5 was introduced by Federal Law of 20.03.2011 N 41-FZ)

6. The representative body of local self-government of a rural settlement has the right to decide on the absence of the need to prepare its master plan and on the preparation of land use and development rules under the following conditions:

1) it is not supposed to change the existing use of the territory of this settlement and there is no approved program for its integrated socio-economic development;

2) documents of territorial planning of the Russian Federation, documents of territorial planning of a constituent entity of the Russian Federation, documents of territorial planning of a municipal area do not provide for the placement of objects of federal significance, objects of regional significance, objects of local importance of a municipal district in the territory of this settlement.

(Part 6 was introduced by Federal Law of 20.03.2011 N 41-FZ)

### **Article 19. The content of the territorial planning scheme of a municipal district**

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

1. The territorial planning scheme of a municipal district contains:

1) position on territorial planning;

2) a map of the planned location of objects of local significance of the municipal district;

3) a map of the boundaries of settlements (including the boundaries of the settlements formed) located in inter-settlement territories;

4) a map of functional zones established in inter-settlement territories, in case if inter-settlement territories are planned to be occupied with objects of federal significance, objects of regional significance, objects of local significance (with the exception of linear objects).

2. The regulation on territorial planning contained in the scheme of territorial planning of a municipal district includes:

1) information on the types, designation and names of the planned objects of local importance of the municipal area, their main characteristics, their location (indicate the name of the settlement, inter-settlement territory, settlement), as well as the characteristics of zones with special conditions of use of territories in the event that such zones are required in connection with the placement of these objects;

2) parameters of functional zones established in inter-settlement territories, in case if inter-settlement territories are planned to be occupied with facilities of federal significance, objects of regional significance, facilities of local significance (with the exception of linear facilities), as well as information about facilities planned for placement in these zones of federal values, objects of regional significance, objects of local importance.

3. The maps indicated in clauses 2-4 of part 1 of this article respectively display:

1) objects of local significance of a municipal district that are planned for location, referring to the following areas:

a) electricity and gas supply of settlements;

b) local roads outside the boundaries of settlements within the municipal area;

c) education;

d) health care;

- e) physical culture and mass sport;
  - f) treatment, utilization, neutralization, disposal of solid municipal waste;  
(Sections "e" in the red. of the Federal Law of 29.12.2014 N 458-FZ)
  - g) other areas in connection with the resolution of issues of local importance of the municipal district;
- 2) the boundaries of settlements (including the boundaries of the settlements formed) located in inter-settlement territories;
- 3) the boundaries and description of the functional zones established in the inter-settlement territories, indicating the planned for placement in these areas of objects of federal value, objects of regional value, objects of local importance (except for linear objects) and (or) the location of linear objects of federal value, linear objects regional value, linear objects of local importance.
4. Materials on its rationale in text form and in the form of maps are attached to the territorial planning scheme of the municipal district.
5. Materials on the substantiation of the territorial planning scheme of the municipal district in text form contain:
- 1) information about the plans and programs of the comprehensive socio-economic development of the municipality (if any), for the implementation of which the creation of objects of local importance is carried out;
  - 2) substantiation of the chosen option for locating objects of local significance of the municipal district based on an analysis of the use of the relevant territory, possible directions of its development and predicted restrictions on its use;
  - 3) an assessment of the possible impact of the planned for locating objects of local importance of the municipal district on the integrated development of the relevant territory;
  - 4) information on the types, designation and names of facilities of federal significance, objects of regional importance, their basic characteristics, location, characteristics of areas with special conditions for the use of territories in If the establishment of such zones is required in connection with the placement of these objects, the details specified before uementov spatial planning, as well as the rationale for the selected option of accommodation facilities of federal significance, objects of regional importance based on analysis of the use of these areas, the possible directions of development and the projected limits their use;
  - 5) a list of land plots located in inter-settlement territories and included in the boundaries of settlements or excluded from their boundaries, with an indication of the categories of land to which these land plots are to be assigned, and the goals of their intended use;
  - 6) a list and description of the main risk factors for emergencies of natural and man-made nature in inter-settlement territories if inter-settlement territories are planned to be located with facilities of federal significance, objects of regional significance, and facilities of local importance.
6. Materials on the substantiation of the territorial planning scheme of the municipal district in the form of maps reflect:
- 1) the boundaries of the settlements that make up the municipal district;
  - 2) the boundaries of settlements that are part of the municipal district;
  - 3) capital construction objects, other objects, territories, zones that influenced the determination of the planned location of local objects of a municipal district, objects of federal significance, objects of regional significance, including:
    - a) objects of federal significance planned for location, objects of regional significance in accordance with the territorial planning documents of the Russian Federation, territorial planning documents of the constituent entity of the Russian Federation;
    - b) special economic zones;
    - c) specially protected natural territories of federal, regional, local significance;
    - d) the territory of cultural heritage sites;
    - e) zones with special conditions for the use of territories;
    - f) areas at risk of occurrence of emergency situations of natural and man-made character;
    - g) other objects, other territories and (or) zones.

## **Article 20. Preparation and approval of the territorial planning scheme of a municipal district**

1. The territorial planning scheme of a municipal district, including the introduction of changes to such a scheme, shall be approved by the representative body of local self-government of the municipal district.

2. Preparation of the draft scheme of territorial planning of the municipal district is carried out in accordance with the requirements of Article 9 of this Code and taking into account regional and local standards of urban planning, as well as taking into account proposals of interested parties.

(as amended by Federal Law of 20.03.2011 N 41-FZ, of 05/05/2014 N 131-FZ)

3. The draft scheme of territorial planning of a municipal area, prior to its approval, is subject to mandatory compliance in accordance with Article 21 of this Code, in accordance with the procedure established by the federal executive body authorized by the Government of the Russian Federation.

(as amended by the Federal Law dated July 23, 2008 N 160-FZ)

4. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

5. Interested persons are entitled to submit their proposals on the draft scheme of territorial planning of a municipal district.

6. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

7. The right holders of land plots and capital construction objects, if their rights and legitimate interests are violated or may be violated as a result of the approval of the territorial planning scheme of the municipal district, have the right to challenge the territorial planning scheme of the municipal district in a judicial proceeding.

8. The state authorities of the Russian Federation, the state authorities of the constituent entities of the Russian Federation, local governments, interested individuals and legal entities are entitled to submit to the local governments of the municipal district proposals for amending the territorial planning scheme of the municipal district.

9. Amendments to the territorial planning scheme of a municipal district shall be carried out in accordance with the requirements provided for in this article and articles 9 and 21 of this Code.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

### **Article 21. Features of the coordination of the draft scheme of territorial planning of a municipal district**

1. The draft scheme of territorial planning of a municipal district shall be agreed with the federal executive body authorized by the Government of the Russian Federation in the manner prescribed by this body in the following cases:

1) in accordance with the territorial planning documents of the Russian Federation, it is planned to locate objects of federal significance in the inter-settlement territory;

2) it is envisaged that in accordance with this project, within the boundaries of populated areas (including formed settlements) located in inter-settlement territories, land plots from the lands of the forest fund;

3) in the territory of the municipal district there are specially protected natural territories of federal significance;

4) it is planned to locate objects of local importance of the municipal district in accordance with this project, which may have a negative impact on water bodies that are in federal ownership.

(Part 1 as amended by the Federal Law of 20.03.2011 N 41-FZ)

2. The draft scheme of territorial planning of a municipal area is subject to agreement with the highest executive body of the state of a constituent entity of the Russian Federation, within whose boundaries there is a municipal district, in the following cases:

1) in accordance with the territorial planning documents of the constituent entity of the Russian Federation, it is planned to locate objects of regional significance in the inter-settlement territory;

2) in accordance with this project, it is envisaged to include in the boundaries of settlements (including formed settlements) located in inter-settlement territories, land plots from agricultural land or exclusion of land plots from the borders of such settlements, which are planned to be classified as agricultural land appointments;

3) in the territory of the municipal district there are specially protected natural territories of regional significance.

(Part 2 as amended by the Federal Law of 20.03.2011 N 41-FZ)

2.1. In the cases provided for by clause 1 of part 1, clause 1 of part 2 of this article, the draft scheme of territorial planning of a municipal district is to be agreed upon in determining the functional areas in which it is planned to locate objects of federal significance, objects of regional significance, and/or the location of linear facilities of federal values, linear objects of regional value. In the cases provided for by clause 3 of part 1, clause 3 of part 2 of this article, the draft scheme of territorial planning of a municipal district is subject to approval in terms of the possible negative impact of the planned objects of local importance of the municipal district to specially protected natural areas of federal significance, specially protected natural territories of regional significance. values.

(Part 2.1 was introduced by Federal Law of 20.03.2011 N 41-FZ)

3. The draft scheme of territorial planning of a municipal district is to be agreed with the local government bodies of the settlements belonging to the municipal district, in terms of the possible impact of the planned localization objects of the municipal district on the socio-economic development of such settlements, the possible negative impact of these objects on the environment on the territories of such settlements.

(Part 3 as amended by the Federal Law of 20.03.2011 N 41-FZ)

4. The draft scheme of territorial planning of a municipal district shall be agreed with the concerned local self-government bodies of municipal districts and local self-government bodies of urban districts that have a common border with the municipal district, in order to observe the interests of the population of municipalities when zones with special conditions for the use of territories are established in their territories. connection with the planned placement of local objects of the municipal district, when locating objects of local The values of the municipal district, which could have a negative impact on the environment in the territories of these municipalities.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

5. Other issues, other than those specified in paragraphs 1-4 of this article, cannot be considered when coordinating the draft territorial planning scheme of a municipal district.

6. The deadline for approval of the draft scheme of territorial planning of a municipal area may not exceed three months from the date of receipt of the notification of access to the specified project and materials on its justification in the territorial planning information system to the authorized federal executive body, the highest executive body of the state of the Russian Federation , within the boundaries of which is a municipal district, local governments of settlements that are part of the mun. tsipalnogo district, local government municipalities and local governments of city districts that have a common border with the municipal area.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

7. In case of non-receipt from the authorities specified in part 6 of this article within the prescribed period of time to the local government body of the municipal district for a draft territorial planning scheme of the municipal district, such a project is considered to be coordinated with the said authorities.

8. Conclusions on the draft scheme of territorial planning of a municipal area may contain provisions on agreement with the draft scheme of territorial planning of a municipal district or disagreement with such a project with the rationale for the decisions made.

9. In the event of the receipt from one or more of the authorities specified in paragraph 6 of this article, containing provisions on disagreement with the draft scheme of territorial planning of a municipal area with a justification of the decisions taken, the head of the local administration of the municipal district shall, within thirty days from the date of expiry of the deadline for the approval of such The project decides on the establishment of a conciliation commission. The maximum duration of the work of the conciliation commission may not exceed three months.

10. According to the results of the work, the conciliation commission shall submit to the head of the local administration of the municipal district:

1) a document on the coordination of the draft scheme of territorial planning of a municipal area and a draft plan of territorial planning of a municipal area prepared for its approval, as amended;

2) materials in text form and in the form of maps on uncoordinated issues.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

11. The documents and materials specified in paragraph 10 of this article may contain:

1) the proposal to exclude from the draft scheme of territorial planning of the municipal district of materials on uncoordinated issues (including by displaying them on the appropriate map in order to fix the uncoordinated issues until the moment they are agreed);

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

2) a plan for approving the issues indicated in clause 1 of this part after the approval of the territorial planning scheme of the municipal district by preparing proposals for making appropriate changes to such a scheme.

12. Based on the documents and materials submitted by the conciliation commission, the head of the local administration of the municipal district has the right to decide whether to send the territorial planning scheme of the municipal district agreed or not agreed in a certain part to the representative body of local self-government of the municipal district area and about sending it for revision.

**Article 22. Lost force.** - Federal Law of 20.03.2011 N 41-FZ.

### **Article 23. The content of the general plan of the settlement and the general plan of the urban district**

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

1. The preparation of a master plan for a settlement, a master plan for an urban district (hereinafter also referred to as the master plan) is carried out in relation to the entire territory of such a settlement or such urban district.

2. Preparation of the master plan may be carried out in relation to individual settlements that are part of the settlement, the urban district, with subsequent changes to the general plan relating to other parts of the territories of the settlement, the urban district. The preparation of the master plan and the introduction of changes in the master plan in terms of establishing or changing the boundary of a settlement can also be carried out in relation to individual settlements that are part of a settlement, urban district.

3. The master plan contains:

1) position on territorial planning;

2) a map of the planned location of local objects of a settlement or urban district;

3) a map of the boundaries of settlements (including the boundaries of the formed settlements) that make up the settlement or urban district;

4) a map of the functional zones of the settlement or urban district.

4. The regulation on territorial planning contained in the master plan includes:

1) information on the types, purpose and names of the settlement, urban district planned for locating objects, their main characteristics, their location (for objects of local importance that are not linear objects, functional areas are indicated), as well as characteristics of areas with special conditions of use territories in the event that the establishment of such zones is required in connection with the placement of these objects;

2) the parameters of the functional zones, as well as information about the objects of federal significance planned for placement in them, objects of regional significance, objects of local significance, with the exception of linear objects.

5. On the maps indicated in clauses 2-4 of part 3 of this article, respectively, are displayed:

1) objects of local significance of a settlement, urban district, planned for location, referring to the following areas:

a) electricity, heat, gas and water supply of the population, water disposal;

b) local roads;

c) physical culture and mass sports, education, health care, treatment, utilization, neutralization, disposal of municipal solid waste in the event of the preparation of a master plan for the urban district;

(as amended by the Federal Law of December 29, 2014 No. 458-FZ)

d) other areas in connection with the settlement of issues of local importance of the settlement, urban district;

2) the boundaries of settlements (including the boundaries of the settlements formed) that are

part of the settlement or urban district;

3) the boundaries and description of the functional areas with the indication of the planned for placement in them objects of federal significance, objects of regional significance, objects of local significance (with the exception of linear objects) and the location of linear objects of federal significance, linear objects of regional value, linear objects of local importance.

6. Materials on its substantiation in text form and in the form of maps are attached to the master plan.

7. The materials on the substantiation of the master plan in text form contain:

1) information about the plans and programs of the comprehensive socio-economic development of the municipality (if any), for the implementation of which the creation of objects of local importance of the settlement, urban district is carried out;

2) substantiation of the chosen option of locating objects of local importance of a settlement, urban district on the basis of an analysis of the use of the territories of a settlement, urban district, possible directions for the development of these territories and predicted restrictions on their use;

3) an assessment of the possible impact of the settlement, urban district planned for the location of objects of local importance on the complex development of these territories;

4) approved by documents of territorial planning of the Russian Federation, documents of territorial planning of a constituent entity of the Russian Federation information on the types, designation and names of objects of federal significance planned to be placed on the territories of a settlement, urban district, objects of regional significance, their main characteristics, location, characteristics of zones with special conditions use of territories in the event that the establishment of such zones is required in connection with the placement of these objects, requisites The documents of the said territorial planning documents, as well as the justification of the chosen option for locating these objects based on the analysis of the use of these territories, the possible directions of their development and the predicted limitations of their use;

5) information on the types, designation and names of the objects of local importance of the municipal area that are planned to be placed on the territory of the settlement included in the municipal district, their main characteristics, location, characteristics of areas with special conditions for the use of territories in the case of if the establishment of such zones is required in connection with the placement of these objects, the details of the specified spatial planning document, as well as warping option chosen placement of data objects based on the analysis of the use of these areas, the possible directions of development and the projected limits their use;

6) a list and characteristics of the main risk factors for emergency situations of natural and man-made character;

7) a list of land plots that are included in the boundaries of the settlements that are part of the settlement, urban district, or are excluded from their borders, indicating the categories of land to which these land plots are to be attributed, and the goals of their planned use;

8) information on the approved items of protection and the borders of the territories of historical settlements of federal significance and historical settlements of regional importance.

(Clause 8 was introduced by Federal Law of December 30, 2015 N 459-FZ)

8. Materials on the substantiation of the master plan in the form of maps display:

1) the boundaries of the settlement, urban district;

2) the boundaries of the existing settlements that make up the settlement, urban district;

3) the location of existing and under construction objects of local importance of the settlement, urban district;

4) special economic zones;

5) specially protected natural territories of federal, regional, local significance;

6) territories of cultural heritage objects;

6.1) territories of historic settlements of federal significance, territories of historic settlements of regional significance, the boundaries of which were approved in the manner prescribed by Article 59 of the Federal Law of June 25, 2002 N 73-FZ "On the objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation";



(clause 6.1 was introduced by Federal Law dated 12.30.2015 N 459-FZ)

7) areas with special conditions of use of territories;

8) areas at risk of occurrence of emergency situations of natural and man-made character;

9) other objects, other territories and (or) zones that influenced the establishment of functional zones and (or) the planned location of local objects of a settlement, city district or objects of federal significance, objects of regional significance, objects of local significance of a municipal district.

#### **Article 24. Preparation and approval of the master plan of the settlement, the master plan of the urban district**

1. The general plan of the settlement, the general plan of the urban district, including the introduction of changes to such plans, are approved respectively by the representative body of local self-government of the settlement, the representative body of local self-government of the city district.

2. The decision on the preparation of a draft master plan, as well as decisions on the preparation of proposals for introducing changes to the master plan, are made respectively by the head of the local administration of the settlement, the head of the local administration of the city district.

3. Preparation of the draft master plan is carried out in accordance with the requirements of Article 9 of this Code and taking into account regional and local standards of urban planning, the results of public hearings on the draft master plan, and also taking into account the proposals of stakeholders.

(as amended by Federal Law of 20.03.2011 N 41-FZ, of 05/05/2014 N 131-FZ)

4 - 6. Lost force. - Federal law of 05.05.2014 N 131-FZ.

7. If there are cultural heritage sites on the territories of a settlement, in the process of preparing master plans, restrictions on the use of land and capital construction facilities located within the boundaries of cultural heritage protection zones are taken into account in accordance with the legislation of the Russian Federation on the protection of cultural objects heritage and article 27 of this Code.

8. The draft master plan, prior to its approval, is subject to mandatory compliance in accordance with Article 25 of this Code, in accordance with the procedure established by the federal executive body authorized by the Government of the Russian Federation.

(as amended by the Federal Law dated July 23, 2008 N 160-FZ)

9. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

10. Stakeholders are entitled to submit their proposals for the draft master plan.

11. The draft master plan shall be subject to mandatory review at public hearings held in accordance with Article 28 of this Code.

12. The minutes of public hearings on the draft master plan, the conclusion of the results of such public hearings are mandatory attachment to the draft master plan sent by the head of the local settlement administration, the head of the local administration of the city district respectively to the representative local government of the settlement, the representative local government of the city district.

13. The representative body of local self-government of the settlement, the representative body of local self-government of the city district, taking into account the minutes of public hearings on the draft master plan and the conclusions on the results of such public hearings, decide whether to approve the master plan or reject the draft master plan and send it accordingly to the head of the local administration settlement, the head of the local administration of the city district for revision in accordance with the specified protocols and conclusion.

14. Lost force. - Federal Law of 20.03.2011 N 41-FZ.

15. The right holders of land plots and capital construction objects, if their rights and legitimate interests are violated or may be violated as a result of the approval of the master plan, have the right to challenge the master plan in court.

16. State authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, local governments, interested individuals and legal entities have the right to appeal to the head of the local administration of the settlement, the head of the local

administration of the city district with proposals for amending the master plan.

17. Amendments to the master plan are carried out in accordance with this article and articles 9 and 25 of this Code.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

18. Changes to the master plan, providing for the change of the boundaries of settlements for housing or the definition of recreational areas, is carried out without holding public hearings.

(Part 18 was introduced by Federal Law of December 18, 2006 N 232-FZ)

### **Article 25. Features of the coordination of the draft general plan of the settlement, the draft general plan of the city district**

1. The draft master plan shall be coordinated with the federal executive body authorized by the Government of the Russian Federation in accordance with the procedure established by this body in the following cases:

1) in accordance with the documents of the territorial planning of the Russian Federation, it is planned to locate objects of federal significance in the territories of a settlement, urban district;

2) it is envisaged that in accordance with this project, the settlements (including the settlements formed) belonging to the settlement, the urban district, and land plots from the lands of the forest fund shall be included into the boundaries;

3) in the territories of the settlement, urban district there are specially protected natural areas of federal significance;

4) it is planned to locate in accordance with this project objects of local significance of the settlement, urban district, which may have a negative impact on water bodies that are in federal ownership.

(Part 1 as amended by the Federal Law of 20.03.2011 N 41-FZ)

2. The draft master plan shall be subject to agreement with the highest executive body of state power of the constituent entity of the Russian Federation, within whose borders there is a settlement or urban district, in the following cases:

1) in accordance with the territorial planning documents of a constituent entity of the Russian Federation, it is planned to locate objects of regional significance in the territories of a settlement or urban district;

2) in accordance with this project, it is provided for the inclusion in the boundaries of settlements (including formed settlements) belonging to the settlement, the urban district, land plots from agricultural land or exclusion from the boundaries of these settlements, land plots that are planned to be classified as categories of agricultural land;

3) in the territories of the settlement, urban district there are specially protected natural territories of regional importance.

(Part 2 as amended by the Federal Law of 20.03.2011 N 41-FZ)

2.1. If there are historical settlements of federal significance, historical settlements of regional significance in the territories of the settlement, urban district, the draft master plan shall be coordinated accordingly with the federal executive body authorized by the Government of the Russian Federation in the field of conservation, use, promotion and state protection of cultural heritage objects executive authority of the subject of the Russian Federation authorized in the field of protection of objects to Itturnogo heritage, in accordance with the Code in the manner established by the Government of Russian Federation federal executive body.

(Part 2.1 was introduced by Federal Law of 12.11.2012 N 179-FZ)

3. The draft master plan shall be agreed with the concerned local self-government bodies of the municipalities having a common border with the settlement, the city district that prepared the draft master plan, in order to observe the interests of the population of the municipalities when zones with special conditions for the use of territories are established in their territories due to the planned location of local objects of a settlement, urban district, when locating objects of local significance that may not environmental impact in the territories of such municipalities.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

4. The draft master plan for a settlement is to be agreed with the local government bodies of the municipal district in which the settlement is located, in the following cases:

1) in accordance with the territorial planning documents of the municipal district, it is planned to locate objects of local importance of the municipal district in the settlement territory;

2) on the territory of the settlement there are specially protected natural territories of local importance of the municipal district.

(Part 4 as amended by the Federal Law of 20.03.2011 N 41-FZ)

4.1. In the cases provided for by clause 1 of part 1, clause 1 of part 2, clause 1 of part 4 of this article, the draft master plan is to be agreed upon with respect to defining functional areas in which it is planned to locate federal facilities, objects of regional significance, objects of local importance of a municipal district, and (or) the location of linear objects of federal significance, linear objects of regional significance, linear objects of local importance of a municipal district. In the cases provided for by clause 3 of part 1, clause 3 of part 2, clause 2 of part 4 of this article, the draft scheme of territorial planning of a municipal district is subject to agreement on the possible negative impact of the settlements of the urban district planned for locating objects on specially protected natural areas of the federal

7. Coordination of the draft master plan with the authorized federal executive body, the highest executive body of the constituent entity of the Russian Federation, within whose borders there is a settlement or urban district, local governments of municipalities that have a common border with a settlement or urban district, local governments of municipal the area in which the settlement is located (in the case of the preparation of the draft master plan for the settlement), carries out within a three-month period from the date of receipt to these bodies of a notification on ensuring access to the draft master plan and materials on its justification in the information system of spatial planning.

(part 7 as amended by the Federal Law of 20.03.2011 N 41-FZ)

8. In the event that the head of settlement, the head of the urban district does not receive the conclusions on the draft master plan from the bodies indicated in paragraph 7 of this article, the project is considered to be coordinated with such bodies.

9. The conclusions on the draft master plan may contain provisions on agreement with such a project or disagreement with such a project on the rationale for the reasons for such a decision. In case of receipt from one or several of the authorities specified in paragraph 7 of this article, containing provisions on disagreement with the draft master plan justifying the decision, the head of the local administration of the settlement, the head of the local administration of the city district within thirty days from the date of expiration of the deadline for approval of the project master plan decide on the establishment of a conciliation commission. The maximum duration of the work of the conciliation commission may not exceed three months.

10. According to the results of the work, the conciliation commission shall submit to the head of the local administration of the settlement, the head of the local administration of the city district:

1) a document on the approval of the draft master plan and a draft master plan prepared for approval, as amended;

2) materials in text form and in the form of maps on uncoordinated issues.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

11. The documents and materials specified in paragraph 10 of this article may contain:

1) proposals to exclude from the draft master plan materials on uncoordinated issues (including by displaying them on the appropriate map in order to fix uncoordinated issues until the moment they are agreed);

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

2) the plan for agreeing on the issues indicated in clause 1 of this part after the approval of the master plan by preparing proposals for making appropriate changes to such a master plan.

12. Based on the documents and materials submitted by the conciliation commission, the head of the local administration of the settlement, the head of the local administration of the city district has the right to decide whether to send the master plan that is coordinated or not agreed in a certain part of the draft to the representative body of the local government of the settlement or rejecting such a project and sending it for revision.

## **Article 26. Implementation of territorial planning documents**

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

1. The implementation of territorial planning documents is carried out by:

- 1) preparation and approval of documentation on territory planning in accordance with territorial planning documents;
- 2) adoption in accordance with the procedure established by the legislation of the Russian Federation, decisions on the reservation of land, on the withdrawal of land plots for state or municipal needs, on the transfer of land or land plots from one category to another;

(as amended by the Federal Law of 31.12.2014 N 499-FZ)

- 3) creation of objects of federal significance, objects of regional significance, objects of local significance on the basis of the documentation on the planning of the territory.

2. The implementation of the territorial planning scheme of the Russian Federation is carried out through the implementation of measures stipulated by the programs approved by the Government of the Russian Federation and implemented at the expense of the federal budget, or regulatory legal acts of the Government of the Russian Federation, or in accordance with the procedure established by the Government of the Russian Federation by the chief administrators of the federal budget funds, or investment programs of natural monopolies.

3. The implementation of the territorial planning scheme of a constituent entity of the Russian Federation is carried out through the implementation of measures provided for by programs approved by the highest executive body of the state of the Russian Federation and implemented at the expense of the budget of the constituent entity of the Russian Federation, or regulatory legal acts of the highest executive body of the constituent entity of the Russian Federation or in the manner established by the highest executive body of state power of the subject on the order of the main managers of the budget of a constituent entity of the Russian Federation, or investment programs of natural monopolies.

4. The implementation of the territorial planning scheme of a municipal district is carried out through the implementation of measures stipulated by the programs approved by the local administration of the municipal district and implemented at the expense of the local budget or regulatory legal acts of the local administration of the municipal district or in accordance with the decisions of the main administrators local budget funds, or investment programs of utilities organizations complex

5. The implementation of the master plan of the settlement, the master plan of the urban district is carried out through the implementation of measures stipulated by the programs approved by the local administration of the settlement, the local administration of the urban district and implemented at the expense of the local budget or regulatory legal acts of the local administration, local administration of the urban district, or in accordance with the procedure established by the local administration of the settlement, the local administration of the urban district administrator of the local budget, programs for integrated development of the municipal infrastructure of settlements, urban districts, programs for integrated development of transport infrastructure of settlements, urban districts, programs for integrated development of social infrastructure of settlements, urban districts and (if available) of investment programs utilities organizations.

(as amended by Federal Law of 12/30/2012 N 289-FZ, of 12/29/2014 N 456-FZ)

5.1. Programs for integrated development of municipal infrastructure systems of settlements, urban districts, programs for integrated development of transport infrastructure of settlements, urban districts, programs for integrated development of social infrastructure of settlements, urban districts are developed by local authorities of settlements, urban districts and are subject to approval by local governments six months from the date of approval of the master plans of the respective settlements, urban districts. If the representative body of a local government of a rural settlement envisaged by paragraph 6 of Article 18 of this Code decides that there is no need to prepare its master plan, the program for the integrated development of such a rural settlement cannot be developed and approved.

(Part 5.1 was introduced by the Federal Law of 30.12.2012 N 289-FZ, as amended by the Federal Law of 29.12.2014 N 456-FZ)

5.2. Programs for the integrated development of systems of municipal infrastructure of settlements, urban districts, programs for the integrated development of transport infrastructure of settlements, urban districts, programs for the integrated development of

social infrastructure of settlements, urban districts contain schedules for the implementation of activities stipulated by these programs.

(Part 5.2 was introduced by Federal Law dated December 29, 2014 N 456-FZ)

5.3. Projects of programs for the integrated development of systems of municipal infrastructure of settlements, urban districts, programs for the integrated development of transport infrastructure of settlements, urban districts, programs for the integrated development of social infrastructure of settlements, urban districts are to be posted on the official website of the local government in the information and telecommunications network "Internet" (official website of the municipality) and publication in the manner prescribed for the official publication of Municipal legal acts, other official information, not less than thirty days before their approval.

(Part 5.3 was introduced by Federal Law dated December 29, 2014 N 456-FZ)

6. In the event that programs implemented at the expense of the federal budget, the budgets of the constituent entities of the Russian Federation, local budgets, decisions of state authorities, local governments, other main managers of funds of the respective budgets, providing for the creation of objects of federal significance, objects of regional significance, objects of local value, investment programs of natural monopolies, utilities organizations are adopted before the approval of documents planning and the creation of objects of federal significance, objects of regional significance, objects of local importance to be displayed in territorial planning documents, but not provided for by the specified territorial planning documents, such programs and decisions are subject to two months from the date of approval of these territorial planning documents with them.

7. In the event that programs implemented at the expense of the federal budget, the budgets of the constituent entities of the Russian Federation, local budgets, decisions of state authorities, local governments, other main managers of funds of the respective budgets, providing for the creation of objects of federal significance, objects of regional significance, objects of local importance, investment programs of natural monopolies, utilities organizations are accepted after the approval of documents planning and provide for the creation of objects of federal significance, objects of regional significance, objects of local importance to be displayed in territorial planning documents, but not provided for by the territorial planning documents specified in the territorial planning documents within five months from the date of approval of such programs and making such decisions according to changes.

#### **Article 27. Joint preparation of drafts of territorial planning documents by federal executive authorities, executive authorities of the constituent entities of the Russian Federation, local governments**

1. Joint preparation of draft documents of territorial planning can be carried out in order to ensure the sustainable development of territories by comprehensively addressing issues of territorial planning in the following cases:

1) planning the location of objects of federal significance, objects of regional significance provided for by territorial planning documents of the Russian Federation, territorial planning documents of a constituent entity of the Russian Federation, in the territories of a settlement, urban district, inter-settlement territory of a municipal district, territories of several municipal entities;

2) the planning of locating objects of local significance of a municipal district, stipulated by the documents of the territorial planning of a municipal district, on the territory of a settlement included in such a municipal district;

3) planning the placement of objects of regional value, objects of local importance in the territories of other constituent entities of the Russian Federation or other municipal entities;

4) imposing restrictions on the use of land plots and capital construction facilities located within the zones of protection of cultural heritage objects of federal or regional significance.

(Part 1 as amended by the Federal Law of 20.03.2011 N 41-FZ)

2. Joint preparation of draft documents of territorial planning can be carried out:

1) federal executive authorities and executive authorities of the constituent entities of the Russian Federation;

1.1) federal executive authorities and local governments;

(clause 1.1 was introduced by Federal Law of 20.03.2011 N 41-FZ)

2) executive authorities of the constituent entities of the Russian Federation;

3) executive authorities of the constituent entities of the Russian Federation and local governments;

4) local governments of municipalities.

3. With the initiative of joint preparation of draft documents of territorial planning are entitled to speak:

1) federal executive bodies;

2) the highest executive bodies of state power of the subjects of the Russian Federation;

3) local governments.

4. Proposals for joint preparation of a draft territorial planning document or draft territorial planning documents should contain provisions on the organization of coordinated work related to the preparation of a draft territorial planning document or draft territorial planning documents in terms of their content, amount and financing terms.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

5. In order to jointly prepare a draft territorial planning document or draft territorial planning documents in accordance with part 2 of this article, the federal executive bodies, the highest executive bodies of state power of the constituent entities of the Russian Federation, the local governments that received the proposals specified in part 4 of this article, within thirty days from the day they were received, they should send an answer about giving consent to the joint preparation of the draft territory document nogo planning and projects of territorial planning documents or ask for clarification provided by part 4 of this Article the provisions on the organization of coordinated work.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

6. Refusal of joint preparation of territorial planning documents in the cases specified in paragraph 1 of this Article shall not be allowed.

(Part 6 as amended by the Federal Law of 20.03.2011 N 41-FZ)

7. In case of receiving an answer on giving consent to jointly prepare a draft territorial planning document or draft territorial planning documents, a commission is created on the basis of a joint decision of the parties to jointly prepare a draft territorial planning document or draft territorial planning documents (hereinafter referred to as the commission on joint preparation of projects).

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

8. The commission for joint preparation of projects is created on the basis of equal representation of the parties.

9. The Commission for joint preparation of projects shall ensure the observance of the interests of the bodies specified in paragraph 5 of this article and the coordination of their activities in the preparation of a draft territorial planning document or draft territorial planning documents.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

10. Joint preparation of a draft territorial planning document or draft territorial planning documents should be carried out taking into account the requirements provided for in Articles 11, 15, 20 and 24 of this Code.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

11. If during the joint preparation of the draft territorial planning document, the proposals on the placement of objects of regional or local importance in the territory of another subject of the Russian Federation or the territory of another municipality are not coordinated, the issue of the placement of such objects is decided in a judicial manner.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

12. A territorial planning document, the joint preparation of which was carried out in accordance with this article, shall be approved by a state authority or local government in accordance with the competence established by articles 11, 15, 20 and 24 of this Code.

13. The procedure for joint preparation of a draft territorial planning document or draft territorial planning documents, the composition, procedure for creating and activities of a commission for joint preparation of projects may be established by the Government of the Russian Federation.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

## **Article 28. Public hearings on draft master plans for settlements, master plans for urban districts**

1. In order to respect the human right to favorable living conditions, the rights and legitimate interests of right holders of land and capital construction projects, public hearings on draft master plans, including changes to them (hereinafter - public hearings), with the participation of residents of settlements, urban districts are mandatory.

2. The procedure for organizing and conducting public hearings is determined by the charter of the municipality and (or) the regulatory legal acts of the representative body of the municipality, taking into account the provisions of this article.

3. Public hearings are held in each locality of the municipality. If changes are made to the master plan for a part of the territory of a settlement or city district, public hearings are held with the participation of the right holders of land plots and (or) capital construction facilities located within the boundaries of the territory of the settlement or city district in respect of which the said changes were prepared.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

4. When holding public hearings in order to ensure all interested persons equal opportunities to participate in public hearings, the territory of a settlement may be divided into parts. The maximum number of persons living or registered in such a part of the territory is established by the laws of the constituent entities of the Russian Federation on the basis of the requirement that all interested persons have equal opportunities to express their opinions.

5. In order to inform the public about the content of the draft master plan, the local government authorities of the settlement or the local government body of the city district are obliged to organize exhibitions, expositions of demonstration materials of the draft master plan, speeches of representatives of local governments, developers of the general plan. plans at residents' meetings, in print media, on radio and television.

6. Participants in public hearings are entitled to submit to the local government body of the settlement authorized by the public hearings or the local government body of the city district their suggestions and comments regarding the draft master plan for inclusion in the minutes of the public hearings.

7. Opinion on the results of public hearings is subject to publication in the manner prescribed for the official publication of municipal legal acts, other official information, and is posted on the official website of the settlement (if there is an official website of the settlement), the official website of the city district (if there is an official website of the city district) in the information and telecommunications network "Internet" (hereinafter - the network "Internet").

(as amended by Federal Law of 31.12.2005 N 210-FZ, of 11.07.2011 N 200-FZ)

8. The duration of public hearings from the moment the municipal residents are notified about the time and place of their holding before the date of publication of the conclusion on the results of public hearings is determined by the charter of the municipal entity and / or regulatory legal acts of the representative body of the municipal entity and may not be less than one month or more three months.

9. The head of the local administration, taking into account the conclusion on the results of public hearings, decides:

(as amended by the Federal Law of 25.12.2008 N 281-FZ)

1) on agreement with the draft master plan and sending it to the representative body of the municipality;

2) on the rejection of the draft master plan and on sending it for revision.

## **Article 29. Void.** - Federal Law of 20.03.2011 N 41-FZ.

ConsultantPlus: note.

For issues related to the approval of standards for urban planning in accordance with the requirements of this document (as amended by Federal Law of 05/05/2014 N 131-FZ), as well as the application of previously approved standards, see article 3 of the Act.

## **Chapter 3.1. REGULATIONS OF URBAN DESIGNING**

(introduced by Federal Law dated 05.05.2014 N 131-FZ)

### **Article 29.1. Urban planning standards**

1. **The norms of urban planning** are divided into:
  - 1) **regional standards** for urban planning;
  - 2) **local standards** of urban planning, which include:
    - a) city planning **standards for a municipal area**;
    - b) **standards** of urban planning **of the settlement**;
    - c) **standards** for urban planning **of the urban district**.
2. The executive authorities of the constituent entities of the Russian Federation shall ensure the systematization of town planning design standards by type of objects of regional significance and objects of local importance in the manner established by the laws of the subjects of the Russian Federation.

### **Article 29.2. Content of town planning design standards**

1. Regional standards of town planning design establish a set of calculated indicators of the minimum allowable level of provision with objects of regional significance related to the areas specified in paragraph 3 of Article 14 of this Code, other objects of regional value of the population of the constituent entity of the Russian Federation and estimated indicators of the maximum allowable level of territorial accessibility of such objects for population of the subject of the Russian Federation.
2. Regional standards of urban planning can set the limit values of the estimated indicators of the minimum allowable level of provision with local facilities, provided for in Parts 3 and 4 of this article, of the population of the municipality and the limit values of the calculated indicators of the maximum allowable level of territorial accessibility of such objects for the population of municipalities.
3. The norms of urban planning design of a municipal district establish a set of calculated indicators of the minimum allowable level of provision of objects of local importance to the municipal district, related to the areas indicated in paragraph 1 of part 3 of article 19 of this Code, other objects of local importance of the municipal district of the municipal district and estimated maximum allowable the level of territorial availability of such objects for the population of the municipal district.
4. The norms of urban planning of a settlement, urban district establish a set of calculated indicators of the minimum acceptable level of provision of local value objects of a settlement, urban district, related to the areas specified in paragraph 1 of part 5 of article 23 of this Code, improvement objects of the territory, other objects of local importance of a settlement, urban district of the population of the settlement, urban district and estimated indicators of the maximum allowable level of territorial availability such facilities for the population of the settlement, urban district.
5. **Urban planning standards include**:
  - 1) **the main part** (estimated indices of the minimum allowable level of provision with objects stipulated by parts 1, 3 and 4 of this article, population of a constituent entity of the Russian Federation, municipality and estimated indices of the maximum allowable level of territorial accessibility of such facilities for the population of a constituent entity of the Russian Federation, municipal entity);
  - 2) **materials on the substantiation of the calculated indicators** contained in the main part of the standards of urban planning;
  - 3) **the rules and scope of the calculated indicators** contained in the main part of the standards of urban planning.

### **Article 29.3. Preparation and approval of regional standards for urban planning**

1. Regional standards for urban planning and the changes in regional standards for urban planning are approved by the executive body of the state of the Russian Federation.
2. Estimated indicators of the minimum allowable level of provision of objects of regional importance to the population of a constituent entity of the Russian Federation and estimated indicators of the maximum allowable level of territorial accessibility of such facilities for the population of a constituent entity of the Russian Federation may be approved for one or several



types of objects specified in paragraph 1 of Article 29.2 of this Code.

3. Preparation of regional standards for urban planning is carried out taking into account:

- 1) the administrative-territorial structure of the subject of the Russian Federation;
- 2) the socio-demographic composition and population density of municipalities in the territories located within the boundaries of the subject of the Russian Federation;
- 3) climatic conditions of the subject of the Russian Federation;
- 4) the strategy of socio-economic development of the Russian Federation;
- 5) the program of socio-economic development of the Russian Federation;
- 6) forecast of the socio-economic development of the subject of the Russian Federation;
- 7) proposals of local governments of municipalities located within the boundaries of the subject of the Russian Federation, and stakeholders.

4. The draft regional standards for urban planning shall be posted on the official website of a constituent entity of the Russian Federation on the Internet (if there is an official website of a constituent entity of the Russian Federation) at least two months before they are approved.

5. Approved regional standards for urban planning are subject to publication in the print media established for the official publication of legal acts of state authorities of the constituent entity of the Russian Federation, as well as placement in the federal state information system of territorial planning within a period not exceeding five days from the date of approval of the specified standards .

6. The procedure for preparing, approving and changing regional standards for urban planning shall be established by law of the constituent entity of the Russian Federation, taking into account the provisions of this Code.

#### **Article 29.4. Preparation and approval of local standards for urban planning**

**1. Local standards of urban planning and the changes in local standards of urban planning are approved by the representative body of local self-government.**

2. If the regional standards of town planning design set limit values for the estimated indicators of the minimum allowable level of provision with local facilities, provided for in paragraphs 3 and 4 of Article 29.2 of this Code, of the population of municipalities, the estimated values of the minimum allowable level of provision for such objects for the population of municipalities, established by local town planning design standards cannot be lower than these limit values. Achen.

3. If the regional standards of town planning design set limit values for the estimated indicators of the maximum allowable level of territorial accessibility of local objects provided for in paragraphs 3 and 4 of Article 29.2 of this Code, for the population of municipalities, the estimated maximum allowable level of geographical accessibility of such objects for population of municipalities may not exceed these limit values.

4. Estimated indicators of the minimum permissible level of provision of local value objects of a municipal district, settlement, urban district of the population of these municipal formations and estimated indicators of the maximum permissible level of territorial availability of such objects for the population of the municipal district, settlement, urban district facilities stipulated by parts 3 and 4 of article 29.2 of this Code.

5. The preparation of local standards for urban planning is carried out taking into account:

- 1) socio-demographic composition and population density in the territory of the municipality;
- 2) plans and programs for the integrated socio-economic development of the municipality;
- 3) proposals of local governments and interested persons.

6. The draft local standards of urban planning shall be posted on the official website of the local government on the Internet (if there is an official website of the municipality) and published in the order established for the official publication of municipal legal acts, other official information, no less than two months before they are approved.

7. Approved local standards for urban planning are subject to placement in the federal state information system of territorial planning in a period not exceeding five days from the date of approval of these standards.

8. The procedure for the preparation, approval of local standards for urban planning and amending them shall be established by municipal legal acts, taking into account the provisions

of this Code.

## **Chapter 4. CITY BUILDING ZONING**

### **Article 30. Land use and development rules**

1. Land use and development rules are developed in order to:

- 1) creating conditions for the sustainable development of the territories of municipalities, the preservation of the environment and cultural heritage sites;
- 2) creating conditions for planning the territories of municipalities;
- 3) ensuring the rights and legitimate interests of individuals and legal entities, including the right holders of land plots and capital construction objects;
- 4) creating conditions for attracting investments, including by providing an opportunity to select the most efficient types of permitted use of land plots and capital construction objects.

**2. Land use and development rules include:**

- 1) the procedure for their application and amendment of the specified rules;
- 2) **urban zoning map**;
- 3) **town planning regulations**.

3. The procedure for the application of land use and development rules and the introduction of amendments thereto shall include the following provisions:

- 1) on the regulation of land use and development by local governments;
- 2) on changing the types of permitted use of land plots and capital construction objects by individuals and legal entities;
- 3) on the preparation of documentation on the planning of the territory by local governments;
- 4) on holding public hearings on land use and development issues;
- 5) on amending the rules of land use and development;
- 6) on the regulation of other issues of land use and development.

**4. On the map of town planning zoning the boundaries of territorial zones are established.** The boundaries of territorial zones must meet the requirement that each land plot belongs to only one territorial zone. Formation of one land plot from several land plots located in different territorial zones is not allowed. Territorial zones, as a rule, are not established with reference to one land plot.

5. The boundaries of the zones with special conditions for the use of territories, the boundaries of territories of cultural heritage sites, the boundaries of territories of historic settlements of federal significance, the boundaries of territories of historic settlements of regional significance are mandatory displayed on the map of town planning zoning. The boundaries of the indicated zones and territories can be displayed on separate maps.

(Part 5 as amended by the Federal Law of December 30, 2015 N 459-FZ)

**6. In the town-planning regulations for land plots and capital construction objects located within the respective territorial zone, the following shall be indicated:**

- 1) **the types of permitted use of land and capital construction objects**;
- 2) **marginal (minimum and (or) maximum) sizes** of land plots and marginal parameters of **permitted construction**, reconstruction of capital construction objects;
- 3) restrictions on the use of land plots and capital construction objects established in accordance with the legislation of the Russian Federation.

### **Article 31. Procedure for the preparation of draft land use and development rules**

1. Preparation of draft land use and development rules may be carried out in relation to all territories of settlements, urban districts, as well as parts of territories of settlements, urban districts with subsequent introduction of changes to other parts of territories of settlements, urban districts in the rules of land use and development.

2. In the case of inter-settlement areas, the preparation of draft land use and development rules may be carried out in the case of planning the development of such areas.

3. Preparation of the draft rules for land use and development is carried out taking into account the provisions on spatial planning contained in the documents of territorial planning, taking into account the requirements of technical regulations, the results of public hearings and

proposals of interested parties.

4. For a part of the territory of a settlement or urban district, the preparation of a draft land use and development rules may be carried out in the absence of a master plan for a settlement or a master plan for a city district.

5. The decision on the preparation of draft land use and development rules is taken by the head of the local administration with the establishment of city planning zoning steps applicable to all territories of a settlement, urban district or inter-settlement territory or to different parts of the settlement territories or city okrug (parts of the territories of the settlement or urban district), the procedure and terms of work on the preparation of land use and development rules and other provisions relating to the organization of these works.

6. Simultaneously with the adoption of a decision on the preparation of a draft land use and development rules, the head of the local administration approves the composition and operation of the commission for the preparation of draft land use and development rules (hereinafter referred to as the commission).

7. The head of the local administration, no later than ten days from the date of the decision to prepare the draft land use and development rules, ensures the publication of the announcement of such a decision in the manner prescribed for the official publication of municipal legal acts, other official information, and the placement of the said message on official website of the municipality (if there is an official website of the municipality) on the Internet. The announcement of such a decision may also be distributed on radio and television.

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

8. The announcement in decision 7 on the preparation of draft land use and development rules indicated in paragraph 7 of this article shall include:

- 1) the composition and operation of the commission;
- 2) the sequence of town planning zoning in relation to the territories of a settlement, urban district or inter-settlement territories or in relation to different parts of the territories of a settlement or urban district (in the case of preparing a draft land use and development rules for parts of the territories of a settlement or urban district);
- 3) the procedure and deadlines for the preparation of the draft land use and development rules;
- 4) the procedure for sending to the commission proposals from interested parties for the preparation of the draft rules for land use and development;
- 5) other issues of work organization.

8.1. The draft rules for land use and development, prepared for the territory of a historical settlement of federal significance or for the territory of a historical settlement of regional importance, must be coordinated accordingly with the federal executive body authorized by the Government of the Russian Federation in the field of conservation, use, promotion and state protection of cultural heritage objects, body executive authorities of a constituent entity of the Russian Federation authorized to protect objects of cultural heritage, in accordance with Federal Law No. 73-FZ of June 25, 2002 "On objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation".

(Part 8.1 was introduced by Federal Law of 12.11.2012 N 179-FZ)

9. The local government body checks the draft land use and development rules submitted by the commission for compliance with technical regulations, the settlement master plan, the city district master plan, territorial planning schemes of municipal districts, territorial planning schemes of the Russian Federation, and territorial planning schemes of the Russian Federation.

10. Based on the results of the inspection specified in paragraph 9 of this article, the local government sends the draft land use and development rules to the head of the municipality or, if it is found to be non-compliant with the requirements and documents specified in paragraph 9 of this article, to the commission for revision.

11. The head of the municipality, when receiving a draft of land use and development rules from a local government, decides to hold public hearings on such a project no later than ten days from the date of receipt of such a project.

12. Public hearings on the draft land use and development rules are conducted by the commission in the manner determined by the charter of the municipality and / or regulatory legal acts of the representative body of the municipality in accordance with article 28 of this

Code and parts 13 and 14 of this article.

13. The duration of public hearings on the draft rules for land use and development is not less than two and not more than four months from the date of publication of such a project.

14. In the event that land use and development rules are prepared for a part of a settlement or urban district, public hearings on the draft land use and development rules are held with the participation of the right holders of land plots and (or) capital construction facilities located within the boundaries of that part of the settlement or city district. In case of preparation of changes in land use and development rules in terms of amending the city planning regulations established for a specific territorial zone, public hearings on changes in land use and development rules are held within the boundaries of the territorial zone for which such city planning regulations are established. In these cases, the duration of public hearings can not be more than one month.

(Part 14 as amended by the Federal Law of 20.03.2011 N 41-FZ)

15. After the completion of public hearings on the draft rules for land use and development, the commission, taking into account the results of such public hearings, ensures that changes are made to the draft rules for land use and development and submits the draft to the head of the local administration. Mandatory appendices to the draft rules on land use and development are minutes of public hearings and a conclusion on the results of public hearings.

16. The head of the local administration must, within ten days after submitting the draft land use and development rules and the mandatory annexes specified in paragraph 15 of this article, decide whether to send the said project to a representative local government body or to reject the draft land use and development rules for revision with the date of its resubmission.

17. Requirements for the composition and procedure of the commission's activities shall be established in accordance with this Code by the laws of the constituent entities of the Russian Federation, normative legal acts of local self-government bodies.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

## **Article 32. Procedure for approval of land use and development rules**

**1. The rules of land use and development shall be approved by the representative body of local self-government, with the exception of cases provided for in Article 63 of this Code.** Mandatory appendices to the draft rules for land use and development are the minutes of public hearings on this project and the conclusion of the results of such public hearings. Mandatory appendix to the draft land use and development rules prepared for the territory of a historical settlement of federal significance or to the territory of a historical settlement of regional importance, except for the specified mandatory annexes, is a document confirming the approval of the draft land use and development rules respectively by the federal executive body authorized by the Government of the Russian Federation in the field of conservation, use, promotion and protection of objects of cultural heritage by the executive authority of the subject of the Russian Federation authorized in the field of protection of objects of cultural heritage in accordance with Federal Law No. 73-FZ of June 25, 2002 "On objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation" .

(as amended by Federal Law of 12.11.2012 N 179-FZ, of 10/14/2014 N 307-FZ)

2. Based on the results of the draft land use and development rules and mandatory annexes thereto, the representative body of local self-government may approve the land use and development rules or send the draft land use and development rules to the head of the local administration for revision in accordance with the results of public hearings on the said project.

3. Land use and development rules are subject to publication in the manner established for the official publication of municipal legal acts, other official information, and are posted on the official site of the settlement (if there is an official site of the settlement), the official site of the city district (if there is an official site of the city district) network "Internet".

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

4. Individuals and legal entities shall have the right to challenge the decision on the approval of land use and development rules in court.

5. The state authorities of the Russian Federation, the state authorities of the constituent entities of the Russian Federation have the right to challenge the decision on the approval of land use and development rules in a court of law if the land use and development rules do not

comply with the legislation of the Russian Federation, as well as the territorial planning schemes of the Russian Federation approved prior to the approval of land use and development rules.

### **Article 33. The procedure for amending land use and development rules**

1. Amendments to the rules of land use and development shall be carried out in the manner provided for in Articles 31 and 32 of this Code.

2. The grounds for the consideration by the head of the local administration of the issue of amending the rules for land use and development are:

1) inconsistency of land use and development rules with the general settlement plan, the general plan of the urban district, the territorial planning scheme of the municipal district, resulting from changes to such general plans or the territorial planning scheme of the municipal district;

2) the receipt of proposals on changing the boundaries of territorial zones, changing urban planning regulations.

3. Proposals for changes in land use and development rules are sent to the commission:

1) by the federal executive authorities in cases where land use and development rules may impede the functioning and location of capital construction objects of federal significance;

2) by the executive authorities of the constituent entities of the Russian Federation in cases where land use and development rules may hinder the operation and placement of capital construction objects of regional significance;

3) local self-government bodies of a municipal district in cases where land use and development rules may interfere with the operation and placement of capital construction objects of local importance;

4) local governments in cases where it is necessary to improve the procedure for regulating land use and development in the relevant territory of a settlement, the territory of a city okrug, inter-settlement territories;

5) individuals or legal entities in an initiative order or in cases if, as a result of the application of land use and development rules, land plots and capital construction objects are not used effectively, their owners are harmed, the cost of land plots and capital construction objects is reduced, the rights and legal interests of citizens and their associations.

4. The Commission, within thirty days from the date of receipt of the proposal to amend the rules for land use and development, prepares a conclusion, which contains recommendations for a change in the rules for land use and development or rejection of such a proposal indicating the reasons for rejection, in accordance with the received proposal, and sends this conclusion to the head of the local administration.

5. The head of the local administration, taking into account the recommendations contained in the conclusion of the commission, within thirty days makes a decision on the preparation of a draft on amending the rules of land use and development or on rejecting the proposal on amending these rules indicating the reasons for the rejection and sends a copy of such a decision to the applicants.

### **Article 34. The procedure for establishing territorial zones**

1. In preparing the rules for land use and development of the boundaries of territorial zones are established taking into account:

1) the possibility of combining within the same territorial zone various types of existing and planned use of land plots;

2) functional zones and parameters of their planned development, determined by the general plan of the settlement (except for the case established by paragraph 6 of Article 18 of this Code), the general plan of the urban district, the territorial planning scheme of the municipal district;  
(as amended by the Federal Law of 20.03.2011 N 41-FZ)

3) the territorial zones defined by this Code;

4) the established planning of the territory and the existing land use;

5) planned changes in the boundaries of lands of various categories;

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

6) prevent the possibility of causing damage to capital construction facilities located on adjacent

land plots;

7) a historical and cultural reference plan of a historical settlement of federal significance or a historical and cultural reference plan of a historical settlement of regional significance.

(clause 7 was introduced by Federal Law of 12.11.2012 N 179-FZ)

2. The boundaries of territorial zones can be set by:

- 1) lines of highways, streets, passages dividing traffic flows of opposite directions;
- 2) red lines;
- 3) the boundaries of land;
- 4) the boundaries of settlements within the municipalities;
- 5) the boundaries of municipalities, including the boundaries of the inner-city territories of cities of federal importance in Moscow and St. Petersburg;
- 6) the natural boundaries of natural objects;
- 7) other boundaries.

3. The boundaries of zones with special conditions for the use of territories, the boundaries of territories of cultural heritage objects established in accordance with the legislation of the Russian Federation, may not coincide with the boundaries of territorial zones.

### **Article 35. Types and composition of territorial zones**

1. As a result of urban zoning, **residential, social and business, industrial zones, engineering and transport infrastructure zones, agricultural use zones, recreational areas, specially protected areas, special purpose zones, military sites and other types of territorial zones** can be determined.

2. **The composition of residential areas** may include:

- 1) the area of building individual residential buildings;
- 2) zones of development of low-rise residential buildings;
- 3) zones of development of medium-rise residential buildings;
- 4) zones of development of multi-storey residential buildings;
- 5) residential development zones of other types.

3. In residential areas, it is allowed to place separate, built-in or attached social and household facilities, health care facilities, pre-school, primary general and secondary general education, religious buildings, parking lots of motor vehicles, garages, objects related to the residence of citizens and do not adversely affect the environment. The structure of residential areas may also include areas intended for the conduct of gardening and cottage farming.

(as amended by the Federal Law of July 2, 2013 N 185-FZ)

4. **The composition of social and business areas** may include:

- 1) areas of business, public and commercial purposes;
- 2) areas for social and community facilities;
- 3) service areas of facilities necessary for the implementation of industrial and business activities;
- 4) public-business zones of other types.

5. **Social and business areas** are intended for the placement of objects of health care, culture, trade, public catering, social and household purposes, business activities, objects of secondary vocational and higher education, administrative, research institutions, religious buildings, parking lots of automobile transport, objects of business, financial purposes, other objects related to the life support of citizens.

(as amended by the Federal Law of July 2, 2013 N 185-FZ)

6. The list of capital construction projects permitted for placement in **public business areas** may include residential buildings, hotels, underground or multi-storey garages.

7. **The composition of production areas**, engineering and transport infrastructure areas may include:

- 1) communal zones - zones where utility and storage facilities are located, housing and public utilities facilities, transportation facilities, wholesale trade facilities;
- 2) production zones - zones where industrial facilities are located with different standards of environmental impact;
- 3) other types of industrial, engineering and transport infrastructures.

8. **Production zones**, engineering and transport infrastructure areas are designed to accommodate industrial, utility and storage facilities, engineering and transport infrastructure facilities, including structures and communications for rail, road, river, sea, air and pipeline transport, communications, as well as the establishment of sanitary protection zones of such facilities in accordance with the requirements of technical regulations.

9. **Agricultural use zones** may include:

- 1) agricultural land areas - arable land, hayfields, pastures, fallow lands, lands occupied by perennial plantings (orchards, vineyards and others);
- 2) zones occupied by agricultural objects and intended for agriculture, dacha farming, gardening, personal subsidiary farming, development of agricultural objects.

10. **The territorial zones** established within the boundaries of settlements may include agricultural use zones (including agricultural land zones), as well as zones occupied by agricultural objects intended for agriculture, dacha farming, gardening, and development of agricultural objects. destination.

(as amended by the Federal Law of 12/18/2006 N 232-FZ)

11. **Recreational areas** may include zones within the boundaries of territories occupied by urban forests, squares, parks, urban gardens, ponds, lakes, reservoirs, beaches, coastal strips of public water bodies, as well as within other territories used for recreation, tourism, physical education and sports.

(as amended by the Federal Law of 19.07.2011 N 246-FZ)

12. **Territorially protected areas** may be included in territorial zones. The areas of specially protected areas may include land plots that have a special environmental, scientific, historical, cultural, aesthetic, recreational, health and other particularly valuable value.

13. Special purpose zones may include zones occupied by cemeteries, crematoriums, cattle cemeteries, objects used for the disposal of municipal solid waste, and other objects, which can be accommodated only by identifying these zones and are not allowed in other territorial zones.

(as amended by the Federal Law of December 29, 2014 No. 458-FZ)

14. The composition of territorial zones may include the placement of military facilities and other special-purpose zones.

15. In addition to those provided for in this article, the local government may establish other types of territorial zones, allocated based on functional zones and features of the use of land plots and capital construction objects.

### **Article 36. Town Planning Regulations**

1. The town planning regulations determine the legal regime of land plots, as well as everything that is above and below the surface of land plots and is used in the process of their development and subsequent operation of capital construction objects.

2. Urban planning regulations are established taking into account:

- 1) the actual use of land and capital construction facilities within the boundaries of the territorial zone;
- 2) the possibility of combining within the same territorial zone different types of existing and planned use of land plots and capital construction objects;
- 3) functional zones and characteristics of their planned development, determined by the documents of the territorial planning of municipalities;
- 4) types of territorial zones;
- 5) requirements for the protection of cultural heritage objects, as well as specially protected natural territories, other natural objects.

3. The action of town planning regulations applies equally to all land plots and capital construction objects located within the boundaries of the territorial zone indicated on the map of town planning zoning.

4. The action of town planning regulations does not apply to land plots:

- 1) within the boundaries of the territories of monuments and ensembles included in the unified state register of cultural heritage objects (historical and cultural monuments) of the peoples of the Russian Federation, as well as within the boundaries of the territories of monuments or

ensembles that are identified objects of cultural heritage and decisions about the maintenance mode, restoration parameters, conservation, reconstruction, repair and adaptation of which are adopted in the manner established by the legislation of the Russian Federation on the protection of cultural heritage objects;

(as amended by the Federal Law of 22.10.2014 N 315-FZ)

2) within the borders of common areas;

3) designed to accommodate linear objects and (or) occupied by linear objects;

(Clause 3 as amended by the Federal Law of 20.03.2011 N 41-FZ)

4) provided for mining.

(Clause 4 was introduced by Federal Law of December 31, 2005 N 210-FZ)

5. As applied to the territories of historical settlements, places of interest, lands of health-improving places and resorts, zones with special conditions for the use of territories, city-planning regulations are established in accordance with the legislation of the Russian Federation.

6. Urban planning regulations are not established for forest lands, lands covered by surface waters, reserve lands, lands of specially protected natural territories (except for lands of therapeutic and recreational areas and resorts), agricultural lands as part of agricultural lands, land plots located in boundaries of special economic zones and territories of advanced socio-economic development.

(as amended by Federal Laws of July 22, 2005 No. 117-FZ, of December 31, 2005 No. 210-FZ, of June 3, 2006 No. 73-FZ, of July 14, 2008 No. 118-FZ, of December 31, 2014 No. 519-FZ)

7. The use of land plots for which the action of town planning regulations does not apply or for which town planning regulations are not established is determined by the authorized federal executive bodies, the authorized executive bodies of the constituent entities of the Russian Federation or the authorized local governments in accordance with federal laws. The use of land plots within the boundaries of special economic zones is determined by the governing bodies of special economic zones.

(as amended by the Federal Law of 30.10.2007 N 240-FZ)

8. Land plots or capital construction objects, the types of permitted use, the marginal (minimum and/or maximum) dimensions and limiting parameters of which do not comply with the town planning regulations can be used without establishing a deadline for bringing them into line with the town planning regulations, unless the use of such land plots and capital construction facilities is dangerous for human life or health, the environment, and cultural heritage objects.

9. Reconstruction of capital construction objects specified in paragraph 8 of this article can be carried out only by bringing such objects in line with the town-planning regulations or by reducing their inconsistency with the limit parameters of the permitted construction and reconstruction. Changes in the types of permitted use of the said land plots and capital construction objects can be carried out by bringing them into line with the types of permitted use of land plots and capital construction objects established by the town-planning regulations.

10. If the use of the land plots and capital construction objects specified in paragraph 8 of this article continues and it is dangerous for the life or health of a person, the environment, objects of cultural heritage, a ban on the use of such land plots may be imposed in accordance with federal laws and facilities.

### **Article 37. Types of permitted use of land and capital construction objects**

1. The permitted use of land and capital construction projects may be of the following types:

1) the main types of permitted use;

2) conditionally permitted uses;

3) auxiliary types of permitted use, allowed only as additional with respect to the main types of permitted use and conditionally permitted uses and carried out in conjunction with them.

2. For each territorial zone, the types of permitted use of land plots and capital construction objects are established.

3. Change of one type of permitted use of land plots and capital construction objects to another type of such use is carried out in accordance with town planning regulations, subject to compliance with the requirements of technical regulations.

4. The main and auxiliary types of permitted use of land plots and capital construction objects



by right holders of land plots and capital construction objects, with the exception of state authorities, local governments, state and municipal institutions, state and municipal unitary enterprises, are chosen independently without additional permits and coordination.

5. Decisions on changing one type of permitted use of land plots and capital construction objects located on lands that are not covered by the town planning regulations or for which city planning regulations are not established, on another type of such use are made in accordance with federal laws.

6. The granting of a permit for a conditionally permitted type of use of a land plot or a capital construction object shall be carried out in the manner provided for in Article 39 of this Code.

7. A natural or legal person has the right to challenge in court the decision to grant permission for a conditionally permitted type of use of a land plot or capital construction object or to refuse to grant such permission.

### **Article 38. Limit (minimum and/or maximum) sizes of land plots and limiting parameters of permitted construction, reconstruction of capital construction objects**

1. Limit (minimum and/or maximum) sizes of land plots and limiting parameters of permitted construction, reconstruction of capital construction objects may include:

- 1) **marginal (minimum and/or maximum) sizes of land plots**, including their area;
- 2) **the minimum distance from the borders of land plots** in order to determine the locations of permissible placement of buildings, structures, structures, outside of which the construction of buildings, structures, structures is prohibited;
- 3) **the maximum number of floors or the maximum height of buildings**, structures, structures;
- 4) the maximum percentage of development within the boundaries of the land plot, defined as the ratio of the total area of the land plot that can be built up to the entire area of the land plot;
- 5) other indicators.

2. For each territorial zone, the sizes and parameters specified in paragraph 1 of this article and their combinations shall be established.

2.1. The limiting parameters of the permitted construction or reconstruction of capital construction objects as part of the town-planning regulations established for the territorial zone located within the boundaries of the territory of a historical settlement of federal or regional importance should include requirements for architectural solutions of capital construction objects. Requirements for architectural solutions of capital construction objects may include color requirements for the appearance of the capital construction object, for construction materials that determine the appearance of the capital construction object, requirements for spatial, architectural, stylistic and other characteristics of the capital construction object that affect its appearance and/or on the composition and silhouette of the building of the historical settlement.

(Part 2.1 was introduced by Federal Law of December 30, 2015 N 459-FZ)

3. Within territorial zones, subzones can be established with the same types of permitted use of land plots and capital construction objects, but with different maximum (minimum and/or maximum) sizes of land plots and the maximum parameters of permitted construction, reconstruction of capital construction objects and combinations of such sizes and parameters.

### **Article 39. The procedure for granting permits for the conditionally permitted type of use of a land plot or a capital construction object**

1. A natural or legal person interested in granting a permit for a conditionally permitted type of use of a land plot or a capital construction object (hereinafter referred to as a permit for a conditionally permitted type of use) sends an application for a permit for a conditionally permitted type of use to the commission.

2. The issue of granting permission for a conditionally authorized type of use shall be subject to discussion at public hearings. The procedure for organizing and conducting public hearings is determined by the charter of the municipality and/or regulatory legal acts of the representative body of the municipality subject to the provisions of this article.

3. In order to respect the human right to favorable living conditions, the rights and legitimate

interests of right holders of land plots and capital construction projects, public hearings on granting permission for a conditionally authorized type of use are held with the participation of citizens living within the territorial zone within which the land is located the site or capital construction object for which permission is requested. In the event that a conditionally permitted type of use of a land plot or a capital construction object may have a negative impact on the environment, public hearings are held with the participation of the right holders of land plots and capital construction objects exposed to the risk of such a negative impact.

4. The Commission sends messages on holding public hearings on the issue of granting permits for the conditionally permitted type of use to right holders of land plots that have common borders with the land plot for which this permit is requested, to right holders of capital construction sites located on land plots that have common borders with land plot, in relation to which the permit is requested, and to the right holders of the premises that are part of the property construction site for which the permit is requested. These messages are sent no later than ten days from the date of receipt of the application of the interested person for granting permission for a conditionally permitted type of use.

5. Participants in public hearings on the issue of granting permission for a conditionally authorized type of use are entitled to submit to the commission their proposals and comments regarding this issue for inclusion in the minutes of public hearings.

6. The conclusion on the results of public hearings on the issue of granting permission for a conditionally authorized type of use is to be published in the manner prescribed for the official publication of municipal legal acts, other official information, and posted on the official website of the municipality (if there is an official website of the municipality) on the network "The Internet".

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

7. The duration of public hearings from the moment the residents of the municipality are notified about the time and place of their holding before the date of publication of the conclusion on the results of the public hearings is determined by the charter of the municipality and / or regulatory legal acts of the representative body of the municipality and cannot be longer than one month.

8. On the basis of a conclusion on the results of public hearings on the issue of granting permission for a conditionally authorized type of use, the commission prepares recommendations for granting permission for a conditionally permitted type of use or denying such permission with an indication of the reasons for the decision and sends them to the head of the local administration.

9. Based on the recommendations specified in paragraph 8 of this article, the head of the local administration shall, within three days from the date of receipt of such recommendations, decide on granting permission for a conditionally authorized type of use or refusing to grant such permission. This decision is subject to publication in the manner prescribed for the official publication of municipal legal acts, other official information, and is posted on the official website of the municipality (if there is an official website of the municipality) on the Internet.

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

10. Costs associated with the organization and conduct of public hearings on the issue of granting permission for a conditionally authorized type of use shall be borne by a natural or legal person interested in granting such a permit.

11. In the event that a conditionally permitted type of use of a land plot or capital construction object is included in the town planning regulations in accordance with the procedure established for amending the land use and development rules after public hearings initiated by a natural or legal person interested in granting permission for a conditionally authorized type use, the decision to grant permission for a conditionally authorized type of use to such a person is made without a public hearings.

12. A natural or legal person is entitled to challenge in court the decision to grant permission for a conditionally authorized type of use or to refuse to grant such permission.

#### **Article 40. Deviation from the limit parameters of the permitted construction, reconstruction**

### **of capital construction objects**

1. The right holders of land plots that are smaller than the minimum land plots established by the town planning regulations or configuration, geotechnical or other characteristics of which are unfavorable for construction, may apply for permits to deviate from the limit parameters of the permitted construction, reconstruction of capital construction.
2. Deviation from the limit parameters of the permitted construction, reconstruction of capital construction objects is allowed for a separate land plot subject to the requirements of technical regulations. Deviation from the limit parameters of the permitted construction, reconstruction of capital construction objects in terms of the maximum number of floors, the maximum height of buildings, structures, structures and requirements for architectural solutions of capital construction objects within the boundaries of the territories of historical settlements of federal or regional importance.  
(as amended by the Federal Law of 30.12.2015 N 459-FZ)
3. A person interested in obtaining a permit for deviation from the limit parameters of the permitted construction, reconstruction of capital construction objects shall send to the commission an application for the granting of such a permit.
4. The issue of granting permission to deviate from the limit parameters of the permitted construction, reconstruction of capital construction objects is subject to discussion at public hearings held in the manner specified by the charter of the municipality and/or the regulatory legal acts of the representative body of the municipality subject to the provisions of Article 39 of this Code. The costs associated with the organization and conduct of public hearings on the issue of granting permission to deviate from the limit parameters of the permitted construction, reconstruction of capital construction objects, shall be borne by a natural or legal person interested in granting such a permit.
5. On the basis of a conclusion on the results of public hearings on the issue of granting permission to deviate from the limit parameters of permitted construction, reconstruction of capital construction objects, the commission prepares recommendations for granting such permission or refusing to grant such permission indicating the reasons for the decision and sends the specified recommendations head of local administration.
6. The head of the local administration shall, within seven days from the date of receipt of the recommendations referred to in paragraph 5 of this article, decide whether to grant permission to deviate from the limit parameters of the permitted construction, reconstruct capital construction objects or refuse to grant such permission indicating the reasons for the decision.
7. A natural or legal person has the right to challenge in court the decision to grant permission to deviate from the limit parameters of the permitted construction, to reconstruct capital construction objects or to refuse to grant such permission.

## **Chapter 5. TERRITORY PLANNING**

### **Article 41. Purpose and types of territory planning documentation**

1. Preparation of planning documentation for the territory is carried out in order to ensure the sustainable development of the territories, to isolate elements of the planning structure (neighborhoods, neighborhoods, other elements), to establish the boundaries of land plots on which capital construction objects are located, the boundaries of land plots intended for construction and placement objects.
2. Preparation of documentation on the planning of the territory provided for by this Code is carried out in relation to built-up or subject to building areas.
3. In the case of establishing the boundaries of undeveloped and not intended for the construction of land plots, the preparation of documentation on the planning of the territory is carried out in accordance with land, water, forest and other legislation.
4. Terminated since March 1, 2015. - Federal law of 23.06.2014 N 171-FZ.
5. When preparing documentation on the territory planning, the development of territory planning projects, land surveying projects and land development plans of city planning plans can be carried out.

6. The preparation of the territory planning project and the territory surveying project is carried out in accordance with the coordinate system used for maintaining the state real estate cadastre.

(Part 6 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

#### **Section 42. Territorial Planning Project**

1. Preparation of the territory planning project is carried out to highlight the elements of the planning structure, establish the parameters of the planned development of the planning structure elements, zones of the planned location of capital construction objects, including objects of federal significance, objects of regional significance, objects of local importance.

(as amended by Federal Law of 20.03.2011 N 41-FZ, dated 06.23.2014 N 171-FZ)

2. The territory planning project consists of the main part, which is subject to approval, and materials on its justification.

3. The main part of the territory planning project includes:

1) a drawing or planning drawings of the territory in which are displayed:

a) red lines;

b) lines denoting roads, streets, driveways, communication lines, engineering and transport infrastructure objects, passageways to public water facilities and their coastal lanes;

(as amended by the Federal Law of 19.07.2011 N 246-FZ)

c) the boundaries of the zones of the planned location of social, cultural and household facilities, other capital construction projects;

d) the boundaries of the zones of the planned location of objects of federal significance, objects of regional significance, objects of local importance;

(paragraphs "g" introduced by Federal Law of 20.03.2011 N 41-FZ)

2) regulations on location of capital construction objects of federal, regional or local significance, as well as on the characteristics of the planned development of the territory, including the density and parameters of the development of the territory and the characteristics of the development of social, transport services and engineering and technical support systems necessary for the development of the territory.

4. Materials on the substantiation of the territory planning project include materials in graphic form and an explanatory note.

5. Materials on the justification of the territory planning project in graphical form contain:

1) the layout of the element of the planning structure;

2) the scheme of use of the territory during the preparation of the project planning area;

3) the scheme of the organization of the street-road network, which may include the layout of parking (parking spaces), and the scheme of traffic in the relevant territory;

4) the scheme of borders of territories of cultural heritage objects;

5) the scheme of the boundaries of zones with special conditions of use of territories;

6) a scheme of vertical planning and engineering preparation of the territory;

7) other materials in graphic form to substantiate the provisions on the planning of the territory.

6. The explanatory note specified in part 4 of this article contains a description and justification of the provisions concerning:

1) determining the parameters of the planned construction of social, transport services and engineering and technical support systems necessary for the development of the territory;

2) protection of the territory from natural and man-made emergencies, civil defense and fire safety measures;

3) other issues of territory planning.

7. The composition and content of territorial planning projects, which are prepared on the basis of territorial planning documents of the Russian Federation, are established by this Code and the regulatory legal acts of the Russian Federation adopted in accordance with it.

8. The composition and content of territory planning projects, which are prepared on the basis of territorial planning documents of a constituent entity of the Russian Federation, territorial planning documents of a municipal formation, are established by this Code, laws and other regulatory legal acts of a constituent entity of the Russian Federation.

9. The territory planning project is the basis for the development of land surveying projects.

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### **Article 43. Land surveying projects**

1. Preparation of projects for land surveying is carried out in relation to built-up and subject to building areas located within the boundaries of the elements of the planning structure.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

2. The project of land surveying is being developed in order to determine the location of the boundaries of the formed and changing land plots.

(part 2 as amended by the Federal Law of 23.06.2014 N 171-FZ)

3. Preparation of land surveying projects is carried out as part of territory planning projects or as a separate document.

4. In preparing the draft of land surveying, the location of the boundaries of the formed and changing land plots is determined in accordance with town planning regulations and land allocation norms for specific types of activities established in accordance with federal laws and technical regulations.

(Part 4 as amended by the Federal Law of 23.06.2014 N 171-FZ)

4.1. The draft land survey prepared for the territory of the historic settlement takes into account the planning structure elements, the preservation of which is provided for by Articles 59 and 60 of the Federal Law No. 73-FZ of June 25, 2002 "On Cultural Heritage Objects (Historical and Cultural Monuments) of the Peoples of the Russian Federation".

(Part 4.1 was introduced by Federal Law of 12.11.2012 N 179-FZ)

4.2. If the development of a land survey project is carried out in relation to the territory, within the boundaries of which the formation of land plots is provided based on the approved land plot or land plots on the cadastral plan of the territory, which has not expired, the location of land plots in the survey shall correspond to the location of the boundaries of the land plots, the formation of which is provided for by this scheme.

(Part 4.2 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

5. The project of land surveying includes land surveying drawings on which are displayed:

- 1) red lines approved as part of the territory planning project;
- 2) lines of indentation from the red lines in order to determine the location of the permissible placement of buildings, structures, structures;
- 3) the boundaries of the formed and changing land plots on the cadastral plan of the territory, conditional numbers of the formed land plots;

(clause 3 as amended by the Federal Law of 23.06.2014 N 171-FZ)

4) - 5) have become invalid since March 1, 2015. - Federal Law of 23.06.2014 N 171-FZ;

- 6) the boundaries of the territories of cultural heritage objects;
- 7) the boundaries of zones with special conditions of use of territories;
- 8) the boundaries of the public servitude areas.

5.1. The project of land surveying, designed to accommodate linear objects of transport infrastructure of federal significance, regional significance or local significance, includes land surveying drawings on which the boundaries of existing and (or) land plots to be formed, including those intended for withdrawal to state or municipal needs, to accommodate such objects.

(Part 5.1 was introduced by Federal Law of July 23, 2013 N 247-FZ)

5.2. The draft survey of the territory should also include:

- 1) the area of the formed and variable land plots and their parts;
- 2) formed land plots, which after formation will be related to common areas or common property;
- 3) the type of permitted use of the formed land plots in accordance with the territory planning project in the cases provided for by this Code.

### **Article 44. Urban development plans for land plots**

1. Preparation of town-planning plans for land plots is carried out in relation to built-up or intended for construction, reconstruction of capital construction objects (with the exception of linear objects) land plots.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

2. Preparation of a town-planning plan for a land plot is carried out as part of a land survey project or as a separate document.

ConsultantPlus: note.

On the peculiarities of the content of the composition of the town-planning plan of some land plots, see Federal Law of 29.12.2004 N 191-FZ.

3. In the composition of the town-planning plan of the land plot are indicated:

- 1) the boundaries of the land;
- 2) the boundaries of the public servitude areas;
- 3) the minimum distance from the boundaries of the land plot in order to determine the locations of permissible placement of buildings, structures, structures, outside of which the construction of buildings, structures, structures is prohibited;
- 4) information about the town planning regulations (in case the land plot is subject to the town planning regulations). At the same time, the urban development plan of a land plot, with the exception of cases when a land plot is provided for state or municipal needs, should contain information on all types of permitted use of a land plot stipulated by the town planning regulations;
- 5) information on the permitted use of the land plot, requirements for the purpose, parameters and location of the capital construction object on the specified land plot (in cases where the land plot is not subject to town planning regulations or there are no city planning regulations for the land plot);
- 6) information on capital construction objects located within the boundaries of the land plot, cultural heritage objects;
- 7) information on the technical conditions of connection (technological connection) of capital construction projects to the networks of engineering and technical support (hereinafter referred to as technical conditions);

(as amended by the Federal Law of 30.12.2012 N 318-FZ)

8) the boundaries of the zone of the planned location of capital construction objects for state or municipal needs.

4. The composition of the town-planning plan of the land plot may include information on the possibility or impossibility of its division into several land plots.

5. The form of the town-planning plan of the land plot shall be established by the federal executive body authorized by the Government of the Russian Federation.

(as amended by the Federal Law dated July 23, 2008 N 160-FZ)

(Part 5.2 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

6. As part of land surveying projects, preparation of town-planning plans for land plots to be built and city-planning plans for built-up land plots may be carried out.

(as amended by Federal Law of 20.03.2011 N 41-FZ, dated 06.23.2014 N 171-FZ)

#### **Article 45. Preparation and approval of territory planning documentation**

1. Decisions on the preparation of planning documentation for the territory are made by authorized federal executive bodies, executive bodies of the constituent entity of the Russian Federation, and local governments.

2. Authorized federal bodies of executive power shall ensure the preparation of documentation on the planning of the territory on the basis of the territorial planning documents of the Russian Federation, if such documents provide for the placement of linear objects of federal significance.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

3. The executive authorities of the constituent entity of the Russian Federation shall ensure the preparation of documentation on the planning of the territory on the basis of the territorial planning documents of the constituent entity of the Russian Federation, if such documents provide for the placement of linear objects of regional significance.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

4. The local government of the municipal district shall ensure the preparation of documentation on the planning of the territory on the basis of the territorial planning documents of the municipal district, if such documents provide for the placement of linear objects of local importance or capital construction objects in inter-settlement territories, as well as on the basis of land use and development rules for inter-settlement territories.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

5. Local governments of the settlement, local governments of the city district shall ensure

preparation of documentation on the territory planning on the basis of the general settlement plan (except for the case specified in paragraph 6 of Article 18 of this Code), the city district master plan, land use and development rules.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

5.1. Authorized federal executive authorities, executive authorities of a constituent entity of the Russian Federation, local governments of a municipal district, with the consent of local authorities of a settlement, city district, have the right to prepare documentation of the territory planning, which provides accommodation in accordance with the territorial planning documents of the Russian Federation and territorial planning documents subject of the Russian Federation, documents of the territory planning of the municipal district of federal significance, objects of regional significance, local facilities, non-linear objects.

(Part 5.1 was introduced by Federal Law of 20.03.2011 N 41-FZ)

6. It is not allowed to prepare documentation on the planning of the territory (except for the cases of preparing projects for surveying built-up areas and town-planning plans of land plots according to statements by individuals or legal entities, as well as the case provided for in paragraph 6 of Article 18 of this Code) in cases involving placement of federal values in the areas specified in paragraph 1 of Article 10 of this Code, objects of regional significance, objects of local importance of a municipal district, if and the placement of such objects is not provided for by the territorial planning documents of the Russian Federation in the areas indicated in paragraph 1 of Article 10 of this Code, the territorial planning documents of the constituent entity of the Russian Federation, the territorial planning documents of the municipal district, as well as in cases not involving the location of federal objects, regional values, objects of local importance of municipal districts, in the absence of a master plan for the urban district or (territorial planning schemes of a municipal district in relation to intercultured territories).

(part 6 as amended by the Federal Law of 30.12.2012 N 289-FZ)

7. In the event a decision is made on the preparation of the territory planning documentation, the authorized federal executive body, the executive body of the constituent entity of the Russian Federation, the local government body of the municipal district shall send a notification of the decision to the head of the settlement, head of the urban district within ten days from the date of such decision. in relation to the territories where such a decision was made.

8. The preparation of the site planning documentation is carried out by the authorized executive authorities, local governments independently or by them on the basis of a state or municipal contract concluded in accordance with the legislation of the Russian Federation on the contract system in the field of procurement of goods, works and services to ensure state and municipal needs, by other persons, with the exception of the case specified in paragraph 8.1 of this article. Preparation of documentation on the planning of the territory, including providing for the placement of objects of federal significance, objects of regional significance, objects of local importance, can be carried out by individuals or legal entities at the expense of their funds.

(part 8 as amended by the Federal Law of 12/28/2013 N 396-FZ)

8.1. If, in accordance with this Code, an agreement on the integrated development of a territory or an agreement on the development of a built-up territory has been concluded, documentation on the planning of the territory within the boundaries of the relevant territory is prepared by persons with whom the relevant agreements have been concluded. In relation to the land plot provided to a non-profit organization created by citizens for gardening, horticulture, and dacha farming, the preparation of a draft plan for the relevant territory and / or a land survey project for the corresponding territory is provided by the said non-profit organization. The preparation of a territory planning project and a territory surveying project in respect of a land plot provided for the maintenance of a dacha farm to another legal entity is provided by this legal entity.

(Part 8.1 as amended by the Federal Law of 23.06.2014 N 171-FZ)

9. In the case of admission to authorized federal executive bodies, executive authorities of a constituent entity of the Russian Federation or local authorities provided for in part 1 of this article, statements on making decisions on the preparation of territory planning

documentation from the persons specified in part 8.1 of this article, such the authorities within fourteen working days from the date of receipt of these statements are required to decide on the preparation of documentation for the planning of the relevant territory.

(Part 9 as amended by the Federal Law of 27.12.2009 N 343-FZ)

9.1. Approval of land planning documentation, designed to create a special economic zone, carried out special economic zones administrations.

(9.1 part introduced by Federal Law 30.10.2007 N 240-FL)

10. Preparation of documents for territory planning is carried out on the basis of documents of territorial planning, land use and development in accordance with the requirements of technical regulations, standards of urban design, town planning regulations, taking into account the boundaries of areas of cultural heritage sites, included in the state register of cultural heritage (monuments of history and cultures) of the peoples of the Russian Federation, the borders of the territories of the objects of cultural Heritage boundaries of areas with special conditions for land use, as well as the programs for the integrated development of the communal settlement infrastructure systems, urban district, an integrated program of transport infrastructure development of the settlement, urban district, an integrated program of social infrastructure development of the settlement, urban district.

(In red. Federal laws of 20.03.2011 N 41-FL from 22.10.2014 N 315-FL, 456 from 29.12.2014 N-FZ)

ConsultantPlus: note.

The provisions of Paragraph 10.1 of Article 45 (as amended by Federal Law of 23.07.2013 N 247-FZ) are applied if the decision on preparation of documents for territory planning, designed to accommodate the linear transport infrastructure federal, regional or local importance, it was decided after the date of entry into force of the Federal law dated 23.07.2013 N 247-FZ.

10.1. The preparation of planning documentation for the territory intended for the placement of linear objects of transport infrastructure of federal, regional or local significance is carried out taking into account the requirements established by part 10 of this article and in accordance with the results of engineering surveys.

(Part 10.1 was introduced by Federal Law dated 07.23.2013 N 247-FZ)

11. If the decision on the preparation of the planning documentation for the territory is taken by the authorized federal executive body, the executive body of the constituent entity of the Russian Federation, the local government body of the municipal district, the preparation of this documentation should be carried out in accordance with the territorial planning documents of the Russian Federation and the territorial planning documents subjects of the Russian Federation, territorial planning documents of the district.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

12. Authorized federal executive bodies verify the territory planning documentation prepared on the basis of their decisions for compliance with the requirements specified in paragraph 10 of this article, within thirty days from the date of receipt of such documentation and approve the territory planning documentation based on the results of the audit or decide on the rejection of such documentation and on sending it for revision.

(Part 12 as amended by the Federal Law of 20.03.2011 N 41-FZ)

12.1. Authorized bodies of executive power of a constituent entity of the Russian Federation, local governments carry out verification of the territory planning documentation prepared on the basis of their decisions for compliance with the requirements specified in paragraph 10 of this article, within thirty days from the date of receipt of such documentation and make decisions on the results of such documentation, respectively, to the highest executive body of state power of the subject of the Russian Federation, the head of the local administration on the approval or rejection of such documents and to send it back for revision.

(Part 12.1 is introduced by the Federal Law of 20.03.2011 N 41-FZ)

12.2. Territory planning documentation prepared on the basis of a decision of an authorized federal executive body, executive body of a constituent entity of the Russian Federation, a local government body of a municipal district, prior to its approval is subject to coordination with local authorities of the settlement, city district, for whose territories such documentation was developed.

(Part 12.2 is introduced by the Federal Law of 20.03.2011 N 41-FZ)

12.3. Planning documentation prepared for the lands of the forest fund, prior to its approval, is subject to approval by the state authorities that provide forest land within the boundaries of the forest land.

(Part 12.3 was introduced by Federal Law dated 06.23.2014 N 171-FZ)



12.4. The territory planning project, which provides for the placement of objects of federal significance, objects of regional value or objects of local significance, for which the land plots for state or municipal needs are allowed to be withdrawn, prior to its approval, is subject to coordination with the state or local government bodies authorized to make decisions on seizure of land for state or municipal needs. The subject of coordination of the project planning area with the specified state authority or local authority are the boundaries of the planned location of objects of federal significance, objects of regional significance or objects of local importance provided by this project of planning the territory.

(Part 12.4 is introduced by Federal Law of December 31, 2014 N 499-FZ)

12.5. If, after thirty days from the date of receipt by the state or local authorities authorized to make a decision on the withdrawal of land plots for state or municipal needs, the territory planning project specified in paragraph 10 of this article, such bodies do not submit objections regarding this draft plan, it is considered agreed.

(Part 12.5 is introduced by Federal Law dated December 31, 2014 N 499-FZ)

12.6. Territory planning project providing for the placement of federal objects, objects of regional significance or objects of local significance, for which the land plots are allowed for state or municipal needs, on land plots owned or provided to individuals or legal entities, state authorities or local governments, is not valid in the part of defining the boundaries of the zones of the planned placement of such objects in the case if within three It is from the date of approval of the project of planning the territory pending a decision on withdrawal of land plots for state or municipal needs.

(Part 12.6 is introduced by Federal Law of December 31, 2014 N 499-FZ)

13. The specifics of the preparation of planning documentation for the territory, developed on the basis of the decision of the local government of the settlement, the local government of the city district, are established by article 46 of this Code.

14. The territory planning documentation submitted by the authorized executive authorities of the constituent entity of the Russian Federation, local governments, is approved accordingly by the highest executive authority of the government of the constituent entity of the Russian Federation, the head of the local administration within fourteen days from the date of receipt of the said documentation.

(as amended by Federal Law of 27.12.2009 N 343-FZ, of 03/20/2011 N 41-FZ)

15. The territory planning documentation, approved by the appropriately authorized federal executive bodies, the highest executive body of the constituent entity of the Russian Federation, the head of the local administration of the municipal district, is sent to the head of the settlement, the head of the urban district, for whose territories the documentation was prepared, days from the date of its approval.

(as amended by the Federal Law of 20.03.2011 N 41-FZ)

16. The head of the local administration ensures the publication of the territory planning documentation specified in part 15 of this article (territory planning projects and land surveying projects) in accordance with the procedure established for the official publication of municipal legal acts, other official information, and places information on such documentation on the official website municipal formation (in the presence of the official website of the municipality) on the Internet.

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

17. State authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, local governments, individuals and legal entities have the right to challenge in a judicial procedure the planning documentation of the territory.

18. The procedure for the preparation of documentation on the planning of the territory, the preparation of which is carried out on the basis of decisions of authorized federal executive bodies, is established by this Code and the regulatory legal acts of the Russian Federation adopted in accordance with it.

19. The procedure for preparing documentation on the planning of the territory, the preparation of which is carried out on the basis of decisions of the executive authorities of the constituent entities of the Russian Federation, is established by this Code and the laws of the constituent entities of the Russian Federation.

20. The procedure for preparing documentation on the planning of the territory, developed on

the basis of decisions of local governments, is established by this Code and the regulatory legal acts of local governments.

**Article 46. Features of the preparation of documentation on the planning of the territory, developed on the basis of the decision of the local government of the settlement or local government of the city district**

1. The decision on the preparation of the territory planning documentation is taken by the local government of the settlement or the local government of the city district on the initiative of these bodies or on the basis of proposals from individuals or legal entities on the preparation of documentation on the territory planning.

(as amended by Federal Law of 27.12.2009 N 343-FZ, of 06.23.2014 N 171-FZ)

1.1. In the case of the preparation of the territory planning documentation by the persons specified in paragraph 8.1 of Article 45 of this Code, the decision by the local government body on the preparation of the territory planning documentation is not required. The preparation of this documentation, as well as its approval by the local government body of the settlement, the local government body of the city district, is carried out in the manner prescribed for the territory planning documentation, which is prepared on the basis of the decision of the local government body of the settlement, the local government body of the city district.

(Part 1.1 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

2. The decision specified in paragraph 1 of this article shall be published in the order established for the official publication of municipal legal acts, other official information, within three days from the date of the adoption of such a decision and posted on the official site of the settlement (if there is an official site of the settlement) or the official site of the city district (in the presence of the official site of the city district) on the Internet.

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

3. From the day of the publication of the decision on the preparation of the territory planning documentation, individuals or legal entities are entitled to submit their proposals on the procedure, terms of preparation and content of the territory planning documentation to the local government body of the settlement or local government body of the city okrug.

4. The local government of the settlement or the local government of the city district shall verify the documentation on the planning of the territory for compliance with the requirements established by paragraph 10 of Article 45 of this Code. Based on the results of the inspection, the said authorities take the appropriate decision on the direction of the territory planning documentation to the head of the settlement, the head of the urban district or on the rejection of such documentation and on sending it for revision.

5. Projects of territory planning and land surveying projects prepared as part of the territory planning documentation based on the decision of the local government body of a settlement or local government body of a city district, prior to their approval, are subject to mandatory review at public hearings.

5.1. Public hearings on the territory planning project and the territory surveying project are not held if they are prepared for:

- 1) the territory to be integrated development in accordance with the agreement on the integrated development of the territory;
- 2) territories within the boundaries of a land plot provided by a non-profit organization created by citizens for gardening, gardening, dacha farming, or for dacha farming to another legal entity;
- 3) the territory for the placement of linear objects within the boundaries of forest land.

(Part 5.1 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

6. The procedure for organizing and conducting public hearings on the territory planning project and the territory surveying project is determined by the charter of the municipality and/or regulatory legal acts of the representative body of the municipality taking into account the provisions of this article.

7. In order to respect the human right to favorable living conditions, the rights and legitimate interests of right holders of land plots and capital construction projects, public hearings on the territory planning project and the territory surveying project are held with the participation of citizens living in the territory for which the draft planning is being prepared and the project of

its land survey, owners of land and capital construction facilities located in the specified area, whether Legitimate interests may be violated in connection with the implementation of such projects.

8. When holding public hearings on the territory planning project and the land surveying project, all interested persons should be provided with equal opportunities to express their opinion.

9. Participants in public hearings on a territory planning project and a territory surveying project are entitled to submit to the local government authority of the settlement or local government authority of the city okrug authorized to conduct public hearings their proposals and comments regarding the territory planning project or land surveying project for inclusion in the protocol public hearings.

10. The conclusion on the results of public hearings on the territory planning project and the territory surveying project is to be published in the order established for the official publication of municipal legal acts, other official information, and is posted on the official settlement website (if there is an official settlement site) or on the official city website. district (in the presence of the official website of the city district) on the Internet.

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

11. The duration of public hearings from the date of notification of residents of the municipality about the time and place of their holding before the date of publication of the conclusion on the results of public hearings is determined by the charter of the municipality and / or regulatory legal acts of the representative body of the municipality and can not be less than one month or more three months.

12. The local government of a settlement or local government of a city district shall send, respectively, the head of the local administration of the settlement, the head of the local administration of the city district, prepared documentation on the territory planning, a protocol of public hearings on the territory planning project and a land surveying project and a conclusion on the results of the public hearings no later than fifteen days from the date of the public hearing.

13. The head of the local administration of the settlement or the head of the local administration of the city district, taking into account the protocol of public hearings on the draft territory planning and draft surveying the territory and the conclusion on the results of the public hearings, decides whether to approve the site planning documentation or reject such documentation and send it to the authority local government for revision, taking into account the specified protocol and conclusion.

14. Approved territory planning documentation (territory planning projects and land surveying projects) shall be published in the manner established for official publication of municipal legal acts, other official information, within seven days from the date of approval of the said documentation and posted on the official website of the municipal entity (in the presence of the official website of the municipality) on the Internet.

(as amended by the Federal Law of 31.12.2005 N 210-FZ)

15. On the basis of the territory planning documentation approved by the head of the local administration of the settlement or the head of the local administration of the city district, the representative body of local self-government has the right to make changes to the rules of land use and development in terms of clarifying the limits for the permitted construction and reconstruction of capital construction objects established by the town planning regulations.

16. Preparation of documentation on the planning of inter-settlement territories on the basis of the rules of land use and development of inter-settlement territories is carried out on the basis of a decision of the local government of the municipal district in accordance with the requirements of this article.

17. In the event that an individual or legal entity applies to a local government body with an application for issuing a land development plan to him, the procedures provided for in Parts 1 to 16 of this article are not required. Within thirty days from the date of receipt of the said appeal, the local government body prepares the town-planning plan of the land plot and approves it. The local government provides the applicant with a town-planning plan of the

land plot free of charge.

18. Lost force. - Federal law of 13.05.2008 N 66-FZ.

### **Article 46.1. Development of built-up areas**

(introduced by Federal Law of December 18, 2006 N 232-FZ)

1. The development of built-up areas is carried out within the boundaries of an element of the planning structure (quarter, microdistrict) or its part (s), within the boundaries of adjacent elements of the planning structure or their parts.
2. The decision on the development of built-up territory is taken by the local government of the settlement, the local government of the city district on the initiative of the state authority of the Russian Federation, the local government, individuals or legal entities with city-planning regulations, as well as regional and local standards of city-planning design their absence - the estimated indicators of providing such territory to the objects approved by the local government body and social and household purposes, engineering infrastructure).  
(as amended by the Federal Law of 23.06.2014 N 171-FZ)
3. A decision on the development of a built-up area may be taken if the following are located on such a territory:
  - 1) apartment buildings, recognized in the procedure established by the Government of the Russian Federation as emergency and subject to demolition;
  - 2) apartment buildings, demolition, reconstruction of which is planned on the basis of municipal targeted programs approved by the representative body of local self-government.
4. On the built-up area in respect of which a decision on development has been made, other capital construction objects may be located, the type of permitted use and the limiting parameters of which do not comply with the town planning regulations.
5. In the built-up area in respect of which a decision on development has been made, other capital construction objects cannot be located, except for those specified in Parts 3 and 4 of this Article.
6. In the decision on the development of a built-up area, its location and area, a list of addresses of buildings, structures, and structures to be demolished or reconstructed should be determined.
7. Development of built-up areas is carried out on the basis of an agreement on the development of a built-up area in accordance with Article 46.2 of this Code.
8. Provision for construction within the boundaries of the territory in respect of which a development decision has been made, of land plots that are municipal property or state property on which is not demarcated and which are not leased and owned by citizens and legal entities, is carried out by a person with whereby the local government has concluded an agreement on the development of a built-up area without bidding in accordance with land legislation.

### **Article 46.2. Development Agreement**

(introduced by Federal Law of December 18, 2006 N 232-FZ)

1. Under an agreement on the development of a built-up area (hereinafter also referred to as an agreement), one party undertakes, within the period specified in the agreement, to fulfill its obligations on its own and at its own expense and / or with the involvement of other persons and / or funds of other persons in accordance with clauses 3 - 6 of part 3 of this article, and the other party (local government) is obliged to create the necessary conditions for fulfilling obligations in accordance with paragraphs 7–9 of part 3 of this article. The contract may provide for other obligations of the parties in accordance with paragraph 4 of this article.
2. The contract is concluded by the local government that made the decision on the development of the built-up area with the winner of a public auction for the right to conclude such a contract or by another person in accordance with paragraphs 17.2, 17.3, 25 and 28 of article 46.3 of this Code.
3. The essential terms of the contract are:
  - 1) information on the location and area of the built-up area in respect of which a decision was made on development, a list of addresses of buildings, structures, and structures to be

demolished, reconstructed;

2) the price of the right to enter into an agreement;

3) the obligation of the person who has entered into an agreement with the local government body to prepare a draft plan for the built-up area, including a draft survey of the built-up area in respect of which a development decision has been made, in accordance with town-planning regulations, regional and local town-planning design standards accordance with the approved by the local government body, the estimated indicators of ensuring such a territory with objects of social and household engineering infrastructure facilities); maximum terms for the preparation of such documents;

(as amended by the Federal Law of 23.06.2014 N 171-FZ)

4) the obligation of a person who has entered into an agreement with a local government body to create or acquire, as well as transfer, to state or municipal property, comfortable residential premises for the provision of citizens who are evicted from residential premises provided under social rent agreements, specialized residential premises and located on built-up area in respect of which the decision on development was made; the maximum time for the fulfillment of the specified obligation;

5) the obligation of a person who has entered into an agreement with a local government body to pay compensation for residential premises in multi-apartment buildings recognized as emergency and subject to demolition and located on a built-up area in respect of which are withdrawn based on the decision of the local government body a decision was taken on development, and the land plots on which such apartment buildings are located, with the exception of residential premises and land plots located in their own concern, including jointly owned by the Russian Federation, the subject of the Russian Federation, municipality, if owners of such premises have been transferred in accordance with paragraph 4 of this subsection; the maximum time for the fulfillment of the specified obligation;

(as amended by the Federal Law of 31.12.2014 N 499-FZ)

6) the obligation of the person who has entered into an agreement with the local government body to carry out construction on the built-up area in respect of which a development decision has been made, in accordance with the approved draft plan of the built-up area; maximum construction time;

7) the obligation of the local government to approve the draft planning of the built-up area, including the project of land surveying of the built-up area in respect of which a development decision has been made, in accordance with town-planning regulations, regional and local town-planning design standards (in their absence, in accordance with approved local government bodies settlement indices of providing such a territory with objects of social and household use, objects of engineering engineering fractions); the maximum time for the fulfillment of the specified obligation;

(as amended by the Federal Law of 23.06.2014 N 171-FZ)

8) the obligation of the local government to decide in accordance with the established procedure on the withdrawal for municipal needs of residential premises in apartment buildings recognized as emergency and subject to demolition and located on the built-up area in respect of which the development decision was made, as well as the land plots on which apartment buildings; the maximum time for the fulfillment of the specified obligation;

(as amended by the Federal Law of 31.12.2014 N 499-FZ)

9) the obligation of the local government body, after the person who has entered into an agreement with the local government body fulfills the obligations specified in clauses 3–5 of this part, to provide the said person without bidding in accordance with land legislation for construction within the boundaries of the built-up area in respect of which the decision has been made development, land plots that are in municipal ownership or state ownership of which is not demarcated (if the order is and land is carried out by the local government) and which are not provided for the use and/or in the possession of citizens and legal entities; The maximum timeframe for the fulfillment of the specified obligation The contract may provide for the provision of such land plots as you fulfill the obligations stipulated in paragraphs 4 and 5 of this part;

(as amended by the Federal Law of 23.06.2014 N 171-FZ)

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10) the term of the contract;

11) liability of the parties for non-performance or improper performance of the contract.

4. In addition to the essential conditions specified in paragraph 3 of this Article, other essential conditions may be stipulated in the contract, including:

1) the obligation of a person who has entered into an agreement with a local government body to carry out construction and/or reconstruction of engineering, social, and public utility infrastructure facilities designed to provide a built-up area in respect of which a development decision has been made; the maximum time for the fulfillment of the specified obligation;

2) an indication of the types of objects stipulated by clause 1 of this part and subject to transfer to municipal property upon completion of construction; terms and conditions of such transfer;

3) the conditions and extent of participation of the local government body in the development of the built-up area with an indication of the relevant dates;

4) the methods and amount of the enforcement of the contract by the person who has entered into the contract with the local government body;

5) the obligation of the local government body to provide, in accordance with the program for the integrated development of the municipal infrastructure systems of a settlement, urban district, construction and/or reconstruction beyond the borders of a land plot or land plots for which an agreement has been concluded, public infrastructure facilities necessary to ensure connection (accession) at the borders of such land plots to the objects of municipal infrastructure built on such land plots; The maximum timeframe for the fulfillment of the specified obligation

(clause 5 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

5. It is prohibited to include in the contract the conditions on the transfer to the state or municipal property of residential premises, with the exception of the residential premises specified in clause 4 of part 3 of this article, as well as the establishment of other conditions of the contract if such conditions entail additional expenses of the person signed an agreement with the local government.

6. Acquisition of rights to land plots and capital construction objects located within the boundaries of a built-up area in respect of which a development decision has been made, and not subject to seizure for municipal needs, by a person who has entered into an agreement with a local government body, is carried out in accordance with civil legislation and land legislation.

7. In the implementation of the turnover of land plots provided in accordance with Part 8 of Article 46.1 of this Code and clause 9 of part 3 of this article, responsibilities for meeting the requirements provided for by clause 6 of part 3 of this article and other requirements are transferred to new rightholders, if they are significant terms of the contract in accordance with part 4 of this article and define the obligations of the person who has entered into the contract with the local government body to be performed after the provision of these land plots.

8. In case of non-fulfillment or improper fulfillment of obligations stipulated by clause 6 of part 3 of this article and other obligations if they are the essential terms of the contract and are subject to fulfillment after the land plots are provided in accordance with clause 8 of article 46.1 of this Code and clause 9 of part 3 of this Articles, rights to the relevant land plots can be terminated in accordance with land legislation and civil legislation.

9. A local government body has the right to refuse to execute a contract unilaterally in the following cases:

1) a person who has entered into an agreement with a local government body fails to fulfill the obligations stipulated in clauses 3–5 of part 3 and clause 4 of part 4 of this article;

2) non-fulfillment by a person who has entered into an agreement with a local government body, or in accordance with part 7 of this article by new right holders of land plots of obligations stipulated by clause 6 of part 3 of this article, and clauses 1 and 2 of part 4 of this article, if such obligations are stipulated by the contract ;

3) in other cases established by federal law or contract.

10. A person who has entered into an agreement with a local government body shall

unilaterally have the right to refuse to perform the agreement in the event of:

- 1) non-fulfillment by the local government body of the obligations provided for by clauses 7–9 of part 3 of this article, and also by clause 3 of part 4 of this article, if such obligations are provided by the contract;
- 2) in other cases established by federal law or contract.

**Article 46.3. The procedure for organizing and conducting an auction for the right to conclude an agreement on the development of a built-up area**

(introduced by Federal Law of December 18, 2006 N 232-FZ)

1. The auction for the right to conclude an agreement on the development of a built-up area is open in terms of the composition of participants and the form for submitting applications (hereinafter referred to as the auction).

2. The decision to hold an auction is made by the head of the local administration of the municipality, whose local government has decided to develop the built-up area.

(as amended by the Federal Law of 23.06.2014 N 171-FZ)

3. The local government body that made the decision on the development of the built-up area, or a specialized organization acting on the basis of an agreement with it, acts as the organizer of the auction.

4. The local government that made the decision to hold an auction determines the starting price of the auction item, the amount of the deposit and the essential terms of the contract. The method of determining the initial price of the subject of the auction can be established by the subject of the Russian Federation.

5. The auction organizer shall establish the time, place and procedure for holding the auction, the form and deadlines for submitting applications for participation in the auction, the procedure for making and returning the deposit, the amount of increase in the initial price of the auction item ("auction step"). "Auction step" is set in the range from one percent to five percent of the initial price of the subject of the auction.

6. The notice of the auction shall be posted on the official website of the Russian Federation on the Internet for posting information on the conduct of the auction (hereinafter the official website on the Internet) not less than thirty days before the day of the auction. The Government of the Russian Federation determines the official site on the Internet and the body authorized to maintain it. Until the Government of the Russian Federation determines the official website on the Internet, the notice of the auction is posted on the official website of the municipal entity on the Internet or in the absence of the official website of the municipal entity on the official site of the subject of the Russian Federation within which the municipal entity is located, in the Internet, as well as published by the auction organizer in the manner prescribed for the official publication of municipal legal acts and other official information. Information on the auction should be available for review to all interested parties free of charge.

(part 6 as amended by the Federal Law of 06.12.2011 N 401-FZ)

7. The notice of the auction to be published in the manner established for the official publication of municipal legal acts, other official information, must contain the following information:

- 1) the name, location, postal address and e-mail address, contact telephone number of the local government body or specialized organization;
- 2) an indication of the official site on which the notice of the auction;
- 3) the place, date, time of the auction;
- 4) the address of the place of reception, the procedure and deadline for submitting applications for participation in the auction;

(as amended by the Federal Law of 23.06.2014 N 171-FZ)

5) the details of the decision of the local government on the development of the built-up area in respect of which the decision on development has been taken;

6) the location, the area of the built-up area in respect of which the decision on development has been made;

7) the initial price of the right to enter into an agreement.

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8. In the notice of the auction, posted on the official website in the manner prescribed by part 6 of this article, along with the information provided for by part 7 of this article, the following information should be indicated:

- 1) requirements for the content and application form for participation in the auction;
- 2) the procedure and time limit for the withdrawal of applications for participation in the auction, the procedure for amending such applications;
- 3) encumbrances of rights to land plots that are in municipal ownership and located within the boundaries of such a territory, and restrictions on their use, encumbrances on rights to immovable property located in municipal ownership and located on such territories;
- 4) an indication of the town planning regulations established for land plots within the built-up area in respect of which a decision on development has been made;
- 5) regional and local standards of urban planning (in their absence, the estimated indicators approved by the local government body for the built-up area in respect of which a decision was made on development, social and community facilities, engineering infrastructure objects);  
(as amended by the Federal Law of 23.06.2014 N 171-FZ)
- 6) "auction step";
- 7) the size of the deposit, the term and procedure for making it, account details for transferring the deposit in the event that the local government body has established requirements for making a deposit for participation in the auction;
- 8) the essential terms of the contract, established in accordance with parts 3 and 4 of Article 46.2 of this Code;
- 9) draft agreement.

9. The auction organizer has the right to refuse to hold an auction no later than fifteen days prior to the day of the auction. A notice of refusal to hold an auction is published by the auction organizer in print publications, in which, in accordance with Part 6 of this article, a notice of the auction was published, and posted on the official website on the Internet, on which the notice of the auction was posted, respectively within five working days and within two working days from the date of the decision to refuse to hold an auction. The auction organizer is obliged to notify the auction participants of their refusal to hold the auction within three days and return the advance payments they made to the auction participants.

10. To participate in the auction, the applicants shall submit the following documents in accordance with the deadline set in the notice of the auction:

- 1) an application for participation in the auction in the prescribed form, indicating the details of the account for returning the deposit in the event that the local government body has established requirements for making a deposit for participation in the auction;
- 2) has expired. - Federal Law of 20.04.2015 N 102-FZ;
- 3) documents confirming the deposit payment in the event that the local government body has established the requirement to pay a deposit for participation in the auction;
- 4) documents about the applicant's absence of arrears of accrued taxes, fees and other obligatory payments to budgets of any level or state extra-budgetary funds for the last calendar year, the amount of which exceeds twenty-five percent of the book value of the assets of the applicant according to financial statements for the last completed reporting period.

11. The auction organizer is not entitled to require the submission of other documents, with the exception of the documents specified in paragraph 10 of this article.

11.1. An applicant who is a legal entity or an individual entrepreneur is entitled to submit, together with the documents specified in paragraph 10 of this article, an extract from the unified state register of legal entities or an extract from the unified state register of individual entrepreneurs, respectively.

(Part 11.1 was introduced by Federal Law of April 20, 2015 N 102-FZ)

12. Accepting applications for participation in the auction is terminated no earlier than five days before the day of the auction. The application for participation in the auction, received after the deadline for its acceptance, is returned on the day of its receipt to the applicant.

13. One applicant may submit only one application for participation in the auction.

14. The applicant is not allowed to participate in the auction for the following reasons:

- 1) failure to provide the documents specified in paragraph 10 of this article necessary for



participation in an auction or the provision of false information;

2) failure to make a deposit on the account specified in the notice of the auction, until the deadline for accepting documents for participation in the auction if the local government has established a requirement to pay a deposit for participation in the auction;

3) inconsistency of the application for participation in the auction with the requirements specified in the notice of the auction.

14.1. If the applicant does not independently provide an extract from the Unified State Register of Legal Entities or an extract from the Unified State Register of Individual Entrepreneurs, the auction organizer requests information about the applicant contained respectively in the Unified State Register of Legal Entities or the Unified State Register of Individual Entrepreneurs, using a single system inter-agency electronic interaction in the federal executive body, carried out yuschem state registration of legal entities and natural persons as individual entrepreneurs.

(Part 14.1 was introduced by Federal Law of April 20, 2015 N 102-FZ)

15. Refusal of admission to participate in the auction for other reasons, except those specified in paragraph 14 of this article, is not allowed.

16. The organizer of the auction keeps a record of the receipt of applications for participation in the auction, which should contain information about the applicants, the dates of filing applications for participation in the auction, made advancements, as well as information about the applicants who have not been allowed to participate in the auction, indicating the reasons for refusal. The record of accepting applications for participation in the auction is signed by the auction organizer within one day from the date of the deadline for receiving applications. The applicant becomes an auction participant from the moment of signing by the auction organizer of the record of accepting applications for participation in the auction.

17. Applicants recognized as auction participants and applicants who are not allowed to participate in the auction shall be notified of the decision taken no later than the next day after the day the decision was made out in the protocol for accepting applications for participation in the auction.

17.1. If based on the results of consideration of applications for participation in an auction, it was decided to refuse to allow all applicants to participate in the auction or to admit to participation in the auction and to recognize only one applicant as an auction participant, the auction is declared invalid.

(Part 17.1 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

17.2. If the auction is declared invalid and only one bidder is recognized as an auction participant, the applicant, recognized as the only auction participant, has the right to conclude an agreement within thirty days from the date of signing the protocol for consideration of applications for participation in the auction. , is obliged to conclude this agreement with the applicant, recognized as the sole participant in the auction, at the initial price of the subject of the auction.

(Part 17.2 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

17.3. If at the end of the deadline for submission of applications for participation in an auction, only one application for participation in an auction is submitted, or only one applicant is allowed to participate in an auction, or no application for participation in an auction is submitted, the auction is declared invalid. If the only application for participation in the auction and the applicant who submitted this application meet all the requirements and conditions of the announced auction, the indicated applicant is entitled to conclude an agreement within thirty days from the date of signing the protocol for consideration of applications for participation in the auction, and an auction was held; I am obliged to conclude this agreement with the indicated person at the initial price of the subject of the auction.

(Part 17.3 was introduced by Federal Law dated 06.23.2014 N 171-FZ)

18. The auction organizer is obliged to return the paid deposit to the applicant, who was not allowed to participate in the auction, within five working days from the date of registration of the protocol for accepting applications for participation in the auction.

19. The applicant has the right to withdraw the application for participation in the auction accepted by the auction organizer before the deadline for the receipt of applications, having notified the auction organizer in writing.

The auction organizer is obliged to return the paid deposit to the applicant within five working days from the date of registration of the withdrawal of the application. In case of withdrawal of the application by the applicant later than the day of the deadline for receipt of applications, the deposit is returned in the order established for the bidders.

20. The auction organizer shall keep an auction protocol in which the last and last-but-one proposals on the price of the subject of the auction are recorded, indicating the persons who have made such offers.

(as amended by the Federal Law of 23.06.2014 N 171-FZ)

21. The auction winner is the auction participant who has offered the highest price for the right to conclude a contract.

22. The results of the auction are recorded in a protocol, which is signed by the auction organizer and the winner of the auction on the day of the auction. The protocol on the results of the auction is made in two copies, one of which is transmitted to the winner of the auction, and the second remains with the organizer of the auction.

23. The auction organizer shall, within five working days from the date of signing the protocol on the results of the auction, return the advancements to those who participated in the auction but did not win it.

24. Information about the results of the auction is published by the auction organizer in print publications, in which, in accordance with Part 6 of this article, the notice of the auction was published, and posted on the official website on the Internet, on which the notice of the auction was posted, respectively within five working days and within three working days from the date of signing the protocol on the results of the auction.

25. If the auction winner declined to conclude a contract, the local authority has the right to apply to court with a claim for damages caused by the auction winner's evasion of concluding such an agreement, or to conclude the said contract with the auction participant who made the penultimate offer on the price of the item auction (the price of the right to conclude a contract).

26. The contract is concluded on the conditions specified in the notice of the auction, at the price proposed by the winner of the auction. When concluding an agreement, the change in the conditions of an auction on the basis of an agreement of the parties to such an agreement or at the request of one of its parties is not allowed. It is not allowed to conclude an agreement based on the results of the auction or if the auction was declared not held due to the reason indicated in paragraph 1 of part 27 of this article earlier than ten days from the date of posting information about the results of the auction on the official Internet site.

(as amended by the Federal Law of 06.12.2011 N 401-FZ)

27. The auction shall be recognized as failed in the cases provided for in Parts 17.1 and 17.3 of this Article, as well as in the cases if:

(as amended by the Federal Law of 23.06.2014 N 171-FZ)

1) less than two participants participated in the auction;

2) after three times the initial price of the auction item was announced, none of the participants stated their intention to purchase the auction item at the initial price.

28. In the event that an auction is deemed to have failed due to the reason specified in clause 1 of part 27 of this article, the only bidder has the right to conclude an agreement within thirty days from the date of the auction, and the local government body to which the auction was held is obliged to conclude such an agreement with the sole bidder at the initial price of the subject of the auction.

29. Before concluding an agreement, the winner of a public auction or having the right to conclude an agreement in accordance with paragraphs 25 and 28 of this article must provide an agreement to secure the execution of the agreement, if the provision of such security is an essential condition of the agreement.

30. The auction organizer, in cases where the auction was declared invalid or if the contract was not concluded with a single auction participant, has the right to announce the holding of a repeated auction. This may change the conditions of the auction.

#### **Article 46.4. Agreement on integrated development of the territory**

(introduced by Federal Law dated 06.23.2014 N 171-FZ)

1. The integrated development of the territory includes the preparation of documentation on

the planning of the territory, the formation of land plots within the boundaries of a given territory, the construction of transport, communal and social infrastructures on land plots within the boundaries of a given territory, as well as other facilities in accordance with the territory planning documentation.

2. A contract for the integrated development of a territory is concluded by an executive state authority or a local government body that provides a land plot for integrated land development, and a legal entity recognized as the winner of the auction for the right to conclude a lease agreement for a land plot or a legal entity that submitted a single application for participation in this auction, or the applicant, recognized as the sole participant in the auction, or the only one who participated in the auction.

3. Under the contract for the integrated development of the territory (hereinafter also referred to as the present article, the contract), within the period specified in the contract, one party shall, by his own efforts and at his own expense and/or with the involvement of other persons and/or funds of other persons, fulfill the obligations stipulated in paragraphs 2 - 4 and 7 of part 5 of this article, and the other party (the executive body of state power or local government) is obliged to create the necessary conditions for meeting these obligations in accordance with clauses 5 and 7 of part 5 of this article. The contract also provides for the fulfillment by one of the parties within the period specified by the contract on its own and at its own expense and/or with the involvement of other persons and/or funds of other persons of the obligations provided for by clause 6 of part 5 of this article, including under the conditions specified in clause 2 of part 6 of this article. The contract may provide for other obligations of the parties in accordance with paragraph 6 of this article.

4. Integrated development of the territory is carried out within the boundaries of a land plot leased to a person with whom an agreement has been concluded on integrated development of the territory, or within the boundaries of land plots formed from such a land plot.

5. The terms of the agreement on the integrated development of the territory are:

1) information about the land plot constituting the territory in respect of which the contract is concluded (cadastral number of the land plot, its area, location);

2) the obligation of a person who has entered into an agreement with an executive body of state power or a local government body (hereinafter referred to as the person who has entered into an agreement) to prepare a draft of the territory planning and a draft of land surveying; maximum terms for the preparation of these documents;

3) the obligation of the person who has entered into the contract to carry out on the land plot in respect of which the contract was concluded, or on the land plots formed from such land plot, the measures for improvement, including landscaping, provided for by the contract, and the time limits for their implementation;

4) the obligation of the person who has entered into the contract to carry out the formation of land plots from the land plot in respect of which an agreement on the integrated development of the territory has been concluded, in accordance with the approved project of land surveying;

5) the obligation of the executive body of state or local government to ensure consideration and approval of the draft territory planning and land surveying project and the maximum timeframe for the fulfillment of this obligation, if it is within their competence;

6) the obligation of the parties to the contract to carry out on the land plot in respect of which the contract has been concluded, or on the land plots formed from such land plot, the construction of communal, transport and social infrastructures in accordance with the territory planning project; the maximum timeframes for fulfilling this obligation;

7) the obligation of the parties to the contract to ensure the implementation of measures for the development of the territory, including the commissioning of capital construction facilities, in accordance with the schedules for the implementation of each measure within the time limits specified in the indicated schedules;

8) the term of the contract;

9) the responsibility of the parties for non-performance or improper performance of the contract, including the obligations provided for by paragraph 7 of this part.

6. The contract may contain:

1) the methods and extent of ensuring the fulfillment of obligations arising from the contract;

- 2) the obligation of the person who has entered into the contract to transfer to the state or municipal property objects of communal, transport, social infrastructures, the construction of which is carried out at the expense of the funds of this person; list of data objects and conditions for their transfer;
  - 3) the obligation of the person who has entered into the contract to carry out the construction of capital construction facilities along with the facilities specified in clause 6 of part 5 of this article in accordance with the approved territory planning project; maximum construction time;
  - 4) the obligation of the executive body of the state or local government to ensure, in accordance with the program for the integrated development of the municipal infrastructure systems of a settlement, the city district, construction and/or reconstruction of communal infrastructure facilities beyond the boundaries of the land plot in respect of which an agreement is made necessary to ensure connection technological connection) at the border of such a land plot to communal infrastructure facilities built on such a plot of land; the maximum timeframes for fulfilling this obligation;
  - 5) other conditions.
7. The parties to the contract within three months from the date of approval of the territory planning documentation are required to conclude an additional agreement to this contract containing a timetable for the implementation of measures for the development of the territory (including the construction and commissioning of capital construction facilities) for each measure indicating dates of commencement and completion of the relevant work.
8. Termination of the existence of a land plot in respect of which a contract has been concluded, in connection with its division or the occurrence of rights of third parties to land plots formed from such a land plot, does not constitute grounds for termination of rights and obligations determined by the contract.
9. The contract may be terminated on grounds provided for by civil law, solely by a court decision.

#### **Article 46.5. Agreement on land development for the construction of **economy-class housing****

(introduced by Federal Law of July 21, 2014 N 224-FZ)

1. For the purpose of building an apartment building or a residential building of a blocked construction in which all residential premises or the minimum volume of residential premises determined in accordance with paragraph 6 of this article meet the conditions for classifying as economy class housing established by the federal executive body policies and regulations in the areas of construction, architecture, urban planning (hereinafter also referred to as economy class housing), and transfer or sale of contracts for participation in the shared construction of such a house, concluded in the time specified in paragraph 10 of this article, in accordance with Federal Law No. 214-FZ of December 30, 2004 "On Participation in the Joint Construction of Apartment Buildings and Other Real Estate Objects and on Amendments to Certain Legislative Acts of the Russian Federation "(hereinafter referred to as agreements for participation in the shared construction of economy-class housing) or contracts for the sale and purchase of an economy-class housing to citizens who, in accordance with the legislation of the Russian Federation, regulatory legal acts of the constituent entities of the Russian Federation, the right to purchase economy-class housing (hereinafter referred to as citizens eligible to purchase economy-class housing), and/or under state and/or municipal contracts for the purchase of economy-class housing, a contract is concluded on the development of the territory in order to build economy-class housing. The price of one square meter of total living space under such participation agreements in shared construction, sales contracts, state and municipal contracts cannot exceed the price specified in the minutes of the auction results for the right to conclude an agreement on the development of the territory for the construction of economy-class housing, or in the cases provided for in paragraphs 24 to 26 of article 46.7 of this Code, the starting price of the subject of the auction (hereinafter referred to as the maximum price per square meter of housing onomicheskogo class).
2. An agreement on the development of a territory for the purpose of building an economy-

class housing shall be concluded by the executive state authority or a local government body authorized to provide a land plot in state or municipal ownership for the development of the territory for the construction of an economy-class housing in accordance with this agreement with the winner auction for the right to conclude this contract or by a person who has the right to conclude this contract in accordance with the hour 24-27 of Article 46.7 of this Code (hereinafter referred to as a person who has entered into an agreement on the development of a territory for the purpose of building an economy-class housing).

3. Certain rights and obligations specified in part 2 of this article of the executive body of state or local government under an agreement on the development of a territory for the construction of economy-class housing, provided for in parts 4 and 5 of this article, may be exercised by authorized executive bodies of state power, local authorities self-government and legal entities in accordance with federal laws, other regulatory legal acts of the Russian Federation, regulatory legal acts of the Russian Federation, municipal legal acts or prisoners with specified in paragraph 2 of this article the executive body of state authority or local self-government agreements (contracts).

4. The agreement on the development of the territory for the construction of economy-class housing contains:

- 1) information about the land plot provided to the person who has entered into this agreement for the development of the territory in order to build economy-class housing;
- 2) the obligation of the person who has entered into this contract to provide for the construction on the land plot of an apartment building or a residential building of a blocked construction in which all residential premises or the minimum volume of residential premises determined in accordance with paragraph 6 of this article meet the conditions for reference to an economy-class housing, and such a house in operation, the maximum time for fulfillment of this obligation;
- 3) the obligation of the person who has entered into this contract to conclude, in the timeframe specified in subsection 10 of this article, with citizens eligible to purchase economy-class housing, participation contracts in the shared construction of economy-class housing or sale and purchase agreements of economy-class housing in respect of residential premises in an apartment building or a residential building of a blocked construction, the construction of which is carried out in accordance with the agreement on the development of the territory for the construction of economy-class housing, price per square meter of total living space not exceeding the maximum price per square meter of economy class housing;
- 4) the maximum price per square meter of economy class housing;
- 5) the right of the person who has entered into this contract, after the expiration of the period provided for by clause 2 of part 10 of this article, to dispose of the accommodation provided for by clause 2 of this part, without restrictions established by this contract;
- 6) the maximum proportion of the total area of non-residential premises in an apartment building, with the exception of common areas, in the total area of all residential and non-residential premises in such a house, if this contract provides for the construction of an apartment building;
- 7) the obligation of the person who has entered into this agreement to carry out the measures for the improvement of the land specified in clause 1 of this part, provided for by this agreement, in accordance with clause 2 of this part, in accordance with clause 2 of this part;
- 8) the obligation of the executive body of state power or the local self-government body that concluded this contract to ensure on their own and at their own expense and/or with the involvement of other persons and/or funds of other persons the implementation of measures necessary to connect (technological connection) constructed in in accordance with this agreement of the capital construction facility to the networks of engineering and technical support, the maximum period for fulfilling this obligation, which may not exceed the period established by this agreement in accordance with paragraph 2 of this part;
- 9) the methods and amount of security for the performance of obligations arising from this contract;
- 10) the term of this contract;
- 11) the responsibility of the parties to this contract for its non-performance or improper

performance.

5. An agreement on the development of a territory for the purpose of building an economy-class housing may contain

1) the obligations of the parties to this contract to conclude state and/or municipal contracts for the purchase of economy-class housing at a price per square meter of the total area of residential premises not exceeding the maximum price of one square meter of economy-class housing, and within the time limits specified in paragraph 10 of this articles. The inclusion in this contract of the condition on the free transfer of economy-class housing into state or municipal property is not allowed;

2) methods and sizes of state and/or municipal support for the construction of economy-class housing under this agreement provided in accordance with federal laws, other regulatory legal acts of the Russian Federation, laws of constituent entities of the Russian Federation, other regulatory legal acts of constituent entities of the Russian Federation, municipal legal acts, and the timing of its provision;

3) other conditions.

6. If the development agreement for the purpose of building an economy-class housing provides for the construction of an apartment building, a residential building of a blocked construction in which the minimum amount of residential premises meets the conditions for assigning to an economy-class housing, the condition of this agreement is also the minimum number and/or the minimum total area of such residential premises in an apartment building or residential building of a blocked building, which are established by the notice of auction for the right to enter into this agreement.

7. The transfer by a person who has entered into an agreement on the development of a territory for the purpose of building an economy-class dwelling, rights and obligations under this agreement is allowed to a person who meets the requirements established by Article 46.8 of this Code, with the consent in writing of the executive body of state or local government who have entered into this contract.

8. A person who has entered into an agreement on the development of a territory for the purpose of building an economy-class housing shall be required, in the form established by the federal executive body exercising the functions of formulating state policy and legal regulation in the field of construction, architecture, urban planning. authorities or local government that have entered into this agreement:

1) information about the occurrence of this person's right to attract funds on the basis of participation agreements in the shared construction of economy-class housing with citizens eligible to purchase economy-class housing, and the price of one square meter of total living space under the said agreements, which cannot exceed the maximum price of one square meter of economy class housing;

2) information on the commissioning of apartment buildings, residential buildings of blocked construction into operation, on one square meter of the total area of residential premises under the above agreements, which cannot exceed the maximum price of one square meter of economy class housing. This information must be submitted within three working days from the date of receipt of permission to put such houses into operation, unless in multi-apartment buildings, residential buildings of blocked construction in relation to all residential premises subject to sale or transfer at a maximum price of one square meter. of economy class housing, contracts of participation in the shared construction of economy class housing with citizens eligible to purchase economy class housing, state and / or municipal contracts and/or the conclusion of state and/or municipal contracts is provided in accordance with clause 1 of part 5 of this article;

3) draft contracts for the sale and purchase of an economy-class housing, agreements for participation in the shared construction of an economy-class housing, as well as information on the residential premises that are the subject of these agreements;

4) information on the term for concluding contracts for the sale and purchase of an economy-class housing, agreements for participation in the shared construction of an economy-class housing, established in accordance with paragraph 10 of this article.

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9. The executive state body or local government body that has entered into an agreement on the development of a territory for the purpose of building economy-class housing shall ensure that the official site of the subject of the Russian Federation on whose territory the land plot mentioned in paragraph 4 of this article is located is located on the network. "Internet" and on the official website of a settlement or urban district (if there is an official website of a settlement or urban district) on the Internet at the location of such land. The local section of the information and draft contracts specified in paragraph 8 of this article within three working days from the date of submission of the said information and draft contracts by the person who has entered into an agreement on the development of the territory for the purpose of building an economy-class housing.

10. A person who has entered into an agreement on the development of a territory for the purpose of building an economy-class housing must conclude with citizens who have the right to purchase an economy-class housing:

- 1) participation in the shared construction of economy-class housing in the period from the date of placement, in accordance with part 9 of this article, of the information specified in clause 1 of part 8 of this article, until the date of commissioning of an apartment building or a residential building of a blocked construction being built in accordance with the contract on the development of the territory in order to build economy-class housing;
  - 2) purchase and sale of economy-class housing in an apartment building or residential building of a blocked construction, built in accordance with the agreement on the development of the territory for the construction of economy-class housing, within six months from the date of commissioning of such a house.
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#### **Article 46.6. Agreement on integrated development of the territory for the construction of standard housing**

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

(introduced by Federal Law of July 21, 2014 N 224-FZ)

1. The integrated development of the territory for the construction of standard housing is carried out in accordance with the agreement on the integrated development of the territory for the construction of standard housing, concluded in the manner and on the conditions provided for in this article and includes:

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

- 1) preparation of the site planning documentation (in the absence of such documentation);
- 2) the formation of land within the boundaries of this territory;
- 3) construction on land plots within the boundaries of this territory of apartment buildings, residential buildings of blocked construction and/or individual housing construction objects, provided that all residential premises in apartment buildings, residential buildings of blocked construction and/or all individual housing construction objects their minimum amount determined in accordance with Part 6 of this Article shall comply with the conditions for classification as standard housing and shall be transferred or sold under share participation agreements. construction of standard housing, contracts for the sale and purchase of standard housing to citizens who are entitled to purchase standard housing, and/or under state and/or municipal contracts, if the conclusion of state and/or municipal contracts is provided for by an agreement on integrated development of the territory standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

4) construction on land plots within the boundaries of this territory of other objects in accordance with the documentation on the planning of the territory, including objects of transport, municipal and social infrastructures.

2. An agreement on the integrated development of a territory for the construction of standard housing shall be concluded by the executive state authority or local government body authorized to provide land in state or municipal ownership for the integrated land development for the construction of standard housing with the winner of the auction for the right to conclude contract or a person who has the right to conclude this contract in accordance

with paragraphs 24 - 27 of Article 46.7 of this Code (hereinafter - the person who has entered into an agreement on the integrated development of the territory in order to build standard housing).

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

3. Certain rights and obligations specified in part 2 of this article of the executive body of state or local government under an agreement on the integrated development of the territory for the construction of standard housing provided for in parts 4 and 5 of this article may be exercised by authorized executive bodies of state power self-government and legal entities in accordance with federal laws, other regulatory legal acts of the Russian Federation, regulatory mi legal acts of the Russian Federation, municipal legal acts or prisoners with specified in paragraph 2 of this article the executive body of state authority or local self-government agreements (contracts).

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

4. The agreement on the integrated development of the territory for the construction of standard housing contains:

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

1) information about the land plot provided to the person who has entered into this agreement for the integrated development of the territory in order to build standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

2) the obligation of the person who has entered into this contract to prepare and submit to the executive body of the state or local self-government documentation on the planning of the territory in respect of which the contract is concluded, in accordance with the territorial planning documents, land use and development rules, and approved by the local self-government body calculated indicators of the minimum allowable level of provision of the territory with objects of municipal, transport, social infrastructure ur and calculated indicators of the maximum allowable level of territorial availability of these objects for the population; maximum terms for the preparation and submission of such documents;

(Clause 2 as amended by the Federal Law of 03.07.2016 N 373-FZ)  
(see the text in the previous "edition")

3) the obligation of the executive body of state power or the local self-government body to ensure consideration and approval of the territory planning documentation in accordance with the procedure established by this Code, the maximum period for fulfilling this obligation;

4) the obligation of the parties to this contract to carry out on the land plot specified in clause 1 of this part, or on land plots formed from the specified land plot, provided for by this contract, measures for landscaping, including landscaping, and terms for their implementation;

"" 5) the obligation of the person who has entered into this agreement to carry out the formation of land from the land specified in paragraph 1 of this part, in accordance with the approved land survey project, including ensuring at its own expense implementation in respect of such land in accordance with requirements established by the Federal "law" of July 13, 2015 N 218-FZ "On State Registration of Real Estate", works, which result in the preparation of documents containing the necessary information on such land plots, and apply for the implementation of state cadastral registration of such land plots, the maximum timeframes for the fulfillment of this obligation;

(as amended by the Federal Law of 03.07.2016 N 361-FZ)  
(see the text in the previous "edition")

"6) the right of the person who has entered into this contract to apply without power of attorney with an application for state registration of state or municipal property on land plots formed in accordance with clause 5 of this part;

7) the obligation of the executive body of state or local government that concluded this contract to provide, in accordance with land legislation, to the person who entered into this contract, land plots formed in accordance with clause 5 of this part and necessary for such person to fulfill obligations under this contract, for rent without bidding;

8) the obligation of the parties to this contract to provide construction on the land plot in



respect of which this contract has been concluded, or on land plots formed from such land plot, transport, utilities and social infrastructures in accordance with the territory planning project, and to commission these facilities the maximum timeframes for fulfilling this obligation;

9) the obligation of the person who has entered into this contract to provide for the construction of apartment buildings, residential buildings of blocked construction and/or individual housing construction objects, provided that all residential premises in apartment buildings, residential buildings of blocked construction and/or all individual housing construction objects or their minimum amount determined in accordance with paragraph 6 of this article complies with the conditions for referring to standard housing and is subject to transfer or sale under participation contracts in the joint construction of the standard housing, contracts, have the right to purchase standard housing purchase and sale of standard housing to citizens, according to the stages of construction and construction schedules of each object of capital construction in stipulated time frame specified Schedule;

(as amended by Federal Law of 03.07.2016 N 373-FZ, of 12/31/2017 N 506-FZ)  
(see the text in the previous "edition")

10) the obligation of the person who entered into this agreement to ensure the construction of other facilities not specified in clauses 8 and 9 of this part in accordance with the territory planning project, the maximum timeframes for the fulfillment of this obligation;

11) the obligation of the person who has entered into this agreement to conclude, within the timeframe stipulated by paragraph 10 of Article 46.5 of this Code, with citizens eligible to purchase standard housing, participation agreements in the shared construction of standard housing, standard purchase agreements for housing specified in paragraph 9 of this part of the dwelling, including objects of individual housing construction, at a price per square meter of the total area of the dwelling not exceeding the price indicated in the result report auction for the right to enter into this agreement, or in the cases provided for in paragraphs 24 - 26 of Article 46.7 of this Code, the initial price of the subject of the auction (hereinafter in this article - the highest price per square meter of housing standard);

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

12) the maximum price of one square meter of standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

13) the right of the person who has entered into this contract, after the expiration of the period provided for by clause 2 of part 10 of article 46.5 of this Code, to dispose of the residential premises specified in clause 9 of this part, including objects of individual housing construction, without restrictions established by this contract;

14) the obligation of the parties to this agreement to ensure the implementation of measures for the development of the territory, including the commissioning of capital construction objects, in accordance with the schedule for the implementation of measures within the specified time frame, the maximum period for concluding an additional agreement to this agreement providing for the specified schedule;

15) methods and amount of security for the performance of obligations arising from this contract;

16) the term of this contract;

17) the responsibility of the parties to this contract for its non-performance or improper performance.

5. The agreement on the integrated development of the territory for the construction of standard housing may contain:

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

1) the obligations of the parties to this contract to conclude state and/or municipal contracts for the purchase of standard housing at a price per square meter of the total area of the dwelling not exceeding the maximum price of one square meter of standard housing and within the time limits specified in paragraph 10 of Article 46.5 of this Code. The inclusion in this contract of the condition on the free transfer of standard housing to state or municipal property is not allowed;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

2) methods and sizes of state and/or municipal support for the construction of standard housing under this agreement, provided in accordance with federal laws, other regulatory legal acts of the Russian Federation, laws of constituent entities of the Russian Federation, other regulatory legal acts of constituent entities of the Russian Federation, municipal legal acts and the timing of its provision;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

3) the obligation of the person who has entered into this agreement to transfer objects of communal, transport, social infrastructures, the construction of which was carried out at the expense of the person's funds, to state or municipal property, or to transfer engineering and technical support networks, their elements, the construction of which was carried out at the expense of this persons owned by organizations operating the networks of engineering and technical support, a list of specified facilities, networks, their elements and the conditions of such ne redacci;

4) the obligation of the executive body of the state or local government to ensure, in accordance with the program for the integrated development of the municipal infrastructure systems of a settlement, the city okrug, construction and/or reconstruction beyond the boundaries of the land infrastructure objects specified in paragraph 4, paragraph 4 of this article, necessary to ensure connection (technological connection) on the borders of the specified land plot of the constructed and/or reconstructed Comrade municipal infrastructure, maximum terms of this obligation;

5) the maximum proportion of the total area of buildings (with the exception of apartment buildings, residential buildings of blocked buildings, individual housing construction facilities, transport, communal and social infrastructures) and non-residential premises in apartment buildings (except public premises) in the total area of all buildings, the construction of which is provided within the boundaries of the territory to be integrated development for the construction of standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

6) other conditions.

6. If the contract for the integrated development of the territory for the construction of standard housing provides for the construction of apartment buildings, residential buildings of blocked construction and/or individual housing construction, provided that the minimum amount of accommodation in such apartment buildings, residential buildings of blocked construction and/or objects of individual housing construction complies with the conditions of reference to standard housing, the condition of this contract is the condition of minimum t he and/or the minimum total area of residential buildings that are installed on the notice of the auction for the right to enter into this contract.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

7. In the period stipulated by the agreement on the integrated development of the territory for the construction of standard housing, the parties to this agreement are obliged to conclude an additional agreement to this agreement containing a timetable for the implementation of measures for the development of this territory (including the construction and commissioning of apartment buildings, residential houses of blocked construction, individual housing construction facilities specified in clause 9 of part 4 of this article) for each activity with an indication of la and the completion of the relevant work.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

8. The cessation of the existence of a land plot provided for the integrated development of a territory for the construction of standard housing, in connection with its division or the occurrence of rights of third parties to land plots formed from such a land plot, does not constitute grounds for termination of the rights and obligations specified in contract.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

9. For the agreements on the integrated development of the territory for the construction of standard housing, the provisions stipulated in paragraphs 7-10 of Article 46.5 of this Code

shall apply.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

**Article 46.7. The procedure for organizing and conducting an auction for the right to conclude an agreement on the development of the territory for the construction of standard housing, an agreement on the integrated development of the territory for the construction of standard housing**

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")  
(introduced by Federal Law of July 21, 2014 N 224-FZ)

1. The decision to hold an auction for the right to conclude an agreement on the development of a territory for the construction of standard housing or an agreement on the integrated development of a territory for the construction of standard housing (hereinafter also referred to as an auction) is taken by the executive government body or local government body authorized to the conclusion of these contracts in accordance with this Code.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

2. The auction organizer, along with the executive body of state power, the local government body specified in paragraph 1 of this article, may be a specialized organization acting on the basis of an agreement with the specified authorities.

3. The executive body of state or local government specified in paragraph 1 of this article determines the initial price of the auction subject and the terms of the agreement on the development of the territory for the construction of standard housing or the agreement on integrated development of the territory for the construction of standard housing. The said executive state body or local self-government body has the right to establish a requirement to deposit money as a security for an application for participation in the auction and the amount of such security.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

4. The auction organizer shall set the time, place and procedure for holding the auction, the form and deadlines for submitting applications for participation in the auction, the amount of reduction in the initial price of the auction item ("auction step").

5. Auction participants may be legal entities that meet the requirements specified in Article 46.8 of this Code.

6. The auction is conducted by reducing the initial price of the subject of the auction specified in the notice of the auction, the "auction step", which cannot exceed three percent of the initial price of the auction subject.

ConsultantPlus: note.

Until the establishment of requirements for residential premises that meet the conditions for their classification as standard housing, standard housing refers to housing that meets the conditions for classifying it as economy class housing (Article 15 FZ of 12/31/2017 N 506-FZ).

7. The initial price of an auction item is defined as the price of one square meter of the total area of residential premises in apartment buildings, residential buildings of blocked buildings, and individual housing construction objects that meet the conditions for reference to standard housing and in accordance with the territory development agreement for the construction of standard housing, or an agreement on the integrated development of the territory for the construction of standard housing, the right to the conclusion of which is the subject of an auction, is subject to sale or transfer of contracts of sale of property or the standard contracts of a joint construction of standard housing to citizens with the right to purchase standard housing, and/or by the state and/or municipal contracts. The initial price of the auction item is set by the executive body of state or local government indicated in paragraph 1 of this article in an amount not exceeding eighty percent of the market value of one square meter of the total area of such premises, determined in accordance with the legislation of the Russian Federation on the estimated activity earlier than thirty days before the date of publication of the notice of the auction, or the maximum price of standard housing is set The Government of the Russian Federation per one square meter of the total area of residential premises, if such a price is set by the Government of the Russian Federation at the date of the decision to hold

an auction.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

8. The notice of the auction should contain the following information:

1) the subject of the auction;

2) information about the land plot, which is provided for the development of the territory for the construction of standard housing or for the integrated development of the territory for the construction of standard housing and which at the time of the decision to hold an auction should be in state or municipal ownership and be unencumbered by the rights of third parties;

(as amended by Federal Law of 03.07.2016 N 373-FZ, of 12/31/2017 N 506-FZ)

(see the text in the previous "edition")

3) information about the executive body of state power or the body of local self-government that made the decision to hold an auction, and the details of such a decision;

4) information about the organizer of the auction;

5) the place, date, time and order of the auction;

6) the minimum number of residential premises that meet the conditions of reference to standard housing and are subject to sale or transfer under the conditions stipulated by the agreement on the development of the territory for the construction of standard housing or the agreement on the integrated development of the territory for the construction of standard housing, the right to conclude which is subject to auction, and (or) the minimum total area of such residential premises, except in cases where, in accordance with this contract, all residential premises must comply Vova terms referring to a standard housing, and to be sold or transferred under the conditions provided according to the contract;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

7) the initial price of the subject of the auction;

8) "auction step";

9) the method and amount of security for the fulfillment of obligations arising from the contract for the development of the territory for the construction of standard housing or the contract for the integrated development of the territory for the construction of standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

10) the application form for participation in the auction, the procedure for receiving applications, the address of the place of acceptance of applications, the date and time of the beginning and end of receipt of applications for participation in the auction;

11) the amount and procedure for depositing funds as security for an application for participation in the auction, bank details of the auction organizer's account for transferring the specified funds, if the decision to hold an auction provides for a requirement to secure an application for participation in the auction;

12) requirements for auction participants in accordance with Article 46.8 of this Code;

13) the amount of rent for the land;

14) information on the presence of restrictions (encumbrances) established in respect of the land plot;

15) technical conditions for connection (technological connection) of capital construction objects to be built on the land plot, to the networks of engineering and technical support, amount of connection fee (technological connection), if the subject of the auction is the right to conclude an agreement on the development of the territory for construction purposes standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

16) an exemplary list of measures for connecting (technological connection) of capital construction objects to be built within the boundaries of the territory to be integrated development for the construction of standard housing to engineering networks, approximate costs of such activities and sources of financing these costs, if the subject of the auction is the right to conclude an agreement on the integrated development of the territory for the construction of standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

17) information about the executive bodies of state power, local self-government bodies and legal entities exercising in accordance with part 3 of article 46.5 and part 3 of article 46.6 of this Code separate rights and obligations of the executive body of state power or local self-government body, which must conclude an agreement on development of the territory for the construction of standard housing or an agreement on integrated development of the territory for the construction of standard housing under this agreement.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

9. The notice of the auction shall be posted by the organizer of the auction on the official website on the Internet at least thirty days before the day of the auction. The specified notice must be available to all interested persons for free of charge. The auction organizer also ensures the publication of the notice of the auction in the manner prescribed for the official publication of municipal legal acts by the charter of the settlement, the city district, at the location of the land plot specified in this notice at least thirty days before the day of the auction.

10. Mandatory attachments to the notice of the auction held on the official Internet site are:

1) the draft agreement on the development of the territory for the construction of standard housing or an agreement on the integrated development of the territory for the construction of standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

2) a draft lease agreement for a land plot provided for the development of a territory for the construction of standard housing or for the integrated development of a territory for the construction of a standard housing;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

3) a draft contract of connection (technological connection) of the capital construction object to the networks of engineering and technical support in the event of an auction for the right to conclude an agreement on the development of the territory for the construction of standard housing.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

11. The executive state body or local government body specified in paragraph 1 of this article may decide to refuse to hold an auction no later than fifteen days before the day of the auction. Notice of refusal to hold an auction shall be posted on the official website on the Internet and published in accordance with part 9 of this article by the auction organizer within three days from the date of such a decision. The auction organizer within three days from the date of the decision to refuse to hold an auction is obliged to notify the persons submitting applications for participation in the auction to refuse to hold an auction.

12. In order to participate in the auction, the applicants shall submit the following documents within the period specified by the notice of the auction:

1) an application for participation in the auction in the form specified in the notice of the auction. If a requirement is established to secure an application for participation in an auction, the application must indicate the bank details of the account for returning funds deposited as security for an application for participation in the auction;

2) the documents specified in paragraphs 6 and 7 of Article 46.8 of this Code;

3) documents confirming the payment of funds as a security for an application for participation in an auction, if the requirement to secure an application for participation in an auction is established.

13. The auction organizer is not entitled to require the submission of documents that are not listed in paragraph 12 of this article.

14. Accepting applications for participation in the auction ends no earlier than five days before the day of the auction. The application for participation in the auction, received after the deadline for receipt of applications, is returned to the applicant on the day of its receipt.

15. One applicant may submit only one application for participation in the auction.

16. The applicant has the right to withdraw the application for participation in the auction accepted by the auction organizer before the deadline for receiving the applications, having

notified the auction organizer in writing.

17. The applicant is not allowed to participate in the auction in the following cases:

- 1) the failure to submit the documents specified in paragraph 12 of this article or the submission of false information;
- 2) non-receipt of funds as a security for an application for participation in an auction on the date of consideration of applications for participation in an auction if the requirement to secure an application for participation in an auction is established;
- 3) the filing of an application for participation in an auction by a person who does not comply with the requirements set forth in Section 46.8 of this Code to the participants in the auction.

18. Refusal of admission to participate in the auction on the grounds that are not provided for by part 17 of this article is not allowed.

19. The auction organizer shall keep a record of the consideration of applications for participation in the auction. The minutes of consideration of applications should contain information about the applicants admitted to the auction and recognized by the participants of the auction, the dates of submission of applications, funds deposited as an application security, if the decision to hold an auction established a requirement to secure an application for participation in the auction, as well as information on applicants who are not allowed to participate in the auction, indicating the reasons for refusal of admission to participate in it. An applicant, recognized as an auction participant, becomes an auction participant from the date of signing by the auction organizer of the application review protocol. The record of consideration of applications is signed by the organizer of the auction not later than one day from the day of their consideration and no later than the day after the day of its signing is posted on the official website on the Internet.

20. Applicants recognized by the auction participants and applicants who are not allowed to participate in the auction, the auction organizer sends notifications about decisions taken in relation to them no later than the day following the day of signing the minutes of consideration of applications for participation in the auction.

21. The auction winner is the auction participant who has offered the lowest price of the auction item.

22. The results of the auction are recorded in a protocol on the results of the auction, which is drawn up in the form of an electronic document and is signed by the auction organizer using the enhanced qualified electronic signature. Not later than one business day from the date of the auction, the protocol on the results of the auction is sent to the winner of the auction and is posted on the official website on the Internet. The protocol on the auction results shall include:

(as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")

- 1) information about the place, date and time of the auction;
- 2) the subject of the auction;
- 3) information about the bidders, the initial price of the subject of the auction, the last and penultimate proposals on the price of the subject of the auction;
- 4) the name and location of the auction winner and the auction participant who made the penultimate offer on the price of the auction item.

23. The agreement on the development of the territory for the construction of standard housing or an agreement on the integrated development of the territory for the construction of standard housing, the right to conclude which was the subject of the auction, is concluded with the auction winner no earlier than ten days from the date of placement of the protocol on the results of the auction on the official website on the Internet, but no later than thirty days from the date of its placement on the conditions specified in the notice of the auction, at the price of the subject of the auction proposed by the auctioneer of the auction.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

"" 24. If at the end of the deadline for submission of applications for participation in the auction, only one application for participation in the auction is submitted or no application for participation in the auction is submitted, the auction is declared not held. If the only bid for participation in the auction and the applicant who submitted the indicated bid meet all the

requirements and conditions of the auction specified in the auction notification, information about the compliance of the only application for participation in the auction and the applicant who submitted it to all the requirements and auction conditions specified in the auction notification on the official Internet site within one working day from the date of its consideration. Such an applicant no earlier than ten days from the date of posting this information on the official website on the Internet, but no later than thirty days from the date of its placement has the right to conclude an agreement on the development of the territory for the construction of standard housing or an agreement on the integrated development of the territory for the purpose of building standard housing, the right to conclude of which was the subject of the auction, and the executive body of state power or local government that made the decision to hold an auction is obliged Ana to conclude this contract with such an applicant under the conditions specified in the notice of the auction, at the initial price of the subject of the auction.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

"" 25. If, on the basis of the results of consideration of applications for participation in an auction, a decision is made to refuse admission of all applicants to participate in the auction or to admit only one applicant to participate in the auction, the auction is deemed to have failed. If an auction is declared invalid and only one applicant is recognized as an auction participant, such an auction participant is entitled to conclude an agreement no later than ten days from the date of posting on the official website on the Internet of the application review protocol. on the development of the territory for the construction of standard housing or an agreement on the integrated development of the territory for the construction of standard housing, the right to enter into which was the subject of an auction, and the contractor the first public authority or local authority, has decided to hold the auction shall be obliged to conclude the contract with the participant of the auction under the conditions specified in the notice of the auction, the initial price of the auction item.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

"" 26. If only one participant participated in the auction, or none of the auction participants was present at the auction, or if after three times the proposal for the initial price of the subject of the auction was announced, not a single proposal for the price of the subject of the auction, which would provide more than low price of the subject of the auction, the auction is deemed to have failed. If an auction is declared not to have taken place due to the participation in it of a single participant in the auction, such participant is not earlier than ten days from the date of posting on the official website on the Internet of the protocol on the results of the auction, but no later than thirty days after on the day of its placement has the right to conclude an agreement on the development of the territory for the construction of standard housing or an agreement on the integrated development of the territory for the construction of standard housing, the right to the conclusion of which was the subject of the auction she, and the executive body of state power or local government that made the decision to hold an auction, are obliged to conclude this contract with such a participant in the auction on the terms specified in the notice of the auction, at the initial price of the subject of the auction.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

27. In the event that the auction winner declined to conclude a territory development agreement for the construction of standard housing or an integrated development agreement for the construction of standard housing, the right to enter into which was the subject of an auction, the executive body of state power or the local government that accepted the decision to hold an auction is entitled to go to court with a claim for damages caused by evasion of the auction winner from concluding this agreement, and whether to conclude this contract with the auction participant who made the penultimate bid for the price of the auction subject no earlier than thirty days from the date of posting the protocol on the results of the auction on the official website on the Internet, but no later than fifty days from the day its placement on the conditions specified in the notice of the auction, at the price of the subject of the auction

proposed by such an auction participant.  
(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

28. An agreement on the development of the territory for the construction of standard housing or an agreement on the integrated development of the territory for the construction of standard housing is concluded with the auction winner or another person entitled to conclude these agreements in accordance with paragraphs 24 - 27 of this article, simultaneously with the conclusion of the agreement lease of a land plot that is in state or municipal ownership and specified in the notice of the auction.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

29. Before entering into an agreement on the development of a territory for the construction of standard housing or an agreement on integrated development of a territory for the construction of standard housing, the right to enter into which was the subject of an auction, the winner of the auction or a person entitled to conclude these agreements in accordance with paragraph 24 - 27 of this article must provide security for the execution of this contract.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

30. When concluding an agreement on the development of a territory for the purpose of building standard housing or an agreement on integrated development of a territory for the purpose of building standard housing, the right to enter into which was the subject of an auction, changing the terms of this agreement based on the agreement of the parties to the agreement or at the request of one of its parties not allowed.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

31. In the event that the decision to hold an auction provides for a requirement to secure applications for participation in the auction, the auction organizer is obliged to return the funds deposited as such security:

- 1) the applicant, not admitted to participate in the auction, within five working days from the date of posting the protocol for consideration of applications;
- 2) the applicant who has withdrawn his application for participation in the auction, within five working days from the date of registration of the withdrawal of the application. In this case, in the case of withdrawal of the application by the applicant later than the day of the deadline for receipt of applications, the specified funds are returned in the order established for the auction participants who did not win it;
- 3) to applicants within five working days from the date of the decision by the executive body of state power or the local government body to refuse to hold an auction;
- 4) auction participants who did not win it, within five working days from the date of signing the protocol on the results of the auction;
- 5) the winner of the auction within five working days from the date of signing the agreement on the development of the territory for the construction of standard housing or the agreement on the integrated development of the territory for the construction of standard housing, the right to conclude which was the subject of the auction, and the lease agreement of the corresponding land plot;

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

6) to persons entitled to conclude an agreement on the development of the territory for the construction of standard housing or an agreement on the integrated development of the territory for the construction of standard housing in accordance with paragraphs 24 to 26 of this article within five working days from the date of the auction invalidation.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)  
(see the text in the previous "edition")

32. The winner of the auction who declined to conclude an agreement on the development of the territory for the construction of standard housing or an agreement on the integrated development of the territory for the construction of standard housing and / or a lease agreement for the relevant land plot, the funds contributed by such a winner as a security for the application for participation in the auction, do not return.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)



(see the text in the previous "edition")

33. If an agreement on the development of a territory for the construction of standard housing or an agreement on the integrated development of a territory for the construction of standard housing, the right to enter into which was the subject of an auction, was not concluded within the time frame stipulated by this article, the auction organizer has the right to announce holding a repeated auction. This may change the conditions of the auction.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

34. The minimum number of residential premises that meet the conditions of reference to standard housing and are subject to sale or transfer under the conditions stipulated by the agreement on the development of the territory for the construction of standard housing or the agreement on the integrated development of the territory for the construction of standard housing, the right to conclude which is subject to auction, and (or) the minimum total area of such residential premises, except in cases where, in accordance with this contract, all residential premises must comply The conditions for assigning to standard housing and subject to sale or transfer under the conditions provided for in this agreement are set no lower than the specified values defined by the constituent entities of the Russian Federation, provided that these values are determined by the constituent entities of the Russian Federation.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

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**Article 46.8. Requirements for bidders for the right to conclude an agreement on the development of the territory for the construction of standard housing, an agreement on the integrated development of the territory for the construction of standard housing**

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(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

(introduced by Federal Law of July 21, 2014 N 224-FZ)

1. The auction participant for the right to conclude an agreement on the development of a territory for the construction of standard housing or an agreement on the integrated development of a territory for the construction of standard housing (hereinafter also referred to as an auction), except for the cases when other requirements to auction participants are determined by the Government of the Russian Federation a legal entity can be recognized that meets the following mandatory requirements:

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

1) the implementation of a legal entity as a developer for at least three years, provided that the total amount of commissioning of apartment buildings, residential buildings, blocked buildings, individual housing construction facilities into operation over the past three years preceding the deadline for submission of applications for participation in the auction, is not less than the minimum amount of commissioning of apartment buildings, residential buildings of blocked buildings, objects of individual housing construction in operation, installed in accordance with part 4 or 5 of this article and provided for by the notice of the auction;

2) membership in self-regulatory organizations in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul of capital construction facilities;

(clause 2 as amended by the Federal Law of 07/03/2016 N 372-FZ)

(see the text in the previous "edition")

3) failure to liquidate a legal entity and the absence of a decision of the arbitral tribunal to introduce external management or extend its term, to recognize the legal entity as insolvent (bankrupt) and to open bankruptcy proceedings on the day the application is submitted for participation in the auction;

4) non-suspension of the activities of a legal entity in accordance with the "procedure" established by the Code of Administrative Offenses of the Russian Federation on the day the application is submitted for participation in the auction;

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- 5) the absence of unscrupulous suppliers in the register, which is maintained in accordance with Federal Law No. 223-FZ of July 18, 2011 "On Procurement of Goods, Work, Services by Certain Types of Legal Entities", in the register of unscrupulous suppliers (contractors, performers), which is carried out in accordance with the Federal "Law" of April 5, 2013 N 44-FZ "On the contract system in the field of procurement of goods, works, services for state and municipal needs", and in the register of unscrupulous developers, which is carried out in accordance with the Federal Law of July 24, 2008 N 161-FZ "On the Promotion of Housing Construction", information on a legal entity (including founders, members of a collegial executive body, a person acting as the sole executive body of a legal entity persons) in part of the fulfillment of their obligations under contracts or agreements, the subject of which is the execution of works, the provision of services in the field of construction, reconstruction and overhaul of capital facilities the construction or organization of such construction, reconstruction and major repairs, or the acquisition of residential premises from a legal entity;
  - 6) compliance by a legal entity with the standards for assessing the financial sustainability of its activities, established by the Government of the Russian Federation in accordance with the Federal "Law" of December 30, 2004 N 214-FZ "On participation in the shared construction of apartment buildings and other real estate objects and on amendments to certain legislative acts of the Russian Federation ";
  - 7) the absence of a legal entity of arrears in taxes, fees, debts on other obligatory payments to the budgets of the budget system of the Russian Federation (except for the amounts for which deferment, installment payments are granted, an investment tax credit in accordance with the legislation of the Russian Federation on taxes and fees, which restructured in accordance with the legislation of the Russian Federation, for which there is an effective court decision recognizing the applicant's obligation to pay these sums or that are deemed to be uncollectible in accordance with the legislation of the Russian Federation on taxes and fees) for the last calendar year, the amount of which exceeds twenty-five percent of the book value of the assets of the auction participant, according to the financial statements for the last reporting period. The applicant is considered to be in compliance with the established requirement if he, in accordance with the procedure established by the legislation of the Russian Federation, submitted an application for appeal of the specified arrears, debts, and the decision on such an application was not made at the date of consideration of the application for participation in the auction;
  - 8) lack of conviction for a crime by the manager, members of the collegial executive body or the chief accountant of a legal entity for crimes in the economic sphere (except for persons whose conviction has been canceled or canceled), and not applying the deprivation of the right to occupy certain positions to such persons or engage in certain activities in the field of construction, reconstruction of capital construction objects or the organization of such construction, reconstruction and administrative punishment in form of disqualification.
2. In the event that the auction participant is a legal entity acting as a party to a simple partnership agreement, the requirements specified in paragraph 1 of this article shall be applied in the following order:
- 1) the requirements provided for by clauses 1 and 2 of part 1 of this article shall apply in aggregate to persons who are parties to a simple partnership agreement. In this case, each person who is a party to such a contract is obliged to satisfy at least one of these requirements in full;
  - 2) the requirements provided for by clauses 3–8 of part 1 of this article shall apply to each person who is a party to a simple partnership agreement.
3. Requirements stipulated in part 1 of this article are the same for auction participants. The establishment of requirements for auction participants, if these requirements are not provided for by part 1 of this article, is not allowed.
4. The minimum amount of commissioned apartment buildings or residential buildings to be put into operation during the auction for the right to conclude an agreement on the development of the territory for the construction of standard housing is defined as the maximum area of an apartment building or residential building that can be built on auction of the land plot in accordance with the maximum values of the limit parameters of the permitted

construction provided for troitelnym regulations.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

5. The minimum amount of commissioning of apartment buildings, residential buildings of blocked construction and (or) individual residential construction facilities into operation during the auction for the right to conclude an agreement on integrated development of the territory for the construction of standard housing is defined as the ratio of the maximum area of apartment buildings, residential buildings of blocked construction and (or) objects of individual housing construction, which can be built within the boundaries of the territory to be integrated development, in accordance with the maximum values of the limiting parameters of the permitted construction, stipulated by the town-planning regulations, for the term for which this contract is concluded.

(as amended by the Federal Law of 31.12.2017 N 506-FZ)

(see the text in the previous "edition")

6. In order to confirm the fulfillment of the requirements for auction participants specified in Clauses 1 and 2 of Part 1 of this Article, within the period specified by the notice of the auction, the applicants submit the following documents:

1) copies of permits for putting capital construction objects into operation, copies of acts of acceptance of capital construction objects (except for the case when the developer is a person performing construction) for the last three years preceding the deadline for submitting applications for participation in the auction, copies of documents, confirming the commissioning of capital construction objects, according to N 282-FZ established in accordance with the Federal Law of November 29, 2007 "On Official Statistical Accounting and the State System arstvennoy statistics in the Russian Federation, "the form of federal statistical observation;

2) an extract from the register of members of the self-regulatory organization of which the applicant is a member.

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

7. Applicants declare in writing that they comply with the requirements stipulated in clauses 3–8 of part 1 of this article. At that, the applicant's compliance with the requirement stipulated by clause 3 of part 1 of this article is declared in part to confirm the absence of a court of arbitration decision on the introduction of external administration or on the extension of its term, on declaring a legal entity insolvent (bankrupt) and on opening bankruptcy proceedings.

8. The auction organizer, in accordance with the procedure established by the legislation of the Russian Federation, requests information confirming the fact of entering information about the applicant into the unified state register of legal entities in the federal executive body that carries out state registration of legal entities, individuals as individual entrepreneurs and peasant (farm) enterprises and also has the right to check the compliance of applicants with the requirements specified in part 1 of this article.

#### **Article 46.9. Comprehensive development of the territory at the initiative of the owners of land and (or) located on them of real estate**

(introduced by Federal Law of 03.07.2016 N 373-FZ)

1. Integrated development of the territory on the initiative of the right holders of land plots and (or) real estate objects located on them (hereinafter also referred to as the integrated development of the territory initiated by the rightholders) is one of the activities for the integrated and sustainable development of the territory.

2. Comprehensive development at the initiative of the right holders is subject to a territory within which there are land plots and (or) real estate objects located on them that are in state or municipal ownership (including those provided to third parties in accordance with the land legislation of the Russian Federation), and in the ownership of individuals or legal entities.

3. The integrated development of the territory at the initiative of the right holders is carried out by one or several right holders of land plots and (or) real estate objects located within the

boundaries of such a territory, including persons to whom land plots in state or municipal ownership are leased gratuitous use in accordance with the land legislation (hereinafter also referred to as the right holder). At the same time, the participation of the rightholder, who is not the owner of the land plot and (or) of the real estate object located on it, in the integrated development of the territory on the initiative of the rightholders is allowed if the validity of his rights to the land plot is on the day of conclusion in accordance with this article of the agreement about the complex development of the territory for at least five years.

4. Integrated development of the territory on the initiative of the right holders is carried out on the basis of agreements on the integrated development of the territory concluded by local governments with the rightholders of land plots and (or) located on them real estate objects (hereinafter referred to as the contract). If the integrated development of the territory at the initiative of the right holders is carried out by two or more right holders, the right holders conclude an agreement on the division of responsibilities for the implementation of measures for the integrated development of the territory initiated by the right holders (hereinafter referred to as the agreement).

5. The terms of the agreement are:

1) information about the borders of the territory (including cadastral numbers of land plots (if available), their area, location, list of immovable property located on them), in relation to which it is planned to implement the complex development of the territory on the initiative of the right holders;

2) obligations of the parties arising in connection with the implementation of measures for the integrated development of the territory on the initiative of the right holders, including to ensure the preparation and approval of documentation on the planning of the territory;

3) the procedure and conditions for the distribution among rightholders of expenses for the implementation of measures for the integrated development of the territory initiated by rightholders, including the preparation of planning documentation, and revenues from the implementation of investment projects within the framework of the integrated development of the territory initiated by rightholders;

4) responsibility of the parties for non-performance or improper execution of the agreement.

6. The agreement, along with the conditions specified in paragraph 5 of this article, may provide for other conditions, including the procedure and conditions for the allocation of expenses for the construction of communal, transport, social infrastructures among the right holders in cases where the construction of such facilities is not provided for in integrated development programs utilities infrastructure systems, integrated transport infrastructure development programs, integrated social infrastructure development programs at the expense of STV Local budget, funds of municipal utilities, the subjects of natural monopolies. It is not allowed to include in the contract and agreement conditions for the construction of such facilities at the expense of the right holders, if their construction is provided for by programs for the integrated development of municipal infrastructure systems, for programs for the integrated development of transport infrastructure, for programs for the integrated development of social infrastructure at the expense of the local budget, organizations utility complex, subjects of natural monopolies.

7. The territory planning documentation for the territory subject to integrated development initiated by the right holders is prepared on the basis of an agreement concluded by the right holders. The preparation of such documentation is carried out by the right holders in relation to the territory, in respect of which it is planned to carry out activities for its integrated and sustainable development, within the boundaries of land plots, the right holders of which have concluded an agreement.

8. If within the boundaries of the territory subject to integrated development on the initiative of the right holders, land plots that are in state and (or) municipal property are included, when preparing documentation on the territory planning, the distribution of communal, transport and social infrastructures is carried out within the boundaries of the land plots which are in state and (or) municipal property and are not burdened with the rights of third parties. If it is impossible to place such objects on land plots that are in state and (or) municipal property, when preparing documentation on the planning of the territory of the area

of the planned location of such objects, they are established within the boundaries of land plots owned by right holders who have entered into agreements in proportion to their permitted use and restrictions on their use established in accordance with land legislation. Land plots in state and / or municipal ownership and not burdened with the rights of third parties are provided to rightholders who have entered into an agreement for the purpose of building communal, transport, and social infrastructures for rent without bidding in accordance with land legislation.

9. In order to conclude an agreement, the rightholder or the rightholders who have entered into an agreement send to the authorized local government body a draft territory planning and land surveying project, as well as a draft agreement and, if the rightholders have at least two, prepared in accordance with this Code. At the same time, the specified draft agreement may establish exclusively the rights and obligations of rightholders.

10. The authorized local government body checks the areas specified in part 9 of this article of the territory planning project and the territory surveying project in terms of compliance with the requirements specified in paragraph 10 of Article 45 of this Code within thirty days from the date of receipt of such projects, according to the results of which the project approves territory planning and land surveying project or decides on rejecting such projects and sending them for revision. Documentation on the planning of the territory to be integrated development initiated by the right holders is approved without public discussions or public hearings.

(as amended by the Federal Law of December 29, 2017 N 455-FZ)

(see the text in the previous "edition")

11. The conclusion of a contract with the right holder or right holders is carried out without an auction for the right to conclude a contract. The draft contract signed by the authorized body shall be sent to the right holder or right holders within thirty days from the date of approval of the territory planning draft and the land survey project specified in paragraph 9 of this article. The signing of the contract by the right holder or rights holders is carried out within thirty days from the day they receive the contract.

12. Under the contract, the right holder or rightholders undertake, within the period specified by the contract, to carry out activities for the integrated and sustainable development of the territory on their own and at their own expense and / or with the involvement of other persons and / or funds of other persons, and the authorized local self-government body the necessary conditions to fulfill these obligations. The agreement (if any) is an integral part of the contract.

13. The contract contains information about the land plots forming the territory in respect of which the contract is concluded (cadastral numbers of land plots (if available), their area, location, list of real estate objects located on such land plots, rights to such land plots and real estate objects on them), and information about the elements of the planning structure, within whose boundaries there is a territory that is subject to complex development on the initiative of the rightholders.

14. The terms of the contract are:

- 1) delimiting the obligations of the parties to implement measures necessary for the implementation of activities for the integrated and sustainable development of the territory, obligations to change the types of permitted use of land, the formation of land, the establishment of servitudes, the implementation of state registration of rights to land and (or) located their real estate objects;
- 2) the delineation of the obligations of the parties on the improvement of the territory subject to complex development on the initiative of the rightholders;
- 3) the obligations of the authorized local government body to ensure the construction of communal, transport, social infrastructures necessary for the operation of capital construction projects for residential, industrial, public, business and other purposes and for the livelihoods of citizens, or the obligation of rightholders to ensure the placement of such facilities at their own expense accordance with advanced schedules of design, construction, reconstruction of the specified object s communal, transport, social infrastructures;
- 4) the timing and sequence (phasing) of the implementation of the measures provided for in paragraphs 1-3 of this part, including the deadlines for the completion of the construction of

capital construction objects;

5) the term of the contract, which can be set for no more than fifteen years;

6) the liability of the parties to the contract for the violation of obligations under the contract;

7) the period during which rightholders who have not entered into agreements and contracts are entitled to join the agreement and contract;

8) types of benefits (if any) provided to rightholders in accordance with this Code, regulatory legal acts of the constituent entities of the Russian Federation, municipal legal acts, as well as the procedure and conditions for their provision, termination.

15. The contract may provide for the obligations of the right holder to transfer to municipal property after the completion of construction objects of communal, transport, social infrastructures, as well as other objects, the construction of which was carried out at the expense of the right holder. In this case, the contract determines the list of such objects and the conditions for their transfer.

16. In the event that the territorial planning documentation on the right holder's land plot provides for the placement of objects of communal, transport, social infrastructures, the contract may provide for compensatory measures in relation to such right holder, including:

1) granting the right holder tax benefits and (or) equivalent land plots in the case of free transfer of municipal, transport, social infrastructures and (or) land plots on which such objects are located into municipal ownership;

2) reduction of rent for a land plot in municipal ownership if the land plot is provided to the right holder under a lease agreement.

17. The rightholders who have refused to conclude an agreement and an agreement are entitled to join the agreement within the term established by the agreement and (or) the agreement. Such rights holders join the contract if they conclude an additional agreement in accordance with paragraphs 5 and 6 of this article with the rightholders who have entered into the agreement and send them to the authorized local authority coordinated with the rightholders who have entered into the contract a draft amendment to the prepared territory planning project and the project of land surveying in relation to the land plots of the right holders who have decided to join the contract.

18. The cessation of the existence of a land plot in respect of which a contract has been concluded, in connection with its division or the occurrence of rights of third parties to land plots formed from such a land plot, is not a ground for termination of rights and obligations specified in the contract.

19. The contract may be terminated on the grounds provided for by civil law, solely by a court decision, with the exception of the cases provided for in Parts 21-24 and 28 of this Article.

20. In case of unilateral refusal of one or several rightholders from the contract (execution of the contract), the lease agreement for a land plot owned by the state or municipal government and provided to such rightholders for rent without holding tenders for the construction of communal, transport, social infrastructures is terminated by the requirement of the landlord in accordance with land laws. The alienation of the unfinished construction object (including the construction, the construction of which is not completed), located on such a land plot, is carried out in accordance with civil legislation.

21. In case of unilateral refusal of one or several rightholders from the contract (execution of the contract), the territory planning documentation in respect of the land plot of such rightholder or such rightholders is considered invalid.

22. The authorized local government body has the right to unilaterally withdraw from the contract (execution of the contract) concluded with one or several rightholders on the following grounds:

1) non-fulfillment by the rightholder or rightholders of the obligations stipulated by clauses 3 and 4 of part 14 of this article;

2) the local budget for the current fiscal year and the planning period does not provide for the expenditure obligations of the municipality to accommodate the facilities of municipal, transport, social infrastructures stipulated by the contract.

23. In the event of a unilateral refusal of an authorized local authority from an agreement (performance of an agreement) on the basis provided for in clause 1 of part 22 of this article,

the right holder or rightholders are obliged to compensate the local government for losses caused by the failure to fulfill the obligations stipulated in clauses 3 and 4 of part 14 of this article . When calculating the amount of compensation, losses are determined taking into account the expenses incurred by the authorized local government body in connection with the conservation of communal, transport and social infrastructures, the construction of which in accordance with the contract is carried out by the local government body.

24. In the event of a unilateral refusal of an authorized local authority from an agreement (performance of an agreement) on the basis provided for by paragraph 2 of part 22 of this article, the right holder or right holders who have entered into the agreement are entitled to take measures provided for by the territory planning documentation, subject to design and construction, reconstruction of communal, transport and social infrastructures in accordance with the approved planning documentation at the expense of x funds. In this case, the rightholder or rightholders submit to the authorized local government body for approval amendments to the territory planning documentation, which include the inclusion of updated forward schedules for design and construction, reconstruction provided for by the territory planning documentation.

25. In the case provided for in part 24 of this article, the authorized local government body is obliged to approve the submitted changes to the territory planning documentation within ten days, or reject them and send them to the right holder or holders for revision. Deviation of changes in the territory planning documentation is allowed only if the updated revised schedules do not meet the requirements provided for by paragraph 24 of this article.

26. The authorized local self-government body shall, at the request of the rightholder or rightholders, pay damages caused to the said rightholder or rightholders by non-fulfillment by the authorized local self-government body of obligations provided for by clause 3 of part 14 of this article.

27. In the case provided for in paragraph 2 of part 22 of this article, at the request of the rightholder or rightholders, the authorized local self-government body refused from the contract (performance of the contract) with which such local self-government body is obliged to compensate the specified rightholder or rightholders for the losses caused rejection of the contract (performance of the contract).

28. The rightholder or rightholders who have entered into an agreement with the authorized local authority have the right to unilaterally withdraw from the contract (performance of the contract) if the local budget for the current fiscal year and the planning period does not provide for the expenditure obligations of the municipality for the design and construction stipulated by the contract objects of communal, transport, social infrastructures. In this case, the rights and obligations of the right holder or rightholders and the authorized body of local self-government are determined by parts 24 - 27 of this article.

#### **Article 46.10. Integrated development of the territory at the initiative of the local government**

(introduced by Federal Law of 03.07.2016 N 373-FZ)

1. Integrated development of the territory at the initiative of the local government is one of the activities for the integrated and sustainable development of the territory.

2. The decision on the integrated development of the territory on the initiative of the local government is taken by the authorized local government of the settlement, the urban district in the presence of land use and development rules that provide territories within whose boundaries the activity on integrated and sustainable development of the territory is allowed.

"" 3. The decision on the integrated development of the territory at the initiative of the local government can be made if at least 50 percent of the total area of the territory, within the boundaries of which provides for the implementation of activities for the integrated and sustainable development of the territory, is occupied by land:

"" 1) on which capital construction objects (with the exception of apartment buildings) are located, recognized in the order established by the Government of the Russian Federation as emergency and subject to demolition;

2) on which capital construction objects are located (with the exception of apartment buildings), demolition, reconstruction of which is planned on the basis of municipal targeted

programs approved by the representative body of local self-government;

3) the types of permitted use of which and (or) the types of permitted use and characteristics of capital construction facilities located on which do not correspond to the types of permitted use of land and capital construction facilities and the limit parameters of construction, reconstruction of capital construction facilities established by land use and development rules;

4) on which capital construction objects are located, recognized as unauthorized constructions in accordance with civil legislation.

4. The inclusion within the boundaries of the territory in respect of which a decision is made on its integrated development at the initiative of the local government body, land plots intended for the placement of objects of federal significance, objects of regional significance, facilities of local significance in accordance with the documents of territorial planning is not allowed. Inclusion into the borders of the specified territory of other land plots and (or) located on them objects of real estate owned by the Russian Federation, constituent entities of the Russian Federation, municipal districts, is allowed in coordination with the authorized federal executive bodies, executive bodies of the constituent entities of the Russian Federation, local government of municipal districts in the manner established by the Government of the Russian Federation.

5. Integrated development of the territory at the initiative of the local government includes the preparation of documentation for the planning of the territory, the formation of land plots within the boundaries of a given territory, accommodation on land plots within the boundaries of a given territory of capital construction objects for residential, industrial, public, business and other purposes, and also necessary for the functioning of such facilities and the life support of citizens of communal, transport and social infrastructures in accordance with the documentation on the planning area.

6. Comprehensive development at the initiative of the local government body is subject to the territory within which there are land plots and (or) real estate objects located on them that are in state and (or) municipal property, the property of individuals or legal entities.

7. Within seven days from the date of the decision on the integrated development of the territory at the initiative of the local authority, the authorized local authority that made such a decision is obliged to:

1) to ensure the publication of information about the decision taken in accordance with the procedure established by the charter of the municipality for the official publication (promulgation) of municipal legal acts;

2) to ensure that the information on the adoption of such a decision is posted on the official website of the authorized local authority on the Internet;

3) to ensure the placement of information about such a decision on the information board within the territory in respect of which such a decision has been made;

4) to send to the right holders of land plots and (or) objects of immovable property located within the boundaries of the territory in respect of which such a decision was made, including to persons to whom land plots that are in state or municipal ownership and located within the boundaries of this territory are provided in lease or for free use in accordance with land legislation, provided that the term of the lease agreement or the contract of gratuitous use is not less than five years (hereinafter referred to as the right holders), a copy of such a decision and a proposal for such rights holders to carry out activities for the integrated and sustainable development of the territory in the manner prescribed by article 46.9 of this Code.

8. In the event that, within six months from the date of sending the copies of the decision and the proposal specified in clause 4 of part 7 of this article to the authorized local government, the territory planning documentation provided for in paragraph 9 of article 46.9 of this Code, the draft agreement on the integrated development of the territory and an agreement that complies with the requirements established by this Code, the authorized body of local self-government shall enter into an integrated development agreement with the rightholder or holders of rights territory on the initiative of holders in the manner prescribed by Article 46.9 of this Code. In this case, it is allowed to grant land plots in state or municipal property to the rightholder or rightholders for the construction of communal, transport, and social infrastructures in rent without holding tenders in accordance with land legislation.



9. In the event that, after six months from the date of sending the copies of the decision and the proposal specified in clause 4 of part 7 of this article to the authorized local government body, the territory planning documentation provided for in paragraph 9 of article 46.9 of this Code was not received, the draft agreement on the integrated development of the territory , the agreement or the territory planning documentation prepared by the right holder or the right holders was not approved due to non-compliance with the requirements of paragraph 10 of Article 45 of this Code and (or) the contract prepared by the right holder or the right holders was not signed by the parties due to their failure to comply with the requirements of article 46.9 of this Code, the authorized local government decides to hold an auction for the right to conclude an agreement on the integrated development of the territory at the initiative of the local government Article 46.11 of this Code.

10. The agreement on the integrated development of the territory at the initiative of the local government is concluded by the authorized local authority that made the decision on the integrated development of the territory at the initiative of the local government, with the winner of the open auction for the right to conclude an agreement on the integrated development of the territory at the initiative of the local government this article also includes an agreement) or another person who has the right to enter into such an agreement in accordance with this Code.

11. Under the contract, the person who has entered into the contract shall undertake to carry out, in the period established by this contract, on its own and at its own expense and (or) with the involvement of other persons and (or) funds of other persons, activities for the integrated and sustainable development of the territory, and the authorized local government body undertakes to create the necessary conditions for the implementation of such activities.

12. The contract contains information on land plots located within the territory in respect of which the contract is concluded (including cadastral numbers of land plots (if available), their area, location, list of real estate objects located on such land plots, rights to such land plots and real estate objects located on them), and information about an element of the planning structure, within whose boundaries there is a territory which is subject to complex development on the initiative of the organization and a local government.

13. The terms of the contract are:

1) delimiting the obligations of the parties to implement measures necessary to implement the agreement on the integrated development of the territory initiated by the local government, including the formation of land plots, the establishment of servitudes, ensuring the implementation of state registration of rights to land plots and (or) located on them real estate objects;

2) delineation of the obligations of the parties on the improvement of the territory subject to integrated development at the initiative of the local government;

3) the obligation of the person who has entered into the contract to prepare and submit to the local government a draft territory planning, including a draft survey of the territory in respect of which a decision on integrated development has been initiated by the local government, in accordance with town planning regulations;

4) the obligation of the authorized local government body to approve the project of territory planning, including the project of land surveying of the territory in respect of which a decision on integrated development has been made on the initiative of the local government body; the maximum time for the fulfillment of the specified obligation;

5) the obligation of the person who has entered into the contract to carry out construction, reconstruction of capital construction objects in the territory in respect of which a decision on integrated development has been taken on the initiative of the local government body, in accordance with the approved territory planning project; stages and maximum terms of construction, reconstruction;

6) the obligation of the authorized local government body to ensure the construction of communal, transport, social infrastructures or the obligation of the person who entered into the contract to carry out the construction of such objects at their own expense; stages and maximum terms for the implementation of such construction;

7) the obligation of the authorized local government body to make a decision regarding the

withdrawal for municipal needs of land plots located within the boundaries of the territory in respect of which a decision was made on its integrated development at the initiative of the local government body and (or) real estate facilities located thereon in accordance with this article on the basis of the approved documentation on the planning of the territory; the maximum time for the fulfillment of the specified obligation;

8) the obligation of an authorized local government body to provide a person who has entered into an agreement, in accordance with land legislation, to lease land without land plots, which are municipal property and not burdened with the rights of third parties, for the construction of communal, transport and social facilities; the maximum time for the fulfillment of the specified obligation;

9) types of benefits (if any) provided to a person who has entered into a contract in accordance with this Code, regulatory legal acts of the constituent entities of the Russian Federation, municipal legal acts, as well as the procedure and conditions for their provision, termination;

10) the term of the contract, which can be set for no more than fifteen years;

11) the responsibility of the parties to the contract for the violation of obligations under the contract;

12) other conditions.

14. The contract may provide for the obligations of the person who has entered into the contract, to donate to the municipal property after the completion of construction objects of municipal, transport, social infrastructures, as well as other objects, the construction of which was carried out at the expense of the person who signed the contract; list of these objects and conditions for their transfer.

15. Termination of the existence of a land plot in respect of which a contract has been concluded, in connection with its division or the occurrence of rights of third parties to land plots formed from such a land plot, does not constitute grounds for termination of rights and obligations specified in the contract.

16. The contract may be terminated on the grounds provided for by civil law, solely by a court decision, with the exception of the cases provided for in subsections 20 and 27 of this article.

17. Land plots that are in state or municipal ownership and are not burdened with the rights of third parties are provided to a person with whom an agreement has been rented without bidding in accordance with land legislation for the construction of communal, transport and social infrastructures.

18. Withdrawal of land plots located within the boundaries of the territory in respect of which a decision has been made on its integrated development at the initiative of the local government, and (or) located on them objects of real estate from rightholders for the purpose of integrated development of the territory at the initiative of local governments is carried out the order established by the land legislation.

19. Land plots located within the boundaries of the territory in respect of which a decision has been taken on its integrated development at the initiative of the local government body, and (or) real estate objects located on them, seized from individuals or legal entities to whom such land plots were allocated for the right to rent or donate, are provided for rent without bidding in accordance with land legislation to the person who entered into the contract.

20. The authorized local authority has the right to unilaterally withdraw from the contract (execution of the contract) concluded in accordance with parts 8-14 of this article and article 46.11 of this Code, for the following reasons:

1) the person who has entered into the contract does not fulfill the obligations provided for by clauses 3, 5 and 6 of part 13 of this article;

2) the local budget for the current fiscal year and the planning period does not provide for the expenditure obligations of the municipality to accommodate the facilities of municipal, transport, social infrastructures stipulated by the contract.

21. In the event of a unilateral refusal of an authorized local authority from an agreement (performance of an agreement) on the basis provided for by paragraph 1 of part 20 of this article, the person who entered into the agreement is obliged to reimburse the local authority for losses caused by the failure to fulfill obligations provided for in paragraphs 3, 5 and 6 Part 13 of this article. When calculating the amount of compensation, losses are determined taking

into account the expenses incurred by the authorized local government body in connection with the conservation of communal, transport and social infrastructures, which were placed in accordance with the contract by the local government body. In this case, the lease agreement for a land plot that is in state or municipal ownership and leased without tendering for the construction of communal, transport, and social infrastructures is terminated at the request of the lessor in accordance with land legislation. The alienation of the unfinished construction object (including the construction, the construction of which is not completed), located on such a land plot, is carried out in accordance with civil legislation.

22. The authorized body of local self-government after sending to the person with whom the contract is made a notification of unilateral refusal of the contract (performance of the contract) has the right to decide to hold an auction for the right to conclude an agreement on the integrated development of the territory at the initiative of the local government in accordance with Article 46.11 of this Code. Such a decision cannot be made in the event of a unilateral refusal of an authorized local authority from an agreement (performance of an agreement) on the basis provided for by clause 2 of part 20 of this article.

23. In the event of a unilateral refusal of an authorized local authority from an agreement (performance of an agreement) on the basis provided for by paragraph 2 of part 20 of this article, the person who entered into the agreement has the right to take measures provided for by the territory planning documentation, subject to the design and construction, reconstruction objects of communal, transport, social infrastructures in accordance with the documentation on the territory planning at their own expense. In this case, the said person shall submit to the authorized local government body for approval amendments to the territory planning documentation, which include the inclusion of updated forward schedules for design and construction, reconstruction provided for by the territory planning documentation of capital construction objects.

24. In the case provided for in part 23 of this article, the authorized local self-government body is obliged to approve the submitted changes to the territory planning documentation within ten days, or reject them and send them to the person who concluded the contract for revision. Deviation of changes made to the territory planning documentation is allowed only if the updated revised schedules do not meet the requirements provided for by paragraph 23 of this article.

25. At the request of the person who has entered into the contract, the authorized local government body is obliged to compensate losses caused to the said person by failure of the authorized local government body to fulfill the obligations stipulated in paragraphs 4, 6–8 of part 13 of this article.

26. In the case provided for in clause 2 of part 20 of this article, the authorized local authority, at the request of the person who has entered into the contract, refused the contract (performance of the contract) with which the local government body is obliged to compensate the person for damages caused by this refusal. from the contract (performance of the contract).

27. A person who has entered into a contract has the right to unilaterally withdraw from the contract (performance of the contract) if the local budget for the current fiscal year and the planning period does not provide for the expenditure obligations of the municipality for designing and building the facilities of the communal, transport and social infrastructures stipulated by the contract . In this case, the rights and obligations of the said person and the authorized local government body are defined in parts 23-25 of this article.

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**Article 46.11. The procedure for organizing and conducting an auction for the right to conclude an agreement on the integrated development of the territory at the initiative of the local government**

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(introduced by Federal Law of 03.07.2016 N 373-FZ)

1. The auction for the right to conclude an agreement on the integrated development of the territory at the initiative of the local government (hereinafter referred to as the auction) is conducted in the manner established by Article 46.3 of this Code, taking into account the specifics provided for in this Article.

2. The decision to hold an auction may be taken by the authorized local government body that

made a decision on the integrated development of the territory at the initiative of the local government, no earlier than six months from the date of the decision on the integrated development of the territory at the initiative of the local government.

3. The subject of the auction is the right to conclude an agreement on the integrated development of the territory at the initiative of the local government. The method of determining the initial price of the subject of the auction is established by the highest executive body of state power of the subject of the Russian Federation.

4. In the notice of the auction, posted on the official website on the Internet in the manner prescribed by part 6 of article 46.3 of this Code, along with the information provided for in paragraphs 1-4 and 7 of part 7 of article 46.3 of this Code, , provided for by paragraphs 1 - 3, 6, 7 and 9 of part 8 of article 46.3 of this Code, as well as:

- 1) information about the territory, in relation to which the implementation of activities for its integrated and sustainable development is envisaged, in accordance with the decision on the integrated development of the territory at the initiative of the local government body;
- 2) details of the decision of the local government on the integrated development of the territory at the initiative of the local government;
- 3) information on town planning regulations within the territory in respect of which a decision was made on integrated development initiated by the local government, as well as on the estimated indicators approved by the local government on the minimum acceptable level of provision of such territory with utility, transport, social infrastructures and estimated indicators the permissible level of territorial availability of these objects for the population;
- 4) the essential terms of the contract, established in accordance with Article 46.10 of this Code.

5. An application for participation in an auction may be filed by a legal entity that meets the requirements stipulated in clauses 3–5, 7, and 8 of part 1 of article 46.8 of this Code (hereinafter referred to as the applicant).

6. To participate in the auction, the applicants shall submit, in the time period specified in the notice of the auction, the documents stipulated by clauses 1 and 3 of part 10 of article 46.3 of this Code, as well as the documents specified in part 6 of article 46.8 of this Code and confirming the person's compliance with the requirements specified in clauses 3-5, 7 and 8 parts of 1 article 46.8 of this Code.

7. The applicant is not allowed to participate in the auction on the grounds stipulated by paragraph 14 of article 46.3 of this Code, as well as in case of non-compliance with the requirements provided for by paragraphs 3-5, 7 and 8 of part 1 of article 46.8 of this Code.

## **Chapter 6. ARCHITECTURAL AND CONSTRUCTION DESIGN, CONSTRUCTION, RECONSTRUCTION CAPITAL CONSTRUCTION OBJECTS**

### **Article 47. Engineering surveys for the preparation of project documentation, construction, reconstruction of capital construction objects**

1. Engineering surveys are carried out for the preparation of project documentation, construction, reconstruction of capital construction objects. Preparation of project documentation, as well as construction, reconstruction of capital construction objects in accordance with such project documentation are not allowed without the performance of relevant engineering surveys.

(Part 1 as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

2. Works on engineering survey agreements concluded with a developer, technical customer or a person who has received permission to use land or a land plot owned by the state or municipal government in accordance with the Land Code of the Russian Federation (hereinafter - contracts for the performance of engineering surveys) should be carried out only by individual entrepreneurs or legal entities that are members of self-regulation uemyh organizations in the field of engineering studies, unless otherwise provided by this article. Engineering surveys under such contracts are provided by engineering survey specialists

(chief project engineers). Works on contracts for the performance of engineering surveys concluded with other persons may be performed by individual entrepreneurs or legal entities that are not members of such self-regulating organizations.

(part 2 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

2.1. Membership in self-regulatory organizations in the field of engineering surveys is not required:

1) state and municipal unitary enterprises, including state and municipal state-owned enterprises, state and municipal institutions in case they conclude contracts for engineering surveys with federal executive bodies, state corporations that carry out legal regulation in the relevant field public authorities of the constituent entities of the Russian Federation, local authorities responsible for such redpriyatiya, institutions, or in the case of implementation of such enterprises, institutions, functions of technical customer on behalf of the specified federal enforcement authorities, public corporations, public authorities of the Russian Federation, bodies of local self-government;

2) commercial organizations, in the authorized (share) capitals of which the share of state and municipal unitary enterprises, state and municipal autonomous institutions is more than fifty percent, in case of such commercial organizations concluding contracts for performing engineering surveys with these enterprises, institutions, as well as federal executive authorities, state corporations, state authorities of the constituent entities of the Russian Federation, State self-government, which is stipulated by clause 1 of this part and which are responsible for specified enterprises, institutions, or in the case of such commercial organizations performing the functions of a technical customer on behalf of specified enterprises, institutions, federal executive bodies, state corporations, state bodies of the Russian Federation local government;

3) legal entities created by public legal entities (with the exception of legal entities provided for by paragraph 1 of this part), in case of the said legal entities concluding contracts for the performance of engineering surveys in established fields of activity (in areas for the purposes of which activities are created such legal entities), as well as commercial organizations, in the authorized (share) capitals of which the share of these legal entities is more than fifty percent, in the case of the conclusion of tons such commercial organizations for the performance of engineering surveys with the specified legal entities or in the case of such commercial organizations performing the functions of a technical customer on behalf of the specified legal entities;

4) legal entities, in authorized (share) capitals of which the share of public legal entities is more than fifty percent, in the case of the said legal entities concluding contracts for engineering surveys with federal executive authorities, state authorities of the constituent entities of the Russian Federation, local governments , in the established fields of activity of which the said legal entities carry out the statutory activity, or in the case of the fulfillment of the said legal persons of technical customer functions on behalf of these federal executive authorities, state authorities of the constituent entities of the Russian Federation, local governments, as well as commercial organizations, in whose authorized (share) capitals the share of these legal entities is more than fifty percent, in the case of such commercial organizations of contracts for the performance of engineering surveys with the specified federal executive authorities, state bodies authorities of the Russian Federation, local authorities, legal persons or in the case of performing such business organizations functions of technical customer on behalf of these federal bodies of executive power, bodies of state power of subjects of the Russian Federation, local self-government bodies, legal entities.

(Part 2.1 was introduced by Federal Law of July 3, 2016 N 372-FZ)

"" 3. Persons performing engineering surveys may be a developer, a person who has received permission to use state or state-owned land to carry out engineering surveys in accordance with the Land Code of the Russian Federation, or an individual entrepreneur or legal entity who entered into contract for engineering surveys. A person performing engineering surveys is responsible for the completeness and quality of engineering surveys and their compliance with the requirements of technical regulations. A developer or a person who has received

permission to use land or state-owned or state-owned land for performing engineering surveys in accordance with the Land Code of the Russian Federation has the right to carry out engineering surveys independently, provided that such persons are members of a self-regulating organization in the field of engineering surveys, or with the involvement of other persons under a contract for the performance of engineering surveys.

(part 3 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

4. Engineering surveys for the preparation of project documentation, construction, reconstruction of capital construction projects are carried out in order to obtain:

(as amended by Federal Laws dated July 23, 2013 N 247-FZ, dated July 3, 2016 N 373-FZ)

(see the text in the previous "edition")

1) materials on the natural conditions of the territory on which construction will be carried out, reconstruction of capital construction objects, and factors of anthropogenic impact on the environment, on the forecast of their changes necessary for the development of decisions regarding such a territory;

2) materials necessary for substantiating the layout of buildings, structures, structures, making constructive and space-planning decisions in relation to these buildings, structures, structures, designing engineering protection of such facilities, developing environmental protection measures, building organization projects, reconstruction of capital facilities construction;

3) materials required for the calculation of bases, foundations and structures of buildings, structures, structures, their engineering protection, the development of decisions on the implementation of preventive and other necessary measures, the implementation of excavation works, as well as for the preparation of solutions on issues arising during the preparation of project documentation , its approval or approval.

4.1. The results of engineering surveys are a document on the completed engineering surveys, containing materials in textual and graphical forms and reflecting information about the tasks of engineering surveys, the location of the territory in which it is planned to carry out construction, reconstruction of a capital construction object, types, volume, methods and on the timing of the work on the implementation of engineering surveys in accordance with the program of engineering surveys, on the quality of engineering surveys performed, on the result x comprehensive study of the natural and man-made conditions of the specified territory, including the results of the study, assessment and forecast of possible changes in the natural and man-made conditions of the specified territory in relation to the capital construction object during construction, reconstruction of such an object and after their completion, and the results of the construction impact assessment , reconstruction of such an object to other capital construction objects.

(Part 4.1 was introduced by the Federal Law of 31.12.2005 N 210-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

5. The need to perform certain types of engineering surveys, the composition, volume and method of their implementation are established taking into account the requirements of technical regulations by a program of engineering surveys developed based on the task of the developer or technical customer, depending on the type and purpose of capital construction objects, their design features, technical complexity and potential danger, the stage of architectural and construction design, as well as the complexity of topographic, engineering geological, eco ogicheskih, hydrological, meteorological and climatic conditions of the territory, which will be carried out construction and reconstruction of objects of capital construction, the degree of knowledge of these conditions.

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

"" 6. Types of engineering surveys, the order of their execution for the preparation of project documentation, construction, reconstruction of capital construction objects, the composition, form of materials and results of engineering surveys, the order of their presentation for placement in state information systems for urban planning activities are established by the

Government of the Russian Federation.

(as amended by Federal Law of 31.12.2005 N 210-FZ, of 23.07.2013 N 247-FZ, of 03.07.2016 N 373-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

7. Lost force. - Federal law of 03.07.2016 N 373-FZ.

(see the text in the previous "edition")

## **Article 48. Architectural and construction design**

1. Architectural and construction design is carried out by preparing project documentation for capital construction objects and their parts being built, reconstructed within the boundaries owned by the developer or other rightholder (which, in the implementation of budgetary investments in state-owned (municipal) capital construction objects, state bodies (state bodies), State Atomic Energy Corporation "Rosatom", State Corporation for Nuclear Energy Roscosmos, the government bodies of state extra-budgetary funds or local governments transferred in cases established by the budget legislation of the Russian Federation, on the basis of agreements, their authority as a state (municipal) customer of the land plot, as well as the section on design documentation capital construction "during the overhaul of a capital construction object in the cases provided for in part 12.2 about the article. If the territory planning documentation provides for the placement of a transport infrastructure object of federal significance or a linear object of transport infrastructure of regional significance or local significance, architectural and construction design is carried out by preparing design documentation for such an object and its parts that are being built, reconstructed, including within the borders of a non-developer or other rightholder (which, when making budget investments State authorities (state bodies), the State Atomic Energy Corporation "Rosatom", the State Space Corporation "Roscosmos", the governing bodies of state extrabudgetary funds or local governments transferred to the capital construction objects of state (municipal) property in cases established by budget legislation of the Russian Federation, on the basis of agreements, their powers of state (municipal) customer) lands plot of land.

(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

2. Project documentation is a documentation containing materials in text and graphic forms and defining architectural, functional, technological, structural and engineering solutions for the construction, reconstruction of capital construction projects, their parts, overhaul.

(as amended by Federal Law of 07/18/2011 N 243-FZ, of 03/08/2018 N 342-FZ)

(see the text in the previous "edition")

3. Implementation of the preparation of project documentation is not required during the construction, reconstruction of the object of individual housing construction, garden house. The developer on its own initiative has the right to ensure the preparation of project documentation in relation to the object of individual housing construction, garden house.

(part 3 as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3.1. The provisions of part 3 of this article shall not apply if the estimated cost of construction, reconstruction, overhaul of an individual housing construction object is subject to verification for the accuracy of its determination.

(Part 3.1 was introduced by Federal Law of 03.08.2018 N 342-FZ)

4. Works on contracts for the preparation of project documentation concluded with the developer, technical customer, person responsible for the operation of the building, structure, regional operator (hereinafter also referred to as contract agreements for the preparation of project documentation) should be performed only by individual entrepreneurs or legal entities that are members self-regulating organizations in the field of architectural and construction design, unless otherwise provided by this article. Work on the preparation of project documentation for such contracts is provided by experts in the organization of architectural and construction design (chief project engineers, chief project architects). Works on contracts for the preparation of project documentation concluded with other persons may be performed

by individual entrepreneurs or legal entities that are not members of such self-regulating organizations.

(Part 4 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

"4.1. Membership in self-regulatory organizations in the field of architectural and construction design is not required:

"" 1) state and municipal unitary enterprises, including state and municipal state-owned enterprises, state and municipal institutions in the event they conclude contracts for the preparation of project documentation with federal executive bodies, state corporations that carry out regulatory and legal regulation in the relevant field authorities of the constituent entities of the Russian Federation, local authorities, which are responsible for e enterprises, institutions, or in the case of such enterprises, institutions performing the functions of a technical customer on behalf of specified federal executive authorities, state corporations, state authorities of the constituent entities of the Russian Federation, and local governments;

2) commercial organizations, in the authorized (share) capitals of which the share of state and municipal unitary enterprises, state and municipal autonomous institutions is more than fifty percent, in the case of such commercial organizations concluding contracts for the preparation of project documentation with these enterprises, institutions, as well as federal executive bodies, state corporations, state authorities of the constituent entities of the Russian Federation, and local self-government, which are stipulated by clause 1 of this part and which are responsible for specified enterprises, institutions, or in the case of such commercial organizations performing the functions of a technical customer on behalf of specified enterprises, institutions, federal executive bodies, state corporations, state authorities of Federation, local government;

3) legal entities created by public legal entities (with the exception of legal entities provided for by clause 1 of this part), in case of the said legal entities concluding contracts for the preparation of project documentation in the established fields of activity (in areas for the purposes of the activities in which these legal entities), as well as commercial organizations, in the authorized (share) capitals of which the share of these legal entities is more than fifty percent, in the case of eniya commercial organizations such contracts on preparation of project documentation with these entities or in case of implementation of these business organizations functions of technical customer on behalf of the above entities;

4) legal entities, in authorized (share) capitals of which the share of public legal entities is more than fifty percent, in the case of the said legal entities concluding contracts for the preparation of project documentation with federal executive bodies, state authorities of the constituent entities of the Russian Federation, local authorities , in the established spheres of activity of which the said legal entities carry out the statutory activity, or in the case of the fulfillment of the said legal entities persons of technical customer functions on behalf of these federal executive authorities, state authorities of the constituent entities of the Russian Federation, local governments, as well as commercial organizations, in whose authorized (share) capitals the share of these legal entities is more than fifty percent, in the case of such commercial contract organizations for the preparation of project documentation with the specified federal executive bodies, state bodies constant power of subjects of the Russian Federation, local authorities, legal persons or in the case of performing such business organizations functions of technical customer on behalf of these federal bodies of executive power, bodies of state power of subjects of the Russian Federation, local self-government bodies, legal entities.

(Part 4.1 was introduced by the Federal Law of July 3, 2016 N 372-FZ)

5. A person engaged in the preparation of project documentation may be a developer or an individual entrepreneur or a legal entity that has entered into a contract for the preparation of project documentation. The person preparing the project documentation is responsible for the quality of the project documentation and its compliance with the requirements of technical regulations. The developer has the right to perform the preparation of project documentation independently, provided that he is a member of a self-regulating organization in the field of architectural and construction design, or with the involvement of other persons under a



contract for the preparation of project documentation.

(Part 5 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

"" 5.1. Effective from July 1, 2017. - Federal law of 03.07.2016 N 372-FZ.

(see the text in the previous "edition")

5.2. The contract for the preparation of project documentation may provide for an assignment for the performance of engineering surveys. In this case, the specified natural or legal person also carries out the organization and coordination of engineering survey work and is responsible for the accuracy, quality, and completeness of the engineering survey performed. This contract may also provide for the provision of technical conditions to the specified individual or legal entity.

(Part 5.2 was introduced by the Federal Law of 07/27/2010 N 240-FZ, as amended by the Federal Law of 28.11.2011 N 337-FZ, of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

6. If the preparation of project documentation is carried out by an individual entrepreneur or legal entity on the basis of a contract for the preparation of project documentation concluded with the developer, technical customer, person responsible for the operation of the building, structure, regional operator, developer, technical customer, person responsible for the operation of the building, structure, the regional operator must provide such an individual entrepreneur or legal entity:

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1) a town-planning plan of a land plot or in the case of the preparation of project documentation for a linear object, a territory planning project and a territory surveying project (except for cases in which the preparation of a territory planning documentation is not required for the construction or reconstruction of a linear object);

(as amended by Federal Law of 20.03.2011 N 41-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

2) the results of engineering surveys (if they are absent, the contract for the preparation of project documentation should provide for the task of performing engineering surveys);

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

3) technical conditions (in the event that the operation of the designed capital construction facility cannot be ensured without connecting (technological connection) of such an object to the networks of engineering and technical support).

(as amended by the Federal "law" of 12/30/2012 N 318-FZ)

(see the text in the previous "edition")

7. Technical conditions providing for maximum load, terms of connection (technological connection) of capital construction objects to the networks of engineering and technical support and the period of validity of technical conditions, as well as information about the charge for such connection (technological connection) are provided by organizations operating the engineering networks. technical support, free of charge for fourteen days at the request of the federal executive bodies noy authorities of the Russian Federation, bodies of local self-government or land rights holders, unless otherwise provided by the legislation on gas supply in the Russian Federation. The term of validity of the provided technical conditions and the term of payment for such connection (technological connection) are established by organizations operating the engineering and technical supply networks for at least three years or in the integrated development of land plots for housing construction for at least five years, except for the cases stipulated by the legislation of the Russian Federation. The rightholder of the land plot within one year or with the integrated development of a land plot for housing construction within three years from the moment of providing technical specifications and information about the charge for such connection (technological connection) must determine the necessary for it to connect (technological connection) to the networks of engineering - technical security load within the technical conditions provided to him. The obligations of the organization that provided the technical conditions for the maximum load, the terms of

connection (technological connection) of capital construction objects to the networks of engineering and technical support and the term of the technical conditions are terminated if within one year or during the integrated development of the land plot for housing purposes construction within three years from the date of provision of the specified technical conditions to the landlord, he will not determine whether I'm using it for the connection (technological connection) to the networks of engineering and technical support load within the technical conditions provided to it and will not submit an application for such connection (technological connection).

(part 7 as amended by the Federal "law" of 12/30/2012 N 318-FZ)

(see the text in the previous "edition")

8. The organization operating the engineering and technical support networks is obliged to provide the right holder of the land plot in a timely manner with a connection (technological connection) of the constructed or reconstructed capital construction object to the networks of engineering and technical support in accordance with the technical conditions and information about the connection charge (technological accession) provided to the owner of the land.

(as amended by the Federal "law" of 12/30/2012 N 318-FZ)

(see the text in the previous "edition")

9. The executive state body or local government body authorized to dispose of land plots in state or municipal ownership no later than thirty days before the day of the auction, or until the day of the decision to grant the land plot that is in state or municipal property, or until the date of the decision on the preliminary approval of the provision of such a land plot, provide interested persons terms of connection (technological connection) to engineering networks providing maximum load, connection time (technological connection) of the capital construction object to engineering networks, period of validity of technical conditions and information on connection charges (technological connection). The executive state body or local government body authorized to dispose of land plots within fourteen days from the date of receipt of the application for holding an auction for the sale of a state-owned or municipal land plot or an auction for the right to enter into a lease agreement for such a land plot is sent to organizations operating networks of engineering and technical support, a request for the provision of specified technical conditions, and Information on their validity period and connection fee (technological connection).

(part 9 as amended by the Federal "law" of 23.06.2014 N 171-FZ)

(see the text in the previous "edition")

""ten. The procedure for determining and providing technical conditions and determining the connection charge (technological connection), as well as the procedure for connecting (technological connection) of a capital construction object to the networks of engineering and technical support, may be "established" by the Government of the Russian Federation.

(as amended by the Federal "law" of 12/30/2012 N 318-FZ)

(see the text in the previous "edition")

"" 10.1. The requirements of parts 7–10 of this article do not apply to technological connection of capital construction objects to electric networks. The order of the corresponding technological connection to the electric networks is established by the "legislation" of the Russian Federation on the electric power industry.

(Part 10.1 is introduced by the Federal "law" of 12/30/2012 N 318-FZ)

11. Preparation of project documentation is carried out on the basis of the task of the developer or technical customer (when preparing project documentation on the basis of a contract for the preparation of project documentation), engineering survey results, information specified in the urban development plan of a land plot, or in the case of preparation of project documentation for a linear object on the basis of the project territory planning and land survey project (with the exception of cases in which for construction, reconstruction of th object is not required for land planning documentation preparation) in accordance with the requirements of technical regulations, specifications, permit deviation from the limiting parameters of permitted construction, reconstruction of capital construction.

(as amended by Federal Law of 31.12.2005 N 210-FZ, of 03/20/2011 N 41-FZ, of 11/28/2011 N

337-FZ, of 03/07/2016 N 372-FZ, of 03.07.2016 N 373-FZ from 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

From July 1, 2019, Federal Law of 03.08.2018 N 342-FZ part 12 of article 48 is set forth in a new wording. See future "revision".

12. The structure of the project documentation of capital construction objects, with the exception of the project documentation of linear objects, includes the following sections:

1) an explanatory note with source data for architectural and construction design, construction, reconstruction, overhaul of capital construction objects, including the results of engineering surveys, technical specifications;

2) the scheme of the planning organization of the land plot, which is made in accordance with the information specified in the urban development plan of the land plot;

(as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

3) architectural solutions;

4) constructive and space-planning decisions;

5) information on engineering equipment, networks of engineering and technical support, list of engineering and technical measures, content of technological solutions;

6) a project for the organization of construction of capital construction objects;

6.1) the draft organization of road traffic in cases provided for by the Federal Law "On the Organization of Road Traffic in the Russian Federation and on Amendments to Certain Legislative Acts of the Russian Federation";

(clause 6.1 was introduced by Federal Law of December 29, 2017 N 443-FZ)

7) a project for the organization of work on the demolition of capital construction objects, their parts (if necessary, the demolition of capital construction objects, their parts for construction, reconstruction of other capital construction objects);

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

8) a list of environmental protection measures;

9) a list of fire safety measures;

10) a list of measures to ensure the access of persons with disabilities to objects of health care, education, culture, recreation, sports and other social, cultural, and community facilities, transportation, trade, catering, business, administrative, financial, religious, housing facilities (in the case of the preparation of project documentation for the construction, reconstruction, overhaul of such objects);

(as amended by the Federal Law of 28.11.2015 N 339-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

For specific requirements for ensuring the safe operation of buildings, structures, see Federal Law of 28.11.2011 N 337-FZ.

"" 10.1) requirements for ensuring the safe operation of capital construction facilities;

(clause 10.1 was introduced by Federal Law of 28.11.2011 N 337-FZ)

11) estimates for the construction, reconstruction, overhaul, demolition of capital construction objects, preservation of cultural heritage objects, financed with the involvement of budget funds of the budget system of the Russian Federation, legal entities established by the Russian Federation, constituent entities of the Russian Federation, municipalities legal entities, the share in the authorized (share) capitals of which of the Russian Federation, constituent entities of the Russian Federation, municipalities is more than 50 percent;

(as amended by Federal Law of 03.07.2016 N 369-FZ, of 07.27.2017 N 191-FZ, of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

11.1) a list of measures to ensure compliance with the requirements of energy efficiency and the requirements for equipping buildings, structures, structures with metering devices used energy resources;

(clause 11.1 was introduced by the Federal "Law" of 23.11.2009 N 261-FZ)

ConsultantPlus: note.

P. 11.2 h. 12. Art. 48 does not apply in cases established by law.

11.2) information on the regulatory frequency of the overhaul of an apartment building, necessary to ensure the safe operation of such a house, on the scope and composition of the specified work (in the case of the preparation of project documentation for the construction, reconstruction of an apartment building);

(clause 11.2 was introduced by Federal Law dated 06.29.2015 N 176-FZ)

12) other documentation in cases provided for by federal "laws".

12.1. Preparation of project documentation at the initiative of the developer or technical customer can be carried out in relation to individual stages of construction, reconstruction of capital construction objects.

(Part 12.1 was introduced by Federal Law of 31.12.2005 N 210-FZ, as amended by Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

12.2. In the case of capital repairs of capital construction projects financed with the involvement of the budgets of the budget system of the Russian Federation, funds of persons specified in paragraph 1 of Article 8.3 of this Code, estimates are prepared for the overhaul of capital construction objects on the basis of an act approved by the developer or technical customer and containing a list of base defects, building structures, engineering systems and engineering networks providing with an indication of the qualitative and quantitative characteristics of such defects, and the task of the developer or technical customer to design, depending on the content of the work performed during the overhaul of capital construction objects. The developer, on its own initiative, has the right to ensure the preparation of other sections of project documentation, as well as the preparation of project documentation during the overhaul of capital construction objects in other cases not specified in this part.

(Part 12.2 was introduced by the Federal Law dated July 18, 2011 No. 243-FZ, as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated August 3, 2014 No. 342-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

The requirement to specify in the design assignment and in the project documentation information about the capital construction object in accordance with the classifier, established by Part 12.3 of Art. 48 (as amended by the Federal Law of 03.08.2018 N 342-FZ), shall not be applied until the approval of such a classifier.

12.3. Information about the capital construction object in the designation of the developer or technical customer and in the design documentation should be specified in accordance with the classifier of capital construction objects according to their purpose and functional and technological features (for the purposes of architectural and construction design and maintenance of a unified state register of expertise of design documentation capital construction projects), approved by the federal executive body, stvlyayuschim responsible for drafting and implementation of the state policy and normative legal regulation in the sphere of construction, architecture and town planning.

(Part 12.3 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

ConsultantPlus: note.

Since July 1, 2019, the Federal "law" of 03.08.2018 N 342-FZ, part 13 of article 48 is set out in the new edition. See future "revision".

ConsultantPlus: note.

On the requirements for project documentation in order to ensure the safety of buildings and structures, see Chapter 3 of the Federal Law of 30.12.2009 N 384-FZ.

13. Composition and requirements for the content of sections of project documentation in relation to various types of capital construction objects, including linear objects; composition and requirements for the content of sections of project documentation as applied to individual stages of construction, reconstruction of capital construction objects; during the overhaul of capital construction objects, as well as the composition and requirements for the content of sections of the project document entatsii submitted for examination of the design documentation and the bodies of state supervision of construction, established by the Russian

Government.

(as amended by Federal Law of December 31, 2005 No. 210-FZ, of December 18, 2006 No. 232-FZ, of July 18, 2011 No. 243-FZ, of November 28, 2011 No. 337-FZ)

(see the text in the previous "edition")

""14. Project documentation of nuclear facilities (including nuclear installations, storage facilities for nuclear materials and radioactive substances, storage facilities for radioactive waste), hazardous production facilities, determined in accordance with the legislation of the Russian Federation, highly dangerous, technically complex, unique facilities, defense facilities and security should also contain a list of measures for civil defense, measures to prevent emergency situations of natural and man-made character, measures to counter terrorism.

(as amended by Federal Law of 11.07.2011 N 190-FZ, of 11/28/2011 N 337-FZ)

(see the text in the previous "edition")

""15. Design documentation is approved by the developer, technical customer, person responsible for the operation of the building, structure, or regional operator. In cases provided for in Article 49 of this Code, the developer or technical customer, prior to the approval of the project documentation, sends it for examination. In this case, the project documentation is approved by the developer or technical customer in the presence of a positive conclusion of the examination of project documentation.

(as amended by Federal Law of 31.12.2005 N 210-FZ, of 28.11.2011 N 337-FZ, of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

15.1. The specifics of preparing, agreeing and approving project documentation necessary for the preservation of a cultural heritage object are established by the "legislation" of the Russian Federation on the protection of cultural heritage objects.

(Part 15.1 is introduced by the Federal Law of 22.10.2014 N 315-FZ)

16. It is not allowed to require the approval of the project documentation, the conclusion on the project documentation and other documents not provided for by this Code.

(Part 16 was introduced by Federal Law of December 18, 2006 N 232-FZ)

#### **Article 48.1. Especially dangerous, technically complex and unique objects**

(introduced by Federal Law of December 18, 2006 N 232-FZ)

1. To especially dangerous and technically complex objects include:

1) facilities for the use of atomic energy (including nuclear installations, storage facilities for nuclear materials and radioactive substances, storage facilities for radioactive waste);

(as amended by the Federal Law of 11.07.2011 N 190-FZ)

(see the text in the previous "edition")

2) hydraulic structures of the first and second classes, installed in accordance with the "legislation" on the safety of hydraulic structures;

3) communication facilities, which are particularly dangerous, are technically complex in accordance with the "legislation" of the Russian Federation in the field of communications;

(Clause 3 as amended by the Federal Law of 29.11.2010 N 314-FZ)

(see the text in the previous "edition")

4) power transmission lines and other electric grid facilities with a voltage of 330 kilovolts or more;

5) space infrastructure facilities;

6) infrastructure objects of air transport, which are particularly dangerous, technically complex objects in accordance with the aviation legislation of the Russian Federation;

(clause 6 as amended by the Federal Law of 03.08.2018 N 312-FZ)

(see the text in the previous "edition")

7) capital construction infrastructure facilities for public transport, which are particularly dangerous, technically complex objects in accordance with the legislation of the Russian Federation on railway transport;

(Clause 7 as amended by the Federal Law of 03.08.2018 N 312-FZ)

(see the text in the previous "edition")

- 8) infrastructure objects of off-street transport;  
(Clause 8 as amended by the Federal Law of 29.12.2017 N 442-FZ)  
(see the text in the previous "edition")
- 9) port hydraulic structures related to the infrastructure of the seaport, with the exception of the infrastructure of the seaport, intended for parking and maintenance of small, sport sailing and pleasure craft;  
(Clause 9 as amended by the Federal Law of 03.08.2018 N 312-FZ)  
(see the text in the previous "edition")
- 10) has expired. - Federal "law" of 08.11.2007 N 257-FZ;  
(see the text in the previous "edition")
- 10.1) thermal power plants with a capacity of 150 megawatts and above;  
(clause 10.1 was introduced by Federal Law of 04.12.2007 N 324-FZ)
- "10.2) aerial cableways;  
(clause 10.2 was introduced by Federal Law of 03.07.2016 N 372-FZ)
- 11) hazardous production facilities subject to registration in the state register in accordance with the legislation" of the Russian Federation on the industrial safety of hazardous production facilities:
- a) hazardous production facilities of I and II hazard classes at which hazardous substances are obtained, used, processed, formed, stored, transported, destroyed;
  - b) hazardous production facilities at which ferrous and non-ferrous metals are obtained, transported, used, alloys based on these melts using equipment designed for the maximum amount of melt 500 kilograms or more;
  - c) hazardous production facilities where mining is carried out (with the exception of the extraction of common minerals and the development of placer mineral deposits carried out in an open way without the use of blasting), mineral processing.
- (clause 11 as amended by the Federal Law of 04.03.2013 N 22-FZ)  
(see the text in the previous "edition")
2. The unique objects include capital construction objects (with the exception of those specified in part 1 of this article), in which project documentation at least one of the following characteristics is provided:  
(as amended by the Federal Law of 28.11.2011 N 337-FZ)  
(see the text in the previous "edition")
- 1) height over 100 meters;
  - 2) spans of more than 100 meters;
  - 3) the presence of the console more than 20 meters;
  - 4) burial of the underground part (in whole or in part) below the planning level of the earth by more than 15 meters;
- (as amended by the Federal Law of 28.11.2011 N 337-FZ)  
(see the text in the previous "edition")
- 5) has expired. - Federal Law of 28.11.2011 N 337-FZ.  
(see the text in the previous "edition")

Article 48.2. Cost effective reuse project documentation  
(as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")  
(introduced by Federal Law of 03.07.2016 N 368-FZ)

1. By decision of the federal executive body responsible for the development and implementation of state policy and legal regulation in the field of construction, architecture, urban planning, project documentation can be recognized as an economically effective reuse project documentation while meeting the following conditions:

ConsultantPlus: note.

Until 01/01/2019, the compliance of project documentation with the criteria of economic efficiency is confirmed by positive conclusions of state examination of project documentation and the reliability of determining the estimated cost of construction (FZ of 03.08.2018 N 342-

FZ).

1) the compliance of the project documentation with the criteria established by the Government of the Russian Federation for the economic efficiency of the project documentation, confirmed by a positive conclusion of the state expertise of the project documentation;

2) the possibility of using project documentation in the preparation of project documentation for the construction of a capital construction facility similar in purpose, design capacity, natural and other conditions of the territory on which construction is planned to be carried out (hereinafter referred to as a similar facility for the purposes of this article);

3) the presence of the Russian Federation, a subject of the Russian Federation or a municipality of the exclusive right to project documentation.

(Part 1 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

1.1. The procedure for recognizing project documentation as economically efficient project documentation for reuse, including the procedure for selecting project documentation for its recognition as economically efficient project documentation for reuse, the procedure for requesting state authorities, local authorities and legal entities referred to in the preparation of such project documentation. 2 of this article, the documents necessary for the recognition of project documentation economically effective projective design documentation re-use, grounds and procedure for making a decision on the recognition of project documentation cost-effective design documentation re-use shall be established by the Government.

(Part 1.1 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

ConsultantPlus: note.

The rights to the free use of cost-effective re-use project documentation and the obligation to use it, as provided for in paragraph 2 of Part 2 of Art. 48.2, arise from the date of placement of information about the documentation in accordance with the Federal Law of 03.07.2016 N 368-FZ.

2. Federal executive authorities, executive authorities of a constituent entity of the Russian Federation, local governments, legal entities established by the Russian Federation, a constituent entity of the Russian Federation, a municipality, legal entities, a share in the authorized (share) capital of which of the Russian Federation, constituent entities of the Russian Federation, municipalities is more than 50 percent, from the date of inclusion of information on cost-effective project documentation reuse in a single city statehood registry findings examination of project documentation of capital construction projects:

1) get the right to free use of cost-effective re-use project documentation (for preparation of project documentation on its basis for a similar object);

2) in the preparation of project documentation for a capital construction project, the construction of which they provide, are obliged to use cost-effective reuse project documentation prepared for a similar object (except as provided for in paragraph 4 of this article).

(Part 2 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"" 3. The criteria on the basis of which the similarity of the designed capital construction and capital construction objects is established, in relation to which the project documentation has been prepared, in relation to which a decision has been made to recognize the project documentation as an economically effective reuse project documentation, is established by the federal executive body that performs the functions of developing and implementation of government policies and regulations in construction, architecture, urban planning.

(part 3 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3.1. Project documentation prepared for a capital construction project, the construction of which is provided by state authorities, local governments and legal entities specified in paragraph 2 of this article, must meet the criteria for economic efficiency of project documentation established by the Government of the Russian Federation.

(Part 3.1 was introduced by Federal Law of 03.08.2018 N 342-FZ)

4. State authorities, local governments and legal entities specified in paragraph 2 of this article are entitled to prepare project documentation for a capital construction project, the construction of which is provided by these authorities and legal entities, without taking into account the requirement the use of cost-effective project documentation for the reuse of a capital construction facility in the preparation of design documentation for the construction of highly dangerous, technically complex, otherwise defined by the President of the Russian Federation or the Government of the Russian Federation of capital construction as well as for the reconstruction, repair of capital construction projects, works to preserve cultural heritage.

5. Lose force. - Federal Law of 03.08.2018 N 342-FZ.  
(see the text in the previous "edition")

Urban Development Code of the Russian Federation" dated December 29, 2004 N 190-FZ (as amended on December 25, 2018)

ConsultantPlus: note.

If prior to 08/04/2018 a positive conclusion has been received regarding project documentation provided for in part 3.5 of Article 49 (as amended before 04.08.2018), no examination of such project documentation is required.

"" RF CCR Article 49. Examination of project documentation and engineering survey results, state environmental review of project documentation of facilities, construction, reconstruction of which is expected to be carried out in the exclusive economic zone of the Russian Federation, on the continental shelf of the Russian Federation, in inland marine waters, in the territorial sea of Russia Federation, within the boundaries of specially protected natural territories, in the Baikal natural territory  
(as amended by Federal Laws of 16.05.2008 N 75-FZ, of 11/28/2011 N 337-FZ, of 28.06.2014 N 181-FZ, of 03.08.2018 N 321-FZ)  
(see the text in the previous "edition")

1. Project documentation of capital construction objects and the results of engineering surveys performed for the preparation of such project documentation are subject to examination, except as provided for in Parts 2, 3 and 3.1 of this article. Examination of project documentation and (or) examination of the results of engineering surveys are carried out in the form of state expertise or non-state expertise. The developer or technical customer of his choice sends the design documentation and engineering survey results to the state expertise or non-governmental expertise, except in cases where, in accordance with this article, regarding the design documentation of capital construction objects and engineering survey results, prepared for the preparation of such design documentation, state examination is envisaged.  
(Part 1 as amended by the Federal Law of 28.11.2011 N 337-FZ)  
(see the text in the previous "edition")

2. The examination is not carried out in relation to the project documentation of the following capital construction objects:  
(as amended by the Federal Law of 28.11.2011 N 337-FZ)  
(see the text in the previous "edition")

1) objects of individual housing construction, garden houses;  
(Clause 1 as amended by the Federal Law of 03.08.2018 N 340-FZ)  
(see the text in the previous "edition")

2) residential buildings with no more than three floors consisting of several blocks, the number of which does not exceed ten and each of which is intended for one family, has a common wall (common walls) without openings with the neighboring block or adjacent blocks, located on a separate plot of land and has access to a common use area (residential buildings of a blocked construction), in case the construction or reconstruction of such residential buildings is carried out without raising funds from the budgets of the budget system of the Russian Federation;  
(as amended by the Federal Law of December 29, 2015 N 402-FZ)  
(see the text in the previous "edition")

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3) has expired. - Federal Law of 03.08.2018 N 340-FZ;

(see the text in the previous "edition")

4) separate capital construction projects with the number of floors of no more than two, the total area of which is not more than 1500 square meters and which are not intended for citizens to live and carry out production activities, with the exception of objects which, in accordance with Article 48.1 of this Codex are particularly dangerous, technically complex or unique objects;

(as amended by the Federal Law of 04.12.2007 N 324-FZ)

(see the text in the previous "edition")

5) detached capital construction projects with the number of floors of no more than two, the total area of which is not more than 1500 square meters, which are intended for the implementation of production activities and for which the establishment of sanitary protection zones is not required or for which within the boundaries land plots on which such facilities are located, sanitary protection zones are established or the establishment of such zones is required, with the exception of facilities that, in accordance with Article 48.1 of this Code XA are particularly dangerous, technically complex or unique objects;

(as amended by the Federal Law of 04.12.2007 N 324-FZ)

(see the text in the previous "edition")

6) boreholes provided for prepared, agreed and approved in accordance with the "legislation" of the Russian Federation on subsoil technical project for the development of mineral deposits or other project documentation for the performance of work related to the use of subsurface sites. (clause 6 was introduced by Federal Law of 12/31/2014 N 533-FZ)

2.1. If construction, reconstruction of capital construction facilities specified in clauses 2 to 6 of part 2 of this article is planned to be carried out within the boundaries of the protective zones of pipelines, examination of design documentation for construction, reconstruction of capital construction facilities is mandatory.

(Part 2.1 was introduced by Federal Law of July 21, 2011 No. 257-FZ, as amended by Federal Laws of November 28, 2011 No. 337-FZ, as of August 3, 2018, N 340-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

If, prior to the day of approval of the criteria specified in clause 2.2, permits have been issued or applications for issuing permits for the construction of these facilities have been submitted, an examination of the project documentation is not required, the state construction supervision is not carried out (FL of 03.08.2018 N 340-FZ).

2.2. If the capital construction facilities specified in clauses 4 and 5 of part 2 of this article are referred to as objects of mass stay of citizens, the expertise of project documentation for construction, reconstruction of the said capital construction objects is mandatory. The criteria for attributing capital construction projects referred to in clauses 4 and 5 of part 2 of this article to citizens' mass stay objects are approved by the federal executive body responsible for developing and implementing state policy and legal regulation in the field of construction, architecture, and town planning.

(Part 2.2 was introduced by Federal Law of 03.08.2018 N 340-FZ)

ConsultantPlus: note.

Examination and obtaining of other conclusions on the re-applied project documentation (or its modifications), which received a positive expert opinion prior to 09/01/2016 with the permission for capital construction (FZ of 07/03/2016 N 368-FZ), is not required.

3. Examination of project documentation is not carried out if for the construction or reconstruction of a capital construction object, no building permit is required. Examination of project documentation is not carried out in relation to sections of project documentation prepared for the overhaul of capital construction objects.

(as amended by Federal Law of 03.07.2016 N 368-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3.1. An examination of the results of engineering surveys is not carried out if engineering surveys were carried out for the preparation of design documentation for capital construction projects specified in Part 2 of this article, as well as in the case that construction permits do

not require obtaining a building permit.

(Part 3.1 was introduced by Federal Law of 31.12.2005 N 210-FZ, as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

3.2. The results of engineering surveys can be sent for examination simultaneously with the project documentation or before sending the project documentation for examination.

(Part 3.2 was introduced by Federal Law of 31.12.2005 N 210-FZ, as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

The state examination of the project documentation submitted before 01/01/2019 and the issuance of the relevant conclusions is carried out in the "order", in effect until 01/01/2019.

3.3. Project documentation of capital construction projects specified in part 2 of this article, project documentation specified in part 3 of this article, and the results of engineering surveys performed for the preparation of such project documentation:

1) are subject to state expertise in cases where the estimated cost of construction, reconstruction, overhaul of capital construction objects in accordance with the requirements of this Code is subject to verification for the accuracy of its determination;

2) on their own initiative, the developer or technical customer may be sent for state or non-state expert examination, except for the cases specified in clause 1 of this part.

(Part 3.3 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3.4. Project documentation of all objects specified in clause 5.1 of Article 6 of this Code, facilities, estimated cost of construction, reconstruction, overhaul of which in accordance with the requirements of this Code is subject to verification for the accuracy of its definition, facilities (except for objects specified in Parts 2 and 3 of this article), construction, reconstruction of which is planned within the boundaries of zones with special conditions for the use of territories, the regime of which provides for limiting the location of capital facilities construction based on the assessment of their impact on the object, the territory for the protection of which a zone with special conditions for the use of the territory is established, or based on the impact assessment of the object, the territory for the protection of which a zone with special conditions for the use of the territory is established for the capital construction object cultural and cultural heritage sites of regional and local significance (in the event that the cultural or cultural heritage sites of regional or local significance are affected I have constructive and other characteristics of the reliability and safety of the specified object) and the results of engineering surveys carried out for the preparation of such project documentation, and the project documentation of facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural areas, facilities used for location and (or) disposal of waste of I - V hazard classes, are subject to state expertise.

(Part 3.4 was introduced by the Federal Law of 28.11.2011 N 337-FZ; as amended by Federal Law of 29.12.2014 "N 458-FZ", of 03.08.2018 N 321-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3.5 - 3.7. Lost force. - Federal Law of 03.08.2018 N 342-FZ.

(see the text in the previous "edition")

4. State examination of project documentation and state examination of engineering survey results are carried out by the federal executive body, executive body of the Russian Federation authorized to conduct state examination of project documentation, or state (budgetary or autonomous) institutions under the jurisdiction of state bodies, the State Atomic Energy Corporation Rosatom.

(as amended by Federal Law of 12/18/2006 N 232-FZ, of 07/24/2007 N 215-FZ, of 07/02/2013 N 188-FZ, of 03/08/2018 N 342-FZ)

(see the text in the previous "edition")

4.1. State examination of project documentation of all objects referred to in paragraph 5.1 of Article 6 of this Code, and state examination of the results of engineering surveys carried out

for the preparation of such project documentation, unless otherwise provided by the Federal Law "On the entry into force of the Town Planning Code of the Russian Federation", are held by the federal executive authority specified in the first paragraph of part 3 of article 6.1 of this Code, or by the state (budget and an autonomous institution, with the exception of the cases specified in paragraph 4.8 of this article, or the cases if by decree of the President of the Russian Federation regarding objects of defense and security or a regulatory legal act of the Government of the Russian Federation regarding objects, construction, reconstruction of which is supposed to be carried out in an exclusive economic the zone of the Russian Federation, on the continental shelf of the Russian Federation, in inland marine waters, in the territorial sea of the Russian Federation, and also Dealing with facilities used for disposal and (or) disposal of wastes of I-V hazard classes, capital construction facilities, related to category I facilities in accordance with legislation in the field of environmental protection, other federal executive bodies have been identified.

(Part 4.1 was introduced by Federal Law of December 18, 2006 N 232-FZ, as amended by Federal Laws of July 24, 2007 No. 215-FZ, of December 30, 2008 "No. 309-FZ", of November 28, 2011, No. 337-FZ, of 07/02/2013 N 188-FZ, dated 07/21/2014 "N 219-FZ" (rev. 12.25.2018), dated 12.29.2014 "N 458-FZ")

(see the text in the previous "edition")

4.2. State examination of project documentation of other capital construction projects and state examination of engineering survey results performed for the preparation of such project documentation are carried out by the executive authority of the Russian Federation or a state (budgetary or autonomous) institution under its jurisdiction at the location of the land plot to be built , reconstruction of a capital construction object.

(as amended by Federal Law of 24.07.2007 N 215-FZ, of 11/28/2011 N 337-FZ)

(see the text in the previous "edition")

4.3. Non-state examination of project documentation and (or) non-state examination of engineering survey results shall be carried out by legal entities that meet the requirements established by Article 50 of this Code.

(Part 4.3 was introduced by Federal Law of 28.11.2011 N 337-FZ)

4.4. The executive authorities, as well as the institutions subordinated to them, the State Atomic Energy Corporation Rosatom, which are specified in paragraphs 4 - 4.2 of this article, are not entitled to participate in the implementation of architectural and construction design and (or) the performance of engineering surveys.

(Part 4.4 was introduced by the Federal Law of 28.11.2011 N 337-FZ, as amended by the Federal Laws of 02.07.2013 N 188-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

4.5. Legal entities specified in part 4.3 of this article shall not have the right to conduct non-state examination of project documentation and (or) non-state examination of engineering survey results, if the preparation of such project documentation and (or) the performance of such engineering surveys was carried out by the said legal entities. Violation of this requirement is the basis for the cancellation of the accreditation of these legal entities for the right to conduct non-state examination of project documentation and (or) non-state examination of the results of engineering surveys.

(Part 4.5 was introduced by Federal Law of 28.11.2011 N 337-FZ)

ConsultantPlus: note.

The position of h. 4.6 Art. 49 does not apply until 01/01/2020 to the state examination to assess the reliability of the determination of the estimated cost, conducted by experts who have the right to verify the reliability in accordance with this "document" (as amended up to 01/01/2019).

4.6. Preparation of conclusions of state expertise of project documentation and (or) state expertise of engineering survey results and non-state expertise of project documentation and (or) non-state expertise of engineering survey results are entitled to be carried out by individuals certified in accordance with Article 49.1 of this Code in the direction of the expert's activities specified in qualification certificate.

(Part 4.6 was introduced by Federal Law of 28.11.2011 N 337-FZ)

4.7. Individuals certified for the right to prepare conclusions for the examination of project documentation and (or) engineering survey results in accordance with Article 49.1 of this Code shall not be entitled to participate in such an examination if there is a personal interest in the results of such examination, including if in the preparation of project documentation and (or) the performance of engineering surveys involved the said persons personally or their close relatives (parents, children, adoptive parents, adopted children, siblings and sisters, grandfather, grandmother, grandchildren), spouse.

(Part 4.7 was introduced by Federal Law of 28.11.2011 N 337-FZ)

4.8. The state expertise of the project documentation of capital construction facilities of federal nuclear organizations and the state expertise of the results of engineering surveys carried out for the preparation of such project documentation are conducted by the State Atomic Energy Corporation ROSATOM.

(Part 4.8 was introduced by the Federal Law of 02.07.2013 N 188-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

5. The subject of examination of the results of engineering surveys is the assessment of the compliance of such results with the requirements of technical regulations. The subject of examination of project documentation are:

1) assessment of the compliance of project documentation with the requirements of technical regulations, sanitary and epidemiological requirements, environmental requirements, state protection of cultural heritage sites, requirements for the safe use of atomic energy, industrial safety requirements, requirements for ensuring the reliability and safety of electric power systems and facilities electric power industry, the requirements of the anti-terrorist security of the object, the task of the developer or technical contractor, the results of engineering surveys, with the exception of the state examination of the project documentation of capital construction projects specified in part 2 of this article and the project documentation specified in part 3 of this article, in accordance with paragraph 1 of part 3.3 of this article. During the state examination of project documentation, in respect of which the state environmental impact assessment is carried out, the assessment of the compliance of project documentation with the requirements in the field of environmental protection is not carried out;

2) verification of the accuracy of determining the estimated cost of construction of capital construction facilities in the cases established by paragraph 2 of Article 8.3 of this Code.

(Part 5 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

5.1. During the examination of project documentation prepared using cost-effective project documentation, reuse, assessment of sections of project documentation, which have not been amended, for compliance of these sections with the requirements of technical regulations is not carried out.

(Part 5.1 was introduced by the Federal Law of 03.07.2016 N 368-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

5.2. During the examination of the project documentation of a capital construction object that is not a linear object, its compliance with the requirements specified in Part 5 of this article and valid at the date of issue of the urban development plan for the land plot, based on which such project documentation was prepared, is evaluated, provided that the specified date passed no more than one and a half years. During the examination of the project documentation of a linear object (except for cases where the construction, reconstruction of a linear object does not require preparation of the territory planning documentation), its compliance with the requirements specified in Part 5 of this article and valid at the date of the territory planning project approval is assessed based on which such project documentation was prepared, provided that no more than one and a half years have passed since that date. If more than one and a half years have passed since the date of issuance of the town-planning plan of the land plot or the date of approval of the territory planning project, the project documentation is assessed for compliance with the requirements specified in part 5 of this

article and valid on the date of the project documentation receipt for examination. During the examination of the project documentation of a linear object, for construction, the reconstruction of which does not require the preparation of the site planning documentation, the conformity assessment of this project documentation to the requirements specified in part 5 of this article and valid on the date of receipt of the project documentation for examination is carried out.

(Part 5.2 was introduced by the Federal Law of 03.08.2018 N 340-FZ)

5.3. Project documentation and (or) engineering survey results, as well as other documents required for the examination of the project documentation and (or) engineering survey results, are submitted in electronic form, unless the documents required for the state examination of the project documentation and (or) the results of engineering studies contain information constituting a state secret.

(Part 5.3 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

5.4. The executive authority or organization that has reviewed the project documentation and (or) engineering survey results ensures non-disclosure of design decisions and other confidential information that has become known to this executive authority or this organization in connection with the examination, unless specified information To be included in state information systems or sent to authorized bodies, organizations in accordance with this Code, other federal laws.

(Part 5.4 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

5.5. If after receiving a positive conclusion of the state examination of the project documentation, within which the conformity assessment of the project documentation in the amount provided for by clause 1 of part 5 of this article is carried out, it is necessary to check the accuracy of determining the estimated cost of construction of capital construction facilities in the cases specified in part 2 of article 8.3 of this Code, an additional state examination of the project documentation is carried out in the amount specified in paragraph This is part 2 of part 5 of this article (provided that no changes have been made to the project documentation).

(Part 5.5 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

6. It is not allowed to conduct other examinations of the project documentation, except for the examination of the project documentation provided for in this article, the state historical and cultural examination of the project documentation for the preservation of cultural heritage objects, as well as the state environmental impact assessment of the project documentation of facilities, construction, reconstruction of which is supposed implement in the exclusive economic zone of the Russian Federation, on the continental shelf of the Russian F in the internal sea waters, in the territorial sea of the Russian Federation, within the boundaries of specially protected natural territories, in the Baikal natural territory, project documentation of facilities used for siting and (or) disposal of waste of I-V hazard classes, artificial land plots on water objects , project documentation of facilities related to category I facilities in accordance with legislation in the field of environmental protection, with the exception of project documentation of boreholes, creating proxy on the land provided by the user of mineral resources and are necessary for the regional geological study, exploration, development and production of oil and natural gas.

(as amended by Federal Law of December 31, 2005 N 210-FZ, of December 18, 2006 No. 232-FZ, of May 16, 2008 No. 75-FZ, of December 30, 2008 "No. 309-FZ", of July 18, 2011 No. 243 - FZ, of 07/19/2011 N 246-FZ, of 11/28/2011 N 337-FZ, of 06/28/2014 N 181-FZ, of 07/21/2014 "N 219-FZ" (edition 25.12.2018), of 22.10 .2014 N 315-FZ, dated December 29, 2014 "N 458-FZ", dated 03.08.2018 N 321-FZ)

(see the text in the previous "edition")

6.1. For state examination of project documentation and state environmental review of project documentation of facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural territories in the Baikal natural territory, such project documentation in the manner established by the Government of the Russian Federation is submitted to:

(as amended by Federal Law of 28.11.2011 N 337-FZ, of 28.06.2014 N 181-FZ, of 03.08.2018 N 321-FZ)

(see the text in the previous "edition")

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1) a federal executive body authorized to conduct state examination of project documentation for facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural areas of federal significance in the Baikal natural territory, and in relation to especially dangerous, technically complex and unique objects, defense and security facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural territories regional and local significance, in cases where construction, reconstruction of such objects within the boundaries of specially protected natural territories is permitted by the legislation of the Russian Federation and the legislation of the constituent entities of the Russian Federation; (as amended by Federal Law of 28.11.2011 N 337-FZ, of 28.06.2014 N 181-FZ, of 03.08.2018 N 321-FZ)

(see the text in the previous "edition")

2) the executive authority of the constituent entity of the Russian Federation authorized to conduct state examination of project documentation in relation to facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural areas of regional and local importance, except for the project documentation of facilities specified in paragraph 1 of this part .

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated August 3, 2018 N 321-FZ)

(see the text in the previous "edition")

(Part 6.1 was introduced by Federal Law of May 16, 2008, No. 75-FZ)

6.2. The federal executive body, the executive body of the subject of the Russian Federation, the State Atomic Energy Corporation Rosatom, authorized to carry out such state expertise by the developer or technical customer, submit the design documentation of the objects submitted by the builder or technical customer in accordance with part 4 of this article referred to in "sub-clause 7.1 of article 11" and "sub-clause 4.1 of article 12" of the Federal Law of 23 November 1995 N 174-FZ "On environmental review, "for state environmental review in accordance with the procedure established by this Federal Law.

(Part 6.2 was introduced by the Federal Law of May 16, 2008 No. 75-FZ, in the edition of Federal Laws of November 28, 2011 No. 337-FZ, of July 2, 2013 No. 188-FZ, of August 3, 2018 N 342-FZ)

(see the text in the previous "edition")

6.3. The results of the state examination of the project documentation and the state environmental review of the project documentation of the facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural territories in the Baikal natural territory, are the relevant conclusions.

(Part 6.3 was introduced by the Federal Law of May 16, 2008, No. 75-FZ, as amended by the Federal Laws of November 28, 2011, No. 337-FZ, of June 28, 2014, No. 181-FZ, of August 3, 2018, N 321-FZ)

(see the text in the previous "edition")

7. The duration of the state examination is determined by the complexity of the capital construction object, but should not exceed forty two working days. The specified period may be extended at the request of the developer or technical customer for no more than twenty working days.

(as amended by Federal Law of 31.12.2005 N 210-FZ, of 28.11.2011 N 337-FZ, of 03.07.2016 N 368-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

The provisions of Part 7.1 Art. 49 (as amended by the Federal Law of 03.08.2018 N 342-FZ) shall not apply to the examination conclusions prepared in relation to the project documentation and (or) the results of engineering surveys submitted for such an examination prior to the commencement of the unified state register of conclusions.

7.1. It is not allowed to issue an examination opinion of the project documentation and (or) engineering survey results before including information about such an opinion into the unified state register of the examination results of the project documentation of capital construction

objects, unless the documents required for the state examination of the project documentation and (or) the results of engineering surveys contain information constituting a state secret.  
(Part 7.1 was introduced by the Federal Law of 03.07.2016 N 368-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

8. The grounds for refusing to accept project documentation and (or) the results of engineering surveys aimed at the examination are:

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

Since July 1, 2019, Federal Law of 03.08.2018 N 342-FZ makes changes to clause 1 of part 8 of article 49. See future "revision".

1) the absence in the structure of the project documentation of sections provided for by parts 12 and 13 of Article 48 of this Code;

2) preparation of project documentation by a person who does not comply with the requirements specified in Parts 4 and 5 of Article 48 of this Code;

3) the lack of engineering survey results specified in Part 6 of Article 47 of this Code, or the lack of a positive conclusion of the examination of engineering survey results (in case the engineering survey results were sent for examination prior to the project documentation examination);

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

4) inconsistency of the results of engineering surveys with the composition and form established in accordance with Part 6 of Article 47 of this Code;

5) performing engineering surveys, the results of which are sent for examination, by a person who does not meet the requirements specified in paragraphs 2 and 3 of Article 47 of this Code;

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

6) sending for examination not all documents stipulated by the Government of the Russian Federation in accordance with part 11 of this article;

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

7) the direction of the project documentation and (or) the results of engineering surveys to the executive authority, state institution, if, in accordance with this Code, the state examination of such project documentation and (or) the results of engineering surveys is carried out by another executive authority, other state institution;

8) has become invalid since April 1, 2012. - Federal Law of 28.11.2011 N 337-FZ.

(see the text in the previous "edition")

9. The result of the examination of the results of engineering surveys is the conclusion of compliance (positive conclusion) or non-compliance (negative conclusion) of the results of engineering surveys with the requirements of technical regulations. The result of the examination of project documentation is the conclusion:

1) on compliance (positive conclusion) or non-compliance (negative conclusion) of the project documentation with the results of engineering surveys, design assignment, and the requirements provided for by clause 1 of part 5 of this article (except for cases of examination of project documentation in accordance with clause 1 of part 3.3 of this article );

2) on reliability (positive conclusion) or inaccuracy (negative conclusion) of determining the estimated cost of construction of capital construction facilities in the cases provided for by paragraph 2 of Article 8.3 of this Code.

(Part 9 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

10. A negative expert opinion may be challenged by the developer or technical customer in a court of law. The developer or technical customer has the right to resend the design documentation and (or) the results of engineering surveys for examination after making the necessary changes to them.

(as amended by Federal Law of December 31, 2005 N 210-FZ, of November 28, 2011 N 337-FZ) (see the text in the previous "edition")

11. The procedure for organizing and conducting state examination of project documentation and state examination of engineering survey results, non-state examination of project documentation and non-state examination of engineering survey results, the amount of fees for conducting state examination of project documentation and state examination of engineering survey results, the procedure for charging this fee are set by the Government of the Russian Federation.

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated July 3, 2016 N 368-FZ, dated August 3, 2017 No. 342-FZ)

(see the text in the previous "edition")

12. In case of disagreement with the conclusion of the examination of the project documentation and (or) the examination of the results of engineering surveys, the developer, the technical customer or their representative has the right to appeal against it to the expert commission established by the federal executive body performing three development and implementation of state policy and legal regulation in the field of construction, architecture, urban planning, in the manner established by the said federal executive authority. The decision of such an expert commission to confirm or not confirm the conclusion of state expertise or non-state expertise is mandatory for the body or organization that conducted the relevant expertise of the project documentation and (or) the expertise of the results of engineering surveys, the developer, the technical customer.

(Part 12 was introduced by the Federal Law of 28.11.2011 N 337-FZ; as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

13. The decision of the expert commission referred to in part 12 of this article, on the confirmation or non-confirmation of the conclusion of the examination of the project documentation and (or) the examination of the results of engineering surveys may be appealed in court.

(Part 13 was introduced by the Federal Law of 28.11.2011 N 337-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004 N 190-FZ (as amended on December 25, 2018)

ConsultantPlus: note.

If prior to 08/04/2018 a positive conclusion has been received regarding project documentation provided for in part 3.5 of Article 49 (as amended before 04.08.2018), no examination of such project documentation is required.

RF CCR Article 49. Examination of project documentation and engineering survey results, state environmental review of project documentation of facilities, construction, reconstruction of which is expected to be carried out in the exclusive economic zone of the Russian Federation, on the continental shelf of the Russian Federation, in inland marine waters, in the territorial sea of Russia Federation, within the boundaries of specially protected natural territories, in the Baikal natural territory

(as amended by Federal Laws of 16.05.2008 N 75-FZ, of 11/28/2011 N 337-FZ, of 28.06.2014 N 181-FZ, of 03.08.2018 N 321-FZ)

(see the text in the previous "edition")

1. Project documentation of capital construction objects and the results of engineering surveys performed for the preparation of such project documentation are subject to examination, except as provided for in Parts 2, 3 and 3.1 of this article. Examination of project documentation and (or) examination of the results of engineering surveys are carried out in the form of state expertise or non-state expertise. The developer or technical customer of his choice sends the design documentation and engineering survey results to the state expertise or non-governmental expertise, except in cases where, in accordance with this article, regarding the design documentation of capital construction objects and engineering survey results,



prepared for the preparation of such design documentation, state examination is envisaged.  
(Part 1 as amended by the Federal Law of 28.11.2011 N 337-FZ)  
(see the text in the previous "edition")

2. The examination is not carried out in relation to the project documentation of the following capital construction objects:

(as amended by the Federal Law of 28.11.2011 N 337-FZ)  
(see the text in the previous "edition")

1) objects of individual housing construction, garden houses;

(Clause 1 as amended by the Federal Law of 03.08.2018 N 340-FZ)  
(see the text in the previous "edition")

2) residential buildings with no more than three floors consisting of several blocks, the number of which does not exceed ten and each of which is intended for one family, has a common wall (common walls) without openings with the neighboring block or adjacent blocks, located on a separate plot of land and has access to a common use area (residential buildings of a blocked construction), in case the construction or reconstruction of such residential buildings is carried out without raising funds from the budgets of the budget system of the Russian Federation;

(as amended by the Federal Law of December 29, 2015 N 402-FZ)  
(see the text in the previous "edition")

3) has expired. - Federal Law of 03.08.2018 N 340-FZ;

(see the text in the previous "edition")

4) separate capital construction projects with the number of floors of no more than two, the total area of which is not more than 1500 square meters and which are not intended for citizens to live and carry out production activities, with the exception of objects which, in accordance with Article 48.1 of this Codex are particularly dangerous, technically complex or unique objects;

(as amended by the Federal Law of 04.12.2007 N 324-FZ)  
(see the text in the previous "edition")

5) detached capital construction projects with the number of floors of no more than two, the total area of which is not more than 1500 square meters, which are intended for the implementation of production activities and for which the establishment of sanitary protection zones is not required or for which within the boundaries land plots on which such facilities are located, sanitary protection zones are established or the establishment of such zones is required, with the exception of facilities that, in accordance with Article 48.1 of this Code XA are particularly dangerous, technically complex or unique objects;

(as amended by the Federal Law of 04.12.2007 N 324-FZ)  
(see the text in the previous "edition")

6) boreholes provided for prepared, agreed and approved in accordance with the "legislation" of the Russian Federation on subsoil technical project for the development of mineral deposits or other project documentation for the performance of work related to the use of subsurface sites.  
(clause 6 was introduced by Federal Law of 12/31/2014 N 533-FZ)

2.1. If the construction, reconstruction of the capital construction facilities specified in clauses 2 through 6 of part 2 of this article are planned to be carried out within the boundaries of the protective zones of the pipelines, the expertise of the design documentation for construction, reconstruction of the capital construction facilities

ConsultantPlus: note.

If, prior to the day of approval of the criteria specified in clause 2.2, permits have been issued or applications for issuing permits for the construction of these facilities have been submitted, an examination of the project documentation is not required, the state construction supervision is not carried out (FL of 03.08.2018 N 340-FZ).

2.2. If the capital construction facilities specified in clauses 4 and 5 of part 2 of this article are referred to as objects of mass stay of citizens, the expertise of project documentation for construction, reconstruction of the said capital construction objects is mandatory. The criteria for attributing capital construction projects referred to in clauses 4 and 5 of part 2 of this article to citizens' mass stay objects are approved by the federal executive body responsible for

developing and implementing state policy and legal regulation in the field of construction, architecture, and town planning.

(Part 2.2 was introduced by Federal Law of 03.08.2018 N 340-FZ)

ConsultantPlus: note.

Examination and obtaining of other conclusions on the re-applied project documentation (or its modifications), which received a positive expert opinion prior to 09/01/2016 with the permission for capital construction (FZ of 07/03/2016 N 368-FZ), is not required.

3. Examination of project documentation is not carried out if for the construction or reconstruction of a capital construction object, no building permit is required. Examination of project documentation is not carried out in relation to sections of project documentation prepared for the overhaul of capital construction objects.

(as amended by Federal Law of 03.07.2016 N 368-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"" 3.1. An examination of the results of engineering surveys is not carried out if engineering surveys were carried out for the preparation of design documentation for capital construction projects specified in Part 2 of this article, as well as in the case that construction permits do not require obtaining a building permit.

(Part 3.1 was introduced by Federal Law of 31.12.2005 N 210-FZ, as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

3.2. The results of engineering surveys can be sent for examination simultaneously with the project documentation or before sending the project documentation for examination.

(Part 3.2 was introduced by Federal Law of 31.12.2005 N 210-FZ, as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

The state examination of the project documentation submitted before 01/01/2019 and the issuance of the relevant conclusions is carried out in the "order", in effect until 01/01/2019.

3.3. Project documentation of capital construction projects specified in part 2 of this article, project documentation specified in part 3 of this article, and the results of engineering surveys performed for the preparation of such project documentation:

1) are subject to state expertise in cases where the estimated cost of construction, reconstruction, overhaul of capital construction objects in accordance with the requirements of this Code is subject to verification for the accuracy of its determination;

2) on their own initiative, the developer or technical customer may be sent for state or non-state expert examination, except for the cases specified in clause 1 of this part.

(Part 3.3 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3.4. Project documentation of all objects specified in clause 5.1 of Article 6 of this Code, facilities, estimated cost of construction, reconstruction, overhaul of which in accordance with the requirements of this Code is subject to verification for the accuracy of its definition, facilities (except for objects specified in Parts 2 and 3 of this article), construction, reconstruction of which is planned within the boundaries of zones with special conditions for the use of territories, the regime of which provides for limiting the location of capital facilities construction based on the assessment of their impact on the object, the territory for the protection of which a zone with special conditions for the use of the territory is established, or based on the impact assessment of the object, the territory for the protection of which a zone with special conditions for the use of the territory is established for the capital construction object cultural and cultural heritage sites of regional and local significance (in the event that the cultural or cultural heritage sites of regional or local significance are affected I have constructive and other characteristics of the reliability and safety of the specified object) and the results of engineering surveys carried out for the preparation of such project documentation, and the project documentation of facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural areas, facilities used for location and (or) disposal of waste of I - V hazard classes, are subject to state expertise.

(Part 3.4 was introduced by the Federal Law of 28.11.2011 N 337-FZ; as amended by Federal

Law of 29.12.2014 "N 458-FZ", of 03.08.2018 N 321-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3.5 - 3.7. Lost force. - Federal Law of 03.08.2018 N 342-FZ.

(see the text in the previous "edition")

4. State examination of project documentation and state examination of engineering survey results are carried out by the federal executive body, executive body of the Russian Federation authorized to conduct state examination of project documentation, or state (budgetary or autonomous) institutions under the jurisdiction of state bodies, the State Atomic Energy Corporation Rosatom.

(as amended by Federal Law of 12/18/2006 N 232-FZ, of 07/24/2007 N 215-FZ, of 07/02/2013 N 188-FZ, of 03/08/2018 N 342-FZ)  
(see the text in the previous "edition")

4.1. State examination of project documentation of all objects referred to in paragraph 5.1 of Article 6 of this Code, and state examination of the results of engineering surveys carried out for the preparation of such project documentation, unless otherwise provided by the Federal Law "On the entry into force of the Town Planning Code of the Russian Federation", are held by the federal executive authority specified in the first paragraph of part 3 of article 6.1 of this Code, or by the state (budget and an autonomous institution, with the exception of the cases specified in paragraph 4.8 of this article, or the cases if by decree of the President of the Russian Federation regarding objects of defense and security or a regulatory legal act of the Government of the Russian Federation regarding objects, construction, reconstruction of which is supposed to be carried out in an exclusive economic zone of the Russian Federation, on the continental shelf of the Russian Federation, in inland marine waters, in the territorial sea of the Russian Federation, and also Dealing with facilities used for disposal and (or) disposal of wastes of I-V hazard classes, capital construction facilities, related to category I facilities in accordance with legislation in the field of environmental protection, other federal executive bodies have been identified.

(Part 4.1 was introduced by Federal Law of December 18, 2006 N 232-FZ, as amended by Federal Laws of July 24, 2007 No. 215-FZ, of December 30, 2008 "No. 309-FZ", of November 28, 2011, No. 337-FZ, of 07/02/2013 N 188-FZ, dated 07/21/2014 "N 219-FZ" (rev. 12.25.2018), dated 12.29.2014 "N 458-FZ")

(see the text in the previous "edition")

4.2. State examination of project documentation of other capital construction projects and state examination of engineering survey results performed for the preparation of such project documentation are carried out by the executive authority of the Russian Federation or a state (budgetary or autonomous) institution under its jurisdiction at the location of the land plot to be built, reconstruction of a capital construction object.

(as amended by Federal Law of 24.07.2007 N 215-FZ, of 11/28/2011 N 337-FZ)

(see the text in the previous "edition")

4.2. State examination of project documentation of other capital construction projects and state examination of engineering survey results performed for the preparation of such project documentation are carried out by the executive authority of the Russian Federation or a state (budgetary or autonomous) institution under its jurisdiction at the location of the land plot to be built, reconstruction of a capital construction object.

(as amended by Federal Law of 24.07.2007 N 215-FZ, of 11/28/2011 N 337-FZ)

(see the text in the previous "edition")

4.3. Non-state examination of project documentation and (or) non-state examination of engineering survey results shall be carried out by legal entities that meet the requirements established by Article 50 of this Code.

(Part 4.3 was introduced by Federal Law of 28.11.2011 N 337-FZ)

4.4. The executive authorities, as well as the institutions subordinated to them, the State Atomic Energy Corporation Rosatom, which are specified in paragraphs 4 - 4.2 of this article, are not entitled to participate in the implementation of architectural and construction design and (or) the performance of engineering surveys.

(Part 4.4 was introduced by the Federal Law of 28.11.2011 N 337-FZ, as amended by the Federal Laws of 02.07.2013 N 188-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

4.5. Legal entities specified in part 4.3 of this article shall not have the right to conduct non-state examination of project documentation and (or) non-state examination of engineering survey results, if the preparation of such project documentation and (or) the performance of

such engineering surveys was carried out by the said legal entities. Violation of this requirement is the basis for the cancellation of the accreditation of these legal entities for the right to conduct non-state examination of project documentation and (or) non-state examination of the results of engineering surveys.

(Part 4.5 was introduced by Federal Law of 28.11.2011 N 337-FZ)

ConsultantPlus: note.

The position of h. 4.6 Art. 49 does not apply until 01/01/2020 to the state examination to assess the reliability of the determination of the estimated cost, conducted by experts who have the right to verify the reliability in accordance with this "document" (as amended up to 01/01/2019).

"" 4.6. Preparation of conclusions of state expertise of project documentation and (or) state expertise of engineering survey results and non-state expertise of project documentation and (or) non-state expertise of engineering survey results are entitled to be carried out by individuals certified in accordance with Article 49.1 of this Code in the direction of the expert's activities specified in qualification certificate.

(Part 4.6 was introduced by Federal Law of 28.11.2011 N 337-FZ)

4.7. Individuals certified for the right to prepare conclusions for the examination of project documentation and (or) engineering survey results in accordance with Article 49.1 of this Code shall not be entitled to participate in such an examination if there is a personal interest in the results of such examination, including if in the preparation of project documentation and (or) the performance of engineering surveys involved the said persons personally or their close relatives (parents, children, adoptive parents, adopted children, siblings and sisters, grandfather, grandmother, grandchildren), spouse.

(Part 4.7 was introduced by Federal Law of 28.11.2011 N 337-FZ)

4.8. The state expertise of the project documentation of capital construction facilities of federal nuclear organizations and the state expertise of the results of engineering surveys carried out for the preparation of such project documentation are conducted by the State Atomic Energy Corporation ROSATOM.

(Part 4.8 was introduced by the Federal Law of 02.07.2013 N 188-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ) (see the text in the previous "edition")

5. The subject of examination of the results of engineering surveys is the assessment of the compliance of such results with the requirements of technical regulations. The subject of examination of project documentation are:

1) assessment of the compliance of project documentation with the requirements of technical regulations, sanitary and epidemiological requirements, environmental requirements, state protection of cultural heritage sites, requirements for the safe use of atomic energy, industrial safety requirements, requirements for ensuring the reliability and safety of electric power systems and facilities electric power industry, the requirements of the anti-terrorist security of the object, the task of the developer or technical The design contractor, the results of engineering surveys, with the exception of the state examination of the project documentation of capital construction projects specified in part 2 of this article and the project documentation specified in part 3 of this article, in accordance with paragraph 1 of part 3.3 of this article.

During the state examination of project documentation, in respect of which the state environmental impact assessment is carried out, the assessment of the compliance of project documentation with the requirements in the field of environmental protection is not carried out;

2) verification of the accuracy of determining the estimated cost of construction of capital construction facilities in the cases established by paragraph 2 of Article 8.3 of this Code.

(Part 5 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

5.1. During the examination of project documentation prepared using cost-effective project documentation, reuse, assessment of sections of project documentation, which have not been amended, for compliance of these sections with the requirements of technical regulations is not carried out.

(Part 5.1 was introduced by the Federal Law of 03.07.2016 N 368-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ) (see the text in the previous "edition")

5.2. During the examination of the project documentation of a capital construction object that is not a linear object, its compliance with the requirements specified in Part 5 of this article and valid at the date of issue of the urban development plan for the land plot, based on which

such project documentation was prepared, is evaluated, provided that the specified date passed no more than one and a half years. During the examination of the project documentation of a linear object (except for cases where the construction, reconstruction of a linear object does not require preparation of the territory planning documentation), its compliance with the requirements specified in Part 5 of this article and valid at the date of the territory planning project approval is assessed based on which such project documentation was prepared, provided that no more than one and a half years have passed since that date. If more than one and a half years have passed since the date of issuance of the town-planning plan of the land plot or the date of approval of the territory planning project, the project documentation is assessed for compliance with the requirements specified in part 5 of this article and valid on the date of the project documentation receipt for examination. During the examination of the project documentation of a linear object, for construction, the reconstruction of which does not require the preparation of the site planning documentation, the conformity assessment of this project documentation to the requirements specified in part 5 of this article and valid on the date of receipt of the project documentation for examination is carried out.

(Part 5.2 was introduced by the Federal Law of 03.08.2018 N 340-FZ)

5.3. Project documentation and (or) engineering survey results, as well as other documents required for the examination of the project documentation and (or) engineering survey results, are submitted in electronic form, unless the documents required for the state examination of the project documentation and (or) the results of engineering studies contain information constituting a state secret.

(Part 5.3 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

5.4. The executive authority or organization that has reviewed the project documentation and (or) engineering survey results ensures non-disclosure of design decisions and other confidential information that has become known to this executive authority or this organization in connection with the examination, unless specified information To be included in state information systems or sent to authorized bodies, organizations in accordance with this Code, other federal laws.

(Part 5.4 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

5.5. If after receiving a positive conclusion of the state examination of the project documentation, within which the conformity assessment of the project documentation in the amount provided for by clause 1 of part 5 of this article is carried out, it is necessary to check the accuracy of determining the estimated cost of construction of capital construction facilities in the cases specified in part 2 of article 8.3 of this Code, an additional state examination of the project documentation is carried out in the amount specified in paragraph This is part 2 of part 5 of this article (provided that no changes have been made to the project documentation).

(Part 5.5 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

6. It is not allowed to conduct other examinations of project documentation, except for the examination of project documentation provided for in this article, the state historical and cultural examination of project documentation for the preservation of cultural heritage objects, as well as the state environmental assessment of project documentation of facilities, construction, reconstruction of which is supposed to the exclusive economic zone of the Russian Federation, on the continental shelf of the Russian Eractions, in internal sea waters, in the territorial sea of the Russian Federation, within the boundaries of specially protected natural territories, in the Baikal natural territory, project documentation of facilities used for disposal and (or) disposal of waste of I-V hazard classes, artificial land plots on water objects , project documentation of objects related to category I facilities, in accordance with legislation in the field of environmental protection, with the exception of drilling well design documentation, create on the land plot provided to the subsurface user and necessary for regional geological exploration, geological exploration, exploration and production of oil and natural gas.

(as amended by Federal Law of December 31, 2005 N 210-FZ, of December 18, 2006 No. 232-FZ, of May 16, 2008 No. 75-FZ, of December 30, 2008 "No. 309-FZ", of July 18, 2011 No. 243 - FZ, of 07/19/2011 N 246-FZ, of 11/28/2011 N 337-FZ, of 06/28/2014 N 181-FZ, of 07/21/2014 "N

219-FZ" (edition 25.12.2018), of 22.10 .2014 N 315-FZ, dated December 29, 2014 "N 458-FZ", dated 03.08.2018 N 321-FZ)

(see the text in the previous "edition")

6.1. For state examination of project documentation and state environmental review of project documentation of facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural territories in the Baikal natural territory, such project documentation in the manner established by the Government of the Russian Federation is submitted to:

(as amended by Federal Law of 28.11.2011 N 337-FZ, of 28.06.2014 N 181-FZ, of 03.08.2018 N 321-FZ)

(see the text in the previous "edition")

1) a federal executive body authorized to conduct state examination of project documentation for facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural areas of federal significance in the Baikal natural territory, and in relation to especially dangerous, technically complex and unique objects , defense and security facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural territories regional and local significance, in cases where construction, reconstruction of such objects within the boundaries of specially protected natural territories is permitted by the legislation of the Russian Federation and the legislation of the constituent entities of the Russian Federation;

(as amended by Federal Law of 28.11.2011 N 337-FZ, of 28.06.2014 N 181-FZ, of 03.08.2018 N 321-FZ)

(see the text in the previous "edition")

2) the executive authority of the constituent entity of the Russian Federation authorized to conduct state examination of project documentation in relation to facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural areas of regional and local importance, except for the project documentation of facilities specified in paragraph 1 of this part .

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated August 3, 2018 N 321-FZ)

(see the text in the previous "edition")

(Part 6.1 was introduced by Federal Law of May 16, 2008, No. 75-FZ)

6.2. The federal executive body, the executive body of the subject of the Russian Federation, the State Atomic Energy Corporation Rosatom, authorized to carry out such state expertise by the developer or technical customer, submit the design documentation of the objects submitted by the builder or technical customer in accordance with part 4 of this article referred to in "sub-clause 7.1 of article 11" and "sub-clause 4.1 of article 12" of the Federal Law of 23 November 1995 N 174-FZ "On b environmental review, "for state environmental review in accordance with the procedure established by this Federal Law.

(Part 6.2 was introduced by the Federal Law of May 16, 2008 No. 75-FZ, in the edition of Federal Laws of November 28, 2011 No. 337-FZ, of July 2, 2013 No. 188-FZ, of August 3, 2018 N 342-FZ)

(see the text in the previous "edition")

6.3. The results of the state examination of the project documentation and the state environmental review of the project documentation of the facilities, construction, reconstruction of which is supposed to be carried out within the boundaries of specially protected natural territories in the Baikal natural territory, are the relevant conclusions.

(Part 6.3 was introduced by the Federal Law of May 16, 2008, No. 75-FZ, as amended by the Federal Laws of November 28, 2011, No. 337-FZ, of June 28, 2014, No. 181-FZ, of August 3, 2018, N 321-FZ)

(see the text in the previous "edition")

7. The duration of the state examination is determined by the complexity of the capital construction object, but should not exceed forty two working days. The specified period may be extended at the request of the developer or technical customer for no more than twenty working days.

(as amended by Federal Law of 31.12.2005 N 210-FZ, of 28.11.2011 N 337-FZ, of 03.07.2016 N 368-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

The provisions of Part 7.1 Art. 49 (as amended by the Federal Law of 03.08.2018 N 342-FZ) shall not apply to the examination conclusions prepared in relation to the project documentation and (or) the results of engineering surveys submitted for such an examination prior to the commencement of the unified state register of conclusions.

"7.1. It is not allowed to issue an examination opinion of the project documentation and (or) engineering survey results before including information about such an opinion into the unified state register of the examination results of the project documentation of capital construction objects, unless the documents required for the state examination of the project documentation and (or) the results of engineering surveys contain information constituting a state secret.

(Part 7.1 was introduced by the Federal Law of 03.07.2016 N 368-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

8. The grounds for refusing to accept project documentation and (or) engineering survey results forwarded for examination are:

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

Since July 1, 2019, Federal Law of 03.08.2018 N 342-FZ makes changes to clause 1 of part 8 of article 49. See future "revision".

"" 1) the absence in the structure of the project documentation of sections provided for by parts 12 and 13 of Article 48 of this Code;

2) preparation of project documentation by a person who does not comply with the requirements specified in Parts 4 and 5 of Article 48 of this Code;

3) the lack of engineering survey results specified in Part 6 of Article 47 of this Code, or the lack of a positive conclusion of the examination of engineering survey results (in case the engineering survey results were sent for examination prior to the project documentation examination);

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

4) inconsistency of the results of engineering surveys with the composition and form established in accordance with Part 6 of Article 47 of this Code;

5) performing engineering surveys, the results of which are sent for examination, by a person who does not meet the requirements specified in paragraphs 2 and 3 of Article 47 of this Code;

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

6) sending for examination not all documents stipulated by the Government of the Russian Federation in accordance with part 11 of this article;

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

7) the direction of the project documentation and (or) the results of engineering surveys to the executive authority, state institution, if, in accordance with this Code, the state examination of such project documentation and (or) the results of engineering surveys is carried out by another executive authority, other state institution;

8) has become invalid since April 1, 2012. - Federal Law of 28.11.2011 N 337-FZ.

(see the text in the previous "edition")

9. The result of the examination of the results of engineering surveys is the conclusion of compliance (positive conclusion) or non-compliance (negative conclusion) of the results of engineering surveys with the requirements of technical regulations. The result of the examination of project documentation is the conclusion:

1) on compliance (positive conclusion) or non-compliance (negative conclusion) of the project documentation with the results of engineering surveys, design assignment, and the requirements provided for by clause 1 of part 5 of this article (except for cases of examination of project documentation in accordance with clause 1 of part 3.3 of this article);

2) on reliability (positive conclusion) or inaccuracy (negative conclusion) of determining the estimated cost of construction of capital construction facilities in the cases provided for by paragraph 2 of Article 8.3 of this Code.

(Part 9 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

10. A negative expert opinion may be challenged by the developer or technical customer in a court of law. The developer or technical customer has the right to resend the design documentation and (or) the results of engineering surveys for examination after making the necessary changes to them.

(as amended by Federal Law of December 31, 2005 N 210-FZ, of November 28, 2011 N 337-FZ)

(see the text in the previous "edition")

11. The procedure for organizing and conducting state examination of project documentation and state examination of engineering survey results, non-state examination of project documentation and non-state examination of engineering survey results, the amount of fees for conducting state examination of project documentation and state examination of engineering survey results, the procedure for charging this fee are set by the Government of the Russian Federation.

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated July 3, 2016 N 368-FZ, dated August 3, 2017 No. 342-FZ)

(see the text in the previous "edition")

12. In case of disagreement with the conclusion of the examination of the project documentation and (or) the examination of the results of engineering surveys, the developer, the technical customer or their representative has the right to appeal against it to the expert commission established by the federal executive body responsible for developing and implementation of state policy and legal regulation in the field of construction, architecture, urban planning, in the manner prescribed by the said executive authority. The decision of such an expert commission to confirm or not confirm the conclusion of state expertise or non-state expertise is mandatory for the body or organization that conducted the relevant expertise of the project documentation and (or) the expertise of the results of engineering surveys, the developer, the technical customer.

(Part 12 was introduced by the Federal Law of 28.11.2011 N 337-FZ; as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

13. The decision of the expert commission referred to in part 12 of this article, on the confirmation or non-confirmation of the conclusion of the examination of the project documentation and (or) the examination of the results of engineering surveys may be appealed in court.

(Part 13 was introduced by the Federal Law of 28.11.2011 N 337-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004 N 190-FZ (as amended on December 25, 2018)

**14. RFC of the RF Article 49.1. Certification of individuals for the right to prepare conclusions for the examination of project documentation and (or) examination of the results of engineering surveys**

(introduced by Federal Law of 28.11.2011 N 337-FZ)

1. An individual may be certified for the right to prepare conclusions for the examination of project documentation and (or) examination of the results of engineering surveys, subject to compliance with the following requirements:

1) has a higher education of the corresponding profile;

(as amended by the Federal Law of July 2, 2013 N 185-FZ)

(see the text in the previous "edition")

2) permanently resides in the Russian Federation;

3) has work experience in the preparation of project documentation and (or) performing engineering surveys in the relevant field of activity for at least five years or work experience



in relevant positions in bodies or organizations conducting examination of project documentation and (or) examination of engineering survey results, not less than three years;  
4) has no outstanding or unclaimed conviction for the commission of an intentional crime;  
5) possesses the necessary knowledge in the field of legislation of the Russian Federation on urban development activities, legislation of the Russian Federation on technical regulation (including requirements for ensuring the safe operation of capital construction facilities) with regard to, respectively, performing engineering surveys for the design, construction and operation of these facilities, the design, construction and operation of these objects.

2. The federal executive body responsible for the development and implementation of state policy and legal regulation in the field of construction, architecture, urban planning, carries out certification of individuals for the right to prepare conclusions for the examination of project documentation and (or) examination of the results of engineering surveys and the results of this certification issues qualification certificates for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering results or decides to refuse to issue such qualification certificates indicating the reasons for the decision. (as amended by the Federal Law of 26.07.2017 N 191-FZ)  
(see the text in the previous "edition")

3. The form of the qualification certificate for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering survey results is established by the federal executive body responsible for developing and implementing state policy and legal regulation in the field of construction, architecture, urban planning. (as amended by the Federal Law of 26.07.2017 N 191-FZ)  
(see the text in the previous "edition")

4. The qualification certificate for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering survey results is valid throughout the Russian Federation.

5. The validity period of the qualification certificate for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering survey results is five years. An individual has the right to apply to the federal executive body responsible for the development and implementation of state policy and legal regulation in the field of construction, architecture, urban planning, with a statement on the extension of the validity of the qualification certificate for the right to prepare opinions on the expertise of project documentation and (or) examination of the results of engineering surveys. (as amended by the Federal Law of 26.07.2017 N 191-FZ)  
(see the text in the previous "edition")

6. The procedure for certification, re-certification for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering survey results, including the procedure for extending the qualification certificate for the right to prepare conclusions for examination of project documentation and (or) examination of engineering survey results, is established by the Government of the Russian Federation.

7. The qualification certificate for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering survey results shall be annulled before its expiration by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture and urban planning, for the following reasons:

(as amended by the Federal Law of 26.07.2017 N 191-FZ)  
(see the text in the previous "edition")

1) establishing the fact of participation of an expert in the expertise with personal interest in its results, including if the expert personally or his close relatives (parents, children, adoptive parents, adopted children, siblings and sisters, grandfather, grandmother, grandchildren), spouse;

2) establishment of the fact of submission for certification of documents containing inaccurate information;

3) the entry into force of the decision of the authorized bodies to bring the person to whom the qualification certificate was issued to account for offenses in the field of his professional

activity.

8. The federal executive body responsible for the development and implementation of state policy and regulations in the field of construction, architecture, urban planning, maintains a register of persons certified for the right to prepare opinions on the examination of project documentation and (or) examination of engineering survey results.

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

9. The register of persons certified for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering survey results should contain the following information:

1) the last name, first name and patronymic of the physical person to whom the qualification certificate was issued for the right to prepare conclusions for the examination of project documentation and (or) examination of the results of engineering surveys;

2) the date of issue and the date of expiry of the qualification certificate for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering survey results;

3) areas of activity of the expert in which he can prepare the conclusions of the expertise of the project documentation and (or) the expertise of the results of engineering surveys.

10. The information contained in the register of persons specified in paragraph 9 of this article who are certified to prepare opinions on the examination of project documentation and (or) examination of engineering survey results shall be posted on the official website of the federal executive body performing the functions of developing and implementing state policy. and regulations in the field of construction, architecture, urban planning, on the Internet and should be available for review without charge .

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

11. Information on the issuance of a qualification certificate for the right to prepare conclusions for expert review of project documentation and (or) expertise of engineering survey results, and for annulment of such a qualification certificate are entered by the federal executive body responsible for the development and implementation of state policy and legal regulation in construction , architecture, urban planning, in the register of persons certified for the right to prepare conclusions for the examination of project documentation and ( or) examination of engineering survey results, no later than one day from the date of issue, cancellation of a qualification certificate.

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

12. The procedure for maintaining the register of persons certified for the right to prepare conclusions for the examination of project documentation and (or) examination of engineering survey results is established by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture and urban planning. .

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

#### **Article 50. Accreditation of legal entities for the right to conduct non-state examination of project documentation and (or) non-state examination of engineering survey results**

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

1. Non-state examination of project documentation and (or) non-state examination of the results of engineering surveys are conducted by legal entities accredited to conduct a non-state examination of the relevant type.

"" 2. A legal entity may be accredited for the right to conduct non-state examination of project documentation and (or) non-state examination of the results of engineering surveys, subject to compliance with the following minimum necessary requirements:

"" 1) availability at the place of primary work, respectively, of at least five employees who have attestation for the right to prepare examination opinions for project documentation, or at least five workers who have attestation for the right to prepare conclusions for expert examination of engineering survey results. The list of experts' areas of activity, as well as the requirements for the content of these areas to obtain accreditation by a legal entity for the right to conduct non-state examination of project documentation and (or) non-state examination of engineering survey results are established by the federal executive body that performs the functions of developing and implementing state policy and regulatory legal regulation in the field of construction, architecture, urban planning;

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

2) the presence of a legal entity site on the Internet;

3) the existence of regulations for non-state examination of project documentation, approved by order of the head of a legal entity and posted on the website of such a legal entity on the Internet.

3. The procedure for accreditation for the right to conduct non-state examination of project documentation and (or) non-state examination of engineering survey results is established by the Government of the Russian Federation.

4. According to the results of accreditation, the federal executive body responsible for the formation of a unified national accreditation system and monitoring the activities of accredited persons issues a certificate of accreditation to a legal entity for conducting non-state expert appraisals of project documentation and / or non-state expertise of engineering survey results or accepts the decision to refuse to issue such an accreditation certificate indicating the reasons for the decision.

5. A legal entity accredited to conduct a non-state examination of project documentation and (or) a non-state examination of engineering survey results is required to post the following information and documents on its Internet site:

1) the name, address (location) and contact phone number of the legal entity;

2) the composition of the governing bodies of the legal entity;

3) the last name, first name and patronymic of the employees of the legal entity certified for the right to prepare conclusions for the examination of project documentation and (or) engineering survey results, indicating the directions of activity;

4) the procedure for carrying out non-state examination of project documentation and (or) non-state examination of the results of engineering surveys.

6. Information and documents posted on the organization's website on the Internet in accordance with part 5 of this article should be available for review without charge.

"" 7. The federal executive body responsible for the formation of a unified national system of accreditation and control over the activities of accredited persons maintains the state register of legal entities accredited for the right to conduct non-state examination of project documentation and (or) non-state examination of engineering survey results. In such a register in respect of each of these legal entities should contain the following information:

1) taxpayer identification number, full name of the legal entity, its address (location), contact phone number, website address of the legal entity on the Internet;

2) the scope of accreditation of a legal entity, indicating the type of non-state expertise in respect of which accreditation has been obtained;

3) last name, first name, patronymic, contact phone number of the head of the legal entity accredited to conduct non-state examination of project documentation and (or) non-state examination of engineering survey results;

4) the last name, first name and patronymic of the employees of the legal entity certified for the right to prepare conclusions for the examination of project documentation and (or) engineering survey results, indicating the directions of activity;

5) the date of issue of the certificate of accreditation;

6) date of commencement of suspension

8. The information contained in the state register of legal entities accredited to conduct non-state examination of project documentation and (or) non-state examination of engineering

survey results shall be posted on the official website of the federal executive body responsible for the formation of a unified national system of accreditation and control for the activities of accredited persons on the Internet and should be available for review without charge.

9. No later than one business day from the date of accreditation of a legal entity for the right to conduct a non-state examination of project documentation and (or) a non-state examination of engineering survey results, to decide whether to suspend the certificate of accreditation or to annul such certificate functions on the formation of a unified national system of accreditation and control over the activities of accredited persons; the shock register of legal entities accredited for the right to conduct non-state expert examination of project documentation and (or) non-state expert examination of engineering survey results, as specified in part 5 of this article.

10. A legal entity accredited for the right to conduct a non-state examination of project documentation and (or) non-state examination of engineering survey results is obliged to notify the federal executive body authorities that carry out the functions of forming a unified national system of accreditation and control over the activities of accredited persons, and at the same time submit relevant documents. Within three days from the date of receipt of such notifications and documents, the said body makes the appropriate changes in the state register of legal entities accredited to conduct non-state expert reviews of project documentation and (or) non-state expertise of engineering survey results.

11. Entering information into the state register of legal entities accredited to conduct non-state expert appraisal of project documentation and (or) non-state expert appraisal of engineering survey results, such information is changed without charge.

12. The procedure for maintaining the state register of legal entities accredited to conduct a non-state examination of project documentation and (or) non-state examination of engineering survey results is established by the Government of the Russian Federation.

### **Article 50.1. Unified State Register of Conclusions of Examination of Project Documentation of Capital Construction Objects**

(introduced by Federal Law of 03.07.2016 N 368-FZ)

ConsultantPlus: note.

Prior to the commencement of the unified state registry, information on cost-effective re-use project documentation is posted and used in accordance with Art. 2 FZ of 07/03/2016 N 368-FZ.

1. The following documents shall be included in the unified state register of conclusions for the examination of project documentation of capital construction projects (hereinafter - the unified state register of conclusions):

- 1) information about the conclusions of the expertise of the project documentation and the results of engineering surveys, as well as about the submitted for the examination of the project documentation and the results of engineering surveys;
- 2) information on cost-effective re-use project documentation;
- 3) the conclusions specified in clause 1 of this part, as well as the project documentation and the results of engineering surveys, on the results of consideration of which such conclusions are prepared.

(Part 1 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

1.1. The information and documents provided for in part 1 of this article shall not be included in the unified state register of conclusions in cases where the documents necessary for the state examination of project documentation and / or engineering survey results contain information constituting a state secret.

(Part 1.1 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

2. Maintaining a unified state register of conclusions is carried out by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, urban planning, or a state (budgetary or autonomous) institution determined by such a federal executive body using federal state information system for maintaining a unified state registry switchings, the creation and operation of which are provided with the said federal executive body or a government agency. (as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"" 3. The rules for the formation of a unified state register of opinions, including the structure and composition of information of the unified state register of opinions, including a list of information, access to which is provided to all interested persons free of charge, requirements for the procedure and timing for inclusion in the unified state register of information on examination conclusions, prepared by the federal executive authorities, the executive authorities of the constituent entities of the Russian Federation authorized to state expertise of project documentation and (or) engineering survey results, state (budgetary or autonomous) institutions under the jurisdiction of specified bodies, the State Atomic Energy Corporation ROSATOM, legal entities accredited to conduct non-governmental expertise of project documentation and (or) engineering survey results, information on cost-effective reuse design documentation, expertise of design documentation and the results of engineering studies, as well as project documentation and engineering survey results, on the consideration that such conclusions are prepared, established by the Russian Government.

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

4. The procedure for maintaining a unified state register of opinions and the provision of information and documents contained therein, the amount of fees for providing such documents and information (except for information that is available to all interested parties free of charge), the procedure for collecting such a fee shall be established by the federal executive body authorities responsible for the development and implementation of state policy and legal regulation in the field of construction, architecture, urban planning and construction.

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

## **Section 51. Construction Permit**

(as amended by the Federal Law of July 18, 2011 No. 224-FZ)

(see the text in the previous "edition")

1. **The construction permit is a document that confirms the compliance of the project documentation with the requirements** established by the town planning regulations (except for the case provided for in paragraph 1.1 of this article), the territory planning project and the land survey project (unless, in accordance with this Code, the planning draft the territory and the land survey project is not required), in the construction, reconstruction of the capital construction object a non-linear object (hereinafter referred to as requirements for construction, reconstruction of a capital construction object), or requirements established by a territory planning project and a land surveying project for construction, reconstruction of a linear object (except for cases in which for construction, reconstruction of linear the facility does not require the preparation of the site planning documentation), the requirements established by the site planning project, in case of issuing a permit to the builder the property of a linear object for which the formation of a land plot is not required, as well as the admissibility of placing a capital construction object on a land plot in accordance with the permitted use of such a land plot and restrictions imposed in accordance with the land and other legislation of the Russian Federation. **A construction permit gives the developer the right to carry out construction and reconstruction of a capital construction object**, with the exception of cases provided for by this Code.

(as amended by Federal Law of 03.07.2016 N 373-FZ, of 03.08.2018 N 341-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

- 1.1. **If the land plot is not covered by the town-planning regulations** or the land plot is not established for the land plot, the construction permit confirms the compliance of the project documentation with the requirements for the designation, parameters and location of the capital construction facility specified in accordance with part 7 of article 36 of this Code. land plot.

(Part 1.1 was introduced by Federal Law of 03.07.2016 N 373-FZ)

- "" 2. **Construction**, reconstruction of capital construction objects **shall be carried out on the basis of a construction permit**, except for the cases provided for in this article.

(as amended by the Federal Law of July 18, 2011 N 243-FZ)

(see the text in the previous "edition")

"" 3. **It is not allowed to issue construction permits in the absence of land use and development rules**, with the exception of construction, reconstruction of federal facilities, objects of regional significance, facilities of local importance of municipal districts, capital construction facilities on land plots not covered by town-planning regulations or for which town planning regulations are established, and in other cases provided for by federal laws, as well as in the case of compliance of project documentation of capital construction objects with restrictions on the use of real estate objects established on the near-aerodrome territory.

(as amended by Federal Laws dated July 18, 2011 No. 243-FZ, dated December 30, 2012 No. 289-FZ, dated July 1, 2017 No. 135-FZ)

(see the text in the previous "edition")

"" 3.1. In the event that a land plot in state or municipal ownership is leased for the integrated development of a territory, the issuance of a permit for the construction of capital construction objects - apartment buildings within the boundaries of a given territory is allowed only after the formation of land plots from such a land plot in accordance with the approved a territory planning project and a land survey project.

(Part 3.1 is introduced by the Federal "law" dated 06.23.2014 N 171-FZ)  
ConsultantPlus: note.

From January 1, 2021, Federal Law of December 31, 2017 N 507-FZ, Article 51 is supplemented by a new part, part 3.2.

4. **A construction permit is issued by the local government** at the location of the land plot, with the exception of cases provided for in Parts 5–6 of this article and other federal "laws".

(as amended by Federal Law of July 18, 2011 No. 224-FZ, of October 22, 2014 No. 315-FZ)

(see the text in the previous "edition")

5. A construction permit is issued in the case of construction, reconstruction:

1) has expired. - Federal Law of 04.03.2013 N 21-FZ;

(see the text in the previous "edition")

"" 2) a capital construction facility on a land plot provided to a subsoil user and necessary for conducting work related to the use of subsoil (with the exception of work related to the use of subsoil areas of local importance) - by the federal management body of the state fund of subsoil;

(as amended by the Federal Law of 30.11.2011 N 364-FZ)

(see the text in the previous "edition")

3) the object of atomic energy use - the State Atomic Energy Corporation "Rosatom";

(clause 3 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"" 3.1) of the space infrastructure object - by the State Corporation for Space Activities Roscosmos;

(clause 3.1 was introduced by Federal Law of 13.07.2015 N 216-FZ)

"4) hydraulic structures of the first and second classes, established in accordance with the legislation on the safety of hydraulic structures, airports or other objects of air transport infrastructure, public railway transport infrastructure objects, defense and safety objects, objects ensuring the status and protection of the State Border of Russia Federation, facilities, information about which is a state secret, communication lines when crossing the State border of Russia Yogi Federation, on the border territory of the Russian Federation, facilities, construction, reconstruction of which is planned to be carried out on the continental shelf of the Russian Federation, in inland marine waters, in the territorial sea of the Russian Federation, in the exclusive economic zone of the Russian Federation - by authorized federal executive bodies;

(as amended by Federal Law of 13.07.2015 N 216-FZ, of 03.08.2018 N 312-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

5) has expired. - Federal Law of 22.10.2014 N 315-FZ;

(see the text in the previous "edition")

"" 6) a capital construction object, construction, the reconstruction of which is planned to be carried out within the boundaries of a specially protected natural area (with the exception of medical and recreational areas and resorts) - by the federal executive

authority, state authority of the constituent entity of the Russian Federation or local government, of which the corresponding specially protected natural area is located, unless otherwise provided by Federal Law of December 1, 2007 N 310-FZ "On the organization and rovedenii XXII Olympic Winter Games and XI Paralympic Winter Games 2014 in Sochi, development of Sochi as a Mountain Climate Resort and the Amendments to Certain Legislative Acts of the Russian Federation. "

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(Part 5 as amended by the Federal Law of July 18, 2011 No. 224-FZ)  
(see the text in the previous "edition")

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5.1. If during the preservation of a cultural heritage object, the constructive and other characteristics of the reliability and safety of such an object are touched upon, by the executive authorities of the government or local authorities authorized to preserve, use, promote and protect the cultural heritage objects, construction in accordance with this Code.

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(Part 5.1 was introduced by Federal Law dated 10.22.2014 N 315-FZ)

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6. A construction permit, except as specified in Parts 5 and 5.1 of this Article and other federal laws, is issued:

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(as amended by the Federal Law of 22.10.2014 N 315-FZ)

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(see the text in the previous "edition")

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1) by an authorized federal executive body in the event that the construction of a capital construction object is planned to be carried out in the territories of two or more constituent entities of the Russian Federation (including the reconstruction of facilities located in the territory of one constituent entity of the Russian Federation located in the territories of two or more constituent entities of the Russian Federation) including a linear object - on the territory of a closed administrative-territorial entity, the boundaries of which do not coincide with the boundaries of the subject in the Russian Federation, and in the case of reconstruction of a capital construction facility located in the territories of two or more constituent entities of the Russian Federation (including the reconstruction of facilities located in the territory of one constituent entity of the Russian Federation located in the territories of two or more constituent entities of the Russian Federation), including a linear facility, located on the territory of a closed administrative-territorial entity, the boundaries of which do not coincide with the boundaries of the constituent entities of the Russian Federation;

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(as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")

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- 2) an executive authority of a constituent entity of the Russian Federation in the event that construction of a capital construction object is planned to be carried out in the territories of two or more municipalities (municipalities, urban districts), and in the case of reconstruction of a capital construction facility located in the territories of two or more municipalities ( municipal districts, urban districts);
- 3) the local government body of a municipal district in the event that the construction of a capital construction object is planned to be carried out in the territories of two or more settlements or in the inter-settlement territory within the municipal district, and in the case of reconstruction of the capital construction facility located in the territories of two or more settlements or in the inter-settlement territory within the municipal area.

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(Part 6 as amended by the Federal Law of July 18, 2011 No. 224-FZ)  
(see the text in the previous "edition")

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6.1. Reception from the developer of an application for issuing a building permit, documents required for obtaining a building permit, informing about the procedure and progress of the service and issuing a building permit can be carried out through the **multifunctional center of state and municipal services** (hereinafter - the multifunctional center).

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(Part 6.1 was introduced by the Federal Law of 28.07.2012 N 133-FZ)

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ConsultantPlus: note.

On the direction in electronic form from 01.09.2017 of documents provided for by Part 7 of Art. 51, see Resolution of the Government of the Russian Federation of 07/04/2017 N 788.

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"" 7. For the purpose of construction, reconstruction of a capital construction object, the developer sends a "statement" for issuing a construction permit directly to the authorized to issue construction permits in accordance with paragraphs 4 - 6 of this article, the federal executive body, the executive body of the Russian Federation, local government State Atomic Energy Corporation "Rosatom"; State Space Corporation "Roskosmos". An application for issuing a construction permit may be filed through a multifunctional center in accordance with the agreement on interaction between the multifunctional center and the authority to issue construction permits in accordance with paragraphs 4-6 of this article by the federal executive body, the executive authority of the Russian Federation, local government. The following documents are attached to this application:

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(as amended by Federal Laws dated 28.07.2012 N 133-FZ, dated 13.07.2015 N 216-FZ, dated 03.08.2018 N 342-FZ)

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(see the text in the previous "edition")

1) documents of title to a land plot, including an agreement on the establishment of a servitude, a decision on the establishment of a public servitude;

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(as amended by the Federal Law of 03.08.2018 N 341-FZ)

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(see the text in the previous "edition")

1.1) if there is an agreement on the transfer in cases established by budgetary "legislation" of the Russian Federation, a state authority (state authority), the State Atomic Energy Corporation Rosatom, the State Space Corporation Roscosmos, a governing body of the state extra-budgetary fund or local government authority of the state (municipal) customer concluded in the implementation of budget investments - the specified agreement, Leading documents on the land plot of the right holder with whom this agreement is concluded;

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(clause 1.1 was introduced by the Federal Law of 28.12.2013 N 418-FZ; as amended by the Federal Law of 13.07.2015 N 216-FZ)

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(see the text in the previous "edition")

"" 2) a town-planning plan of a land plot issued no earlier than three years before the date of submission of an application for obtaining a construction permit, or if a permit is issued for the construction of a linear object, the details of the territory planning project and the territory surveying project (except for the construction, reconstruction of a linear object, no preparation of the territory planning documentation is required; the details of the territory planning project in the case of issuing a permit for the construction of a linear The object for placement which does not require the formation of a land portion;

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(as amended by Federal Law of July 18, 2011 No. 224-FZ, as of 03/07/2016 No. 373-FZ, as of 03/08/2018 N 341-FZ, as of 03/08/2018 N 342-FZ)

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(see the text in the previous "edition")

ConsultantPlus: note.

Since July 1, 2019 Federal Law of 03.08.2018 N 342-FZ, clause 3 of Part 7 of Article 51 is set forth in a new wording. See future "revision".

"" 3) **materials contained in the project documentation:**

a) explanatory note;

b) a scheme of the planning organization of a land plot, made in accordance with the information specified in the urban development plan of the land plot, indicating the location of the capital construction object, access roads and aisles to it, the boundaries of public servitudes, archaeological heritage sites;

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(as amended by Federal Law of 07/03/2016 N 373-FZ, of 08/03/2018 N 341-FZ)

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(see the text in the previous "edition")

"" c) a planning scheme for a land plot confirming the location of the linear object within the red lines approved as part of the territory planning documentation applicable to linear objects;

d) **architectural solutions;**

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(Sections "g" in the wording of the Federal Law of 30.12.2015 N 459-FZ)

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(see the text in the previous "edition")

e) information about the engineering equipment, a consolidated plan for the networks of engineering and technical support with indication of the places of



connection (technological connection) of the designed capital construction facility to the networks of engineering and technical support;

(as amended by the Federal "law" of 12/30/2012 N 318-FZ)  
(see the text in the previous "edition")

- f) the project of organizing the construction of a capital construction facility;  
g) the project of the organization of works on the demolition of capital construction projects, their parts;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)  
(see the text in the previous "edition")

- h) a list of measures to ensure the access of persons with disabilities to health care facilities, education, culture, recreation, sports and other social, cultural and community facilities, transportation, trade, catering, business, administrative, financial, religious facilities, objects in the case of construction, reconstruction of the said facilities, provided that the expertise of the project documentation of the said facilities was not carried out in accordance with Article 49 of this Code sa;

(paragraphs "z" introduced by Federal Law of 28.11.2015 N 339-FZ)

- "" 4) a positive conclusion of the expertise of the project documentation of the capital construction object (as applied to individual construction stages in the case provided for by paragraph 12.1 of Article 48 of this Code), if such project documentation is subject to examination in accordance with Article 49 of this Code, a positive conclusion of state expertise of the project documentation in the cases provided for by paragraph 3.4 of Article 49 of this Code, the positive conclusion of the state environmental review of the project umentatsii in the cases specified in paragraph 6 of Article 49 of this Code;

(p. 4 as amended by the Federal Law of 28.11.2011 N 337-FZ)  
(see the text in the previous "edition")

- 4.1) is no longer valid. - Federal Law of 03.08.2018 N 342-FZ;

(see the text in the previous "edition")

- 5) permission to deviate from the limit parameters of the permitted construction, reconstruction (if the developer was granted such permission in accordance with Article 40 of this Code);  
6) the consent of all rightholders of the capital construction object in the event of the reconstruction of such an object, except for the cases of renovation of an apartment building specified in paragraph 6.2 of this part;

(as amended by the Federal Law of April 2, 2014 N 65-FZ)  
(see the text in the previous "edition")

- 6.1) in case of reconstruction by a state (municipal) customer, being a state authority (state body), State Atomic Energy Corporation Rosatom, State Space Corporation Roscosmos, governing body of the state extrabudgetary fund or local government body, the object of capital construction of state (municipal) property, the rightholder of which is the state (municipal) unitary pr a state (municipal) budgetary or autonomous institution in respect of which the said body exercises, respectively, the functions and powers of the founder or the rights of the owner of the property, an agreement to carry out such reconstruction, including the conditions and procedure for compensation for damage caused to the specified object during the reconstruction ;

(clause 6.1 was introduced by the Federal Law of 28.12.2013 N 418-FZ; as amended by the Federal Law of 13.07.2015 N 216-FZ)  
(see the text in the previous "edition")

- 6.2) the decision of the general meeting of owners of premises and parking spaces in an apartment building, taken in accordance with housing "legislation" in the event of reconstruction of an apartment building, or if such a reconstruction results in a reduction in the size of common property in an apartment building, parking places in an apartment building;

(clause 6.2 was introduced by the Federal Law of April 2, 2014 N 65-FZ; as amended by the Federal Law of 03.07.2016 N 315-FZ)  
(see the text in the previous "edition")

7) a copy of the accreditation certificate of the legal entity that issued a positive opinion of the non-state examination of the project documentation, in case the conclusion of the non-state examination of the project documentation is submitted;

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(Clause 7 was introduced by Federal Law of 28.11.2011 N 337-FZ)

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8) documents stipulated by the legislation of the Russian Federation on objects of cultural heritage, in the event that the constructive and other characteristics of the reliability and safety of such an object are affected during the preservation of the cultural heritage object;

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(clause 8 was introduced by Federal Law dated 10.22.2014 N 315-FZ)

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9) a copy of the decision to establish or change the zone with special conditions for the use of the territory in the event of construction of a capital construction object, in connection with which it is located in accordance with the "legislation" of the Russian Federation, a zone with special conditions for the use of the territory is to be established, or in the event of reconstruction of the capital construction object, as a result of which, in relation to the reconstructed object, a zone with special conditions for the use of the territory shall be established or previously established Separated area with special conditions of use of the area is subject to change;

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(Clause 9 was introduced by Federal Law of 03.08.2018 N 342-FZ)

(part 7 as amended by the Federal "law" of 01.07.2011 N 169-FZ)

(see the text in the previous "edition")

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"7.1. Documents (their copies or information contained in them) specified in clauses 1–5, 7 and 9 of part 7 of this article are requested by the authorities indicated in the first paragraph of part 7 of this article from state bodies, local self-government bodies and subordinated to state bodies or to local authorities, organizations that have the said documents at their disposal, no later than three working days from the date of receipt of the application for issuing a construction permit, if the developer has not submitted the specified document you are on your own.

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(as amended by Federal Law of 03.07.2016 N 370-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

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According to the interdepartmental requests of the bodies specified in the first paragraph of part 7 of this article, the documents (their copies or information contained in them) are provided by state bodies, local self-government bodies and subordinate state bodies or local self-government organizations that possess these documents, no later than three working days from the date of receipt of the relevant interdepartmental request.

(the paragraph was introduced by the Federal Law of 28.07.2012 N 133-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

(Part 7.1 was introduced by the Federal "law" of 01.07.2011 N 169-FZ)

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7.2. The documents referred to in clauses 1, 3 and 4 of part 7 of this article are sent by the applicant independently if the specified documents (their copies or information contained in them) are missing in the Unified State Register of Real Estate or the Unified State Register of Conclusions.

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(part 7.2 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

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8. Terminated since April 1, 2012. - Federal Law of 28.11.2011 N 337-FZ.

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(see the text in the previous "edition")

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"" 9 - 9.2. Lost force. - Federal Law of 03.08.2018 N 340-FZ.

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(see the text in the previous "edition")

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""10. It is not allowed to require other documents for obtaining a construction permit, except for the documents specified in paragraph 7 of this article. **The documents provided for in part 7 of this article may be sent in electronic form.** The Government of the Russian Federation or the highest executive body of state power of a constituent entity of the Russian Federation (as applied to the cases of issuing a building permit by the executive authorities of the subjects of the Russian Federation, local authorities) may establish cases in which the documents specified in paragraph 7 of this article are sent exclusively to electronic form. The procedure for sending the documents specified in paragraph 7 of this

article to the federal executive authorities, executive authorities of the constituent entities of the Russian Federation, local governments and organizations authorized to issue building permits in electronic form is established by the Government of the Russian Federation.

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(as amended by the Federal Law of 01.07.2011 "N 169-FZ", of 03/07/2016 N 370-FZ, of 03/08/2018 N 340-FZ, of 03/08/2018 N 342-FZ)

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(see the text in the previous "edition")

ConsultantPlus: note.

Since July 1, 2019, Federal Law of 03.08.2018 N 342-FZ makes changes to Part 10.1 of Article 51. See future "revision".

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- 10.1. If construction or reconstruction of a capital construction object is planned within the boundaries of a historic settlement of federal or regional importance, the application for a construction permit may be accompanied by the conclusion of the executive authority of the Russian Federation authorized in the protection of cultural heritage objects clause 3 of part 12 of article 48 of this Code of the section for project documentation of a capital construction project DMetI protection of historic settlements and the requirements for architectural solutions of capital construction, the existing town planning regulations in relation to the territorial zone located within the territory of historical settlement of the federal or regional significance.

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(Part 10.1 was introduced by the Federal Law of December 30, 2015 N 459-FZ; as amended by the Federal Law of 03.08.2018 N 340-FZ)

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(see the text in the previous "edition")

- 10.2. The developer has the right to carry out construction or reconstruction of a capital construction object within the boundaries of the territory of a historic settlement of federal or regional significance in accordance with a typical architectural design of a capital construction facility approved in accordance with the Federal "Law" of June 25, 2002 N 73-FZ "On Cultural Heritage (monuments of history and culture) of the peoples of the Russian Federation" for a given historical settlement. In this case, the application for issuing a building permit indicates such a typical architectural solution.

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(Part 10.2 was introduced by the Federal Law of December 30, 2015 N 459-FZ; as amended by the Federal Law of 03.08.2018 N 340-FZ)

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(see the text in the previous "edition")

11. Authorized to issue construction permits, the federal executive authority, the executive authority of the Russian Federation, the local government, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos within seven working days from the date of receipt of the application for extradition construction permits, except in the case provided for in paragraph 11.1 of this article:

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(as amended by Federal Laws dated 13.07.2015 N 216-FZ, dated 30.12.2015 N 459-FZ, dated 12.19.2016 N 445-FZ, dated 03.08.2018 N 342-FZ)

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(see the text in the previous "edition")

- 1) shall verify the availability of documents necessary for making a decision on issuing a building permit;

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(as amended by the Federal "Law" of 01.07.2011 N 169-FZ)

(see the text in the previous "edition")

- 2) they check the compliance of project documentation with the requirements for construction, reconstruction of a capital construction object established on the date of issue of the land plot submitted for obtaining a construction permit, or if a permit for a linear object is issued to meet the requirements of the territory planning project and land survey project except in cases in which the construction, reconstruction of a linear object does not require the preparation of documentation on the territory planning), the requirements established by the territory planning project in the case of issuing a permit for the construction of a linear object for which the formation of a land plot is not required, as well as the admissibility of placing a capital construction object in accordance with the permitted use of the land plot and restrictions land and other legislation of the Russian Federation. In case of issuing a permit for deviation from the limit parameters of the permitted construction, reconstruction, the design documentation shall be checked for compliance with the requirements established in

the permit for deviation from the limit parameters of the permitted construction, reconstruction;

(as amended by Federal Law of 31.12.2005 N 210-FZ, of 03.03.2011 N 41-FZ, of 03.07.2016 N 373-FZ, of 03.08.2018 N 340-FZ, of 03.08.2018 N 341-FZ from 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")

3) issue a construction permit or refuse to issue such a permit indicating the reasons for refusal.

11.1. If an application is submitted for a permit for the construction of a capital construction object that is not a linear object and the construction or reconstruction of which is planned within the boundaries of the territory of a historic settlement of federal or regional significance, the statement specified in Part 10.1 of this Article, or the application for issuing a building permit does not contain an indication of a typical architectural solution, according to which aniruetnya construction or reconstruction of objects of capital construction, authorized to issue permits for the construction of the federal executive authority, executive authority of the Russian Federation, the local government, State Atomic Energy Corporation "Rosatom" State Corporation or of outer space activities "Roskosmos":

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

Since July 1, 2019, Federal Law of 03.08.2018 N 342-FZ makes changes to clause 1 of part 11.1 of article 51. See future "revision".

1) within three days from the date of receipt of the said application, they check the availability of documents necessary for making a decision on issuing a construction permit, and send a section of the project documentation of the capital construction object attached to it provided for by paragraph 3 of part 12 of article 48 of this Code, to the executive authority of the subject of the Russian Federation authorized in the field of protection of cultural heritage objects, or refuse to issue a building permit in the absence of documents, neo We go for the decision to grant a construction permit;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) verify compliance of project documentation with the requirements for construction, reconstruction of a capital construction object established on the date of issue of the land plot submitted for obtaining a construction permit, admissibility of locating the capital construction object in accordance with the permitted use of the land plot and restrictions established in accordance with land and other legislation of the Russian Federation and valid on the date of issuance of the permit construction requirements, as well as the requirements established in the permit for deviation from the limit parameters of the permitted construction, reconstruction, in the case of issuing such a permit to a person;

(clause 2 as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3) within thirty days from the date of receipt of the said application, a building permit is issued or it is refused to issue such a permit indicating the reasons for the refusal.

(Part 11.1 is introduced by Federal Law of December 30, 2015 N 459-FZ)

ConsultantPlus: note.

Since July 1, 2019, Federal Law No. 342-FZ of August 3, 2018, amends 11.2 of Article 51. See future "revision".

11.2. The executive authority of the subject of the Russian Federation authorized in the field of protection of cultural heritage objects within twenty-five days from the date of receipt from the body or organization authorized in accordance with this Code for issuing building permits, provided for by paragraph 3 of part 12 of article 48 of this Code the project documentation of the capital construction object considers the specified section of the project documentation of the capital construction object and sends to the specified organizations or organization concluding on the compliance or non-compliance of the specified section of the project documentation of the capital construction object with the protection of the historical settlement and the requirements for architectural solutions of the capital construction objects established by the town-planning regulations applicable to the territorial zone located within the boundaries of the historical settlement of federal or regional importance. The direction of the body or organization authorized in accordance

with this Code for issuing construction permits, the specified section of the project documentation of the capital construction object to the executive authority of the Russian Federation authorized in the field of protection of cultural heritage, and the direction of the executive authority of the Russian Federation authorized in the field of protection of cultural heritage objects referred to in this part of the conclusions to the body or organization olnomochennye in accordance with the Code for permits for the construction are carried out in the order of inter-departmental information interaction.

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(Part 11.2 was introduced by the Federal Law of December 30, 2015 N 459-FZ; as amended by the Federal Law of 03.08.2018 N 340-FZ)

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(see the text in the previous "edition")

12. Authorized to issue construction permits, the federal executive body, the executive body of a constituent entity of the Russian Federation, the local government body, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos may issue a permit for individual stages of construction, reconstruction.

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(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

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(see the text in the previous "edition")

12.1. The federal executive body, the executive body of the Russian Federation, the local government, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos, authorized to issue construction permits, within ten days from the date the building permit is issued to the developer, borders of the near-aerodrome territory shall submit a copy of such authorization to the federal body authorized by the Government of the Russian Federation and The executive branch.

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(Part 12.1 was introduced by the Federal Law of 01.07.2017 N 135-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

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(see the text in the previous "edition")

12.2. The federal executive body authorized by the Government of the Russian Federation shall, within thirty days, verify the compliance of the issued building permit with the restrictions on the use of real estate objects established in the near-aerodrome area, and in case of violation of restrictions on the use of real estate objects installed in the near-aerodrome territory executive authority of the subject of the Russian Federation, local authority self-government, the State Atomic Energy Corporation "Rosatom" or the State Corporation for Space Activities "Roskosmos" order to terminate the building permit.

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(Part 12.2 was introduced by the Federal Law of 01.07.2017 N 135-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

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(see the text in the previous "edition")

13. Authorized to issue construction permits, the federal executive body, the executive body of a constituent entity of the Russian Federation, the local government body, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos refuse to issue a building permit in the absence of documents stipulated part 7 of this article, or non-compliance of the submitted documents with the requirements for construction, reconstruction of the facility capital construction, set on the date of issue of the land plot submitted for obtaining a construction permit, or in the case of issuing a permit for the construction of a linear object, the requirements of the territory planning project and the land survey project (except for cases when preparation of the site planning documentation), as well as the permitted use of the land plot

14. Refusal to issue a building permit may be challenged by the developer in court.

15. The issuance of a construction permit is carried out by persons authorized to issue a construction permit by the federal executive authority, the executive authority of the constituent entity of the Russian Federation, the local government, the State Atomic Energy Corporation ROSATOM, or the State Space Corporation Roscosmos without charge. Within three days from the date of issuance of the construction permit, the specified authorities, the State Atomic Energy Corporation Rosatom or the State Corporation for Space Activity Roskosmos send a copy of such permission to the federal executive body authorized to exercise state construction supervision, in the case of if a permit is issued for the construction of capital construction projects referred to in paragraph 5.1 of Article 6 of this Code, or to the executive authority of the entity Of the Russian Federation authorized

to exercise state construction supervision, in the event that a permit is issued for the construction of other capital construction facilities.

(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

15.1. In the cases provided for by clause 9 of part 7 of this article, within three working days from the date of issuance of a construction permit, the federal executive body authorized to issue construction permits, the executive body of the Russian Federation, the local government, the State Atomic Energy Corporation "Rosatom" or the State Space Corporation "Roscosmos" direct (including using a unified system of interdepartmental electronic actions and regional interdepartmental electronic interaction systems connected to it) a copy of such permission to state authorities or local governments that made a decision to establish or change the zone with special conditions for the use of the territory in connection with the location of the object, for the purposes of construction whose reconstruction was issued building.

(Part 15.1 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

16. The form of a construction permit shall be established by the federal executive body authorized by the Government of the Russian Federation.

(as amended by the Federal Law dated July 23, 2008 N 160-FZ)

(see the text in the previous "edition")

16.1. Lose force. - Federal Law of 03.08.2018 N 340-FZ.

(see the text in the previous "edition")

16.2. In the case provided for in part 10.2 of this article, the construction permit shall indicate the typical architectural solution of the capital construction object, in accordance with which the construction or reconstruction of the capital construction object is planned.

(Part 16.2 was introduced by Federal Law dated 12.30.2015 N 459-FZ)

ConsultantPlus: note.

The provisions of part 17 of article 51 are also applied to the objects specified in it, which were constructed, reconstructed or modified before the introduction of the Town Planning Code of the Russian Federation (Federal Law No. 191-FZ dated December 29, 2004).

ConsultantPlus: note.

Obtaining a building permit is also not required in the cases specified in art. 16 of the Federal Law of 03.08.2018 N 340-FZ.

17. **The issuance of a building permit is not required in the event of:**

1) construction, reconstruction of a garage on a land plot provided to an individual for purposes not related to business activities, or construction, reconstruction on a garden land plot of a residential house, garden house, outbuildings determined in accordance with legislation in the field of gardening and gardening;

(as amended by Federal Law of 31.12.2005 N 210-FZ, as of 29.07.2017 N 217-FZ (ed. 03.08.2018), as of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

1.1) construction, reconstruction of **individual housing** construction objects;

(clause 1.1 introduced by Federal Law of 03.08.2018 N 340-FZ)

2) construction, reconstruction of objects that are not objects of capital construction;

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3) construction on the land plot of buildings and structures of auxiliary use;

4) changes in capital construction objects and (or) their parts, if such changes do not affect the design and other characteristics of their reliability and safety and do not exceed the limit parameters of the permitted construction, reconstruction established by the town planning regulations;

(as amended by Federal Law of December 31, 2005 N 210-FZ)

(see the text in the previous "edition")

4.1) overhaul of capital construction objects;

(clause 4.1 was introduced by Federal Law dated July 18, 2011 No. 243-FZ)

4.2) construction, reconstruction of drilling wells provided for prepared, agreed and approved in accordance with the Russian Federation's legislation on subsoil in a technical project for the development of mineral deposits or other project documentation for work related to the use of subsurface resources;

(clause 4.2 was introduced by Federal Law dated December 31, 2014 N 533-FZ)

4.3) construction, reconstruction of **embassies**, consulates and representative offices of the Russian Federation abroad;

(clause 4.3 was introduced by Federal Law of 03.08.2018 N 342-FZ)

4.4) construction, reconstruction of facilities intended for the transportation of natural gas under pressure up to 0.6 megapascals inclusive;

(clause 4.4 was introduced by the Federal Law of 03.08.2018 N 330-FZ)

"" 5) in other cases, if in accordance with this Code, regulatory legal acts of the Government of the Russian Federation, the legislation of the constituent entities of the Russian Federation on urban planning, obtaining a building permit is not required.

(as amended by the Federal Law of 03.08.2018 N 341-FZ)

(see the text in the previous "edition")

""18. The federal executive body, the executive body of a constituent entity of the Russian Federation, the local government body, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos, which issued the construction permit, shall ensure, within five working days from the date of issue of such permission (including using a unified system of interdepartmental electronic interaction and regional systems of interdepartmental electronic Interaction of) transfer to authorized placement in state information systems for urban development authorities of the Russian Federation, bodies of local self-government of municipal areas, city districts information, documents, materials listed in paragraphs 3.1 - 3.3 and 6 of Part 5 of Article 56 of this Code.

(Part 18 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

""19. A construction permit is issued for the entire period stipulated by the project for organizing the construction of a capital construction object, except in cases where such permission is issued in accordance with paragraph 12 of this article. Permission for individual housing construction is issued for ten years.

(as amended by the Federal Law of July 18, 2011 No. 224-FZ)

(see the text in the previous "edition")

""20. Lose force. - Federal Law of 03.08.2018 N 342-FZ.

(see the text in the previous "edition")

21. The term of validity of a construction permit in case of transfer of the right to a land plot and capital construction objects is retained, except for the cases provided for in paragraph 21.1 of this article.

(as amended by the Federal Law of July 18, 2011 No. 224-FZ)

(see the text in the previous "edition")

21.1. The construction permit is terminated on the basis of the decision of the authorized to issue construction permits to the federal executive body, the executive body of the Russian Federation, the local government, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos in the case of:

(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

- 1) compulsory termination of property rights and other rights to land plots, including withdrawal of land plots for state or municipal needs;
  - 1.1) the receipt of an order issued by a federal executive body authorized by the Government of the Russian Federation to terminate the construction permit on the basis of non-compliance of the construction permit with restrictions on the use of real estate facilities established in the near-aerodrome territory;
- 2) waiver of property rights and other rights to land plots;
- 3) termination of the lease agreement and other agreements on the basis of which citizens and legal entities have rights to land plots;
- 4) termination of the right to use subsoil if the construction permit is issued for construction, reconstruction of a capital construction object on a land plot provided to a subsoil user and necessary for conducting work related to subsoil use.

(Part 21.1 was introduced by Federal Law dated July 18, 2011 No. 224-FZ)

21.2. Authorized to issue construction permits by the federal executive body, the executive body of a constituent entity of the Russian Federation, the local government body, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos, the decision is made to terminate the building permit in time more than thirty working days from the date of termination of rights to a land plot or the right to use subsoil on the grounds specified in Asti 21.1 of this article.

(Part 21.2 was introduced by the Federal Law of July 18, 2011 No. 224-FZ; as amended by Federal Laws of July 13, 2015 No. 216-FZ, of August 3, 2014 No. 342-FZ)  
(see the text in the previous "edition")

21.3. Authorities authorized to provide information from the Unified State Register of Real Estate provide information on the state registration of termination of rights to land on the grounds specified in clauses 1 to 3 of part 21.1 of this article, by providing access to public authorities and local authorities to the information resource, containing information from the Unified State Register of Real Estate.

(Part 21.3 was introduced by the Federal Law of July 18, 2011 No. 224-FZ; as amended by the Federal Law of July 3, 2016 No. 361-FZ)

(see the text in the previous "edition")

21.4. Authorized to issue construction permits by the federal executive body, the executive body of a constituent entity of the Russian Federation, the local government body, the State Atomic Energy Corporation Rosatom, or the State Space Corporation Roscosmos also decide to terminate the building permit on time , specified in paragraph 21.2 of this article, upon receipt of one of the following documents:

(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)  
(see the text in the previous "edition")

- 1) notification of the executive body of state or local government that made the decision to terminate the rights to the land plot;
- 2) notification of the executive body of state power or the local self-government body that made the decision to terminate the right to use subsoil.

(Part 21.4 was introduced by Federal Law dated July 18, 2011 No. 224-FZ)

"" 21.5. An individual or legal entity that has acquired the rights to a land plot is entitled to carry out construction, reconstruction of a capital construction object on such a land plot in accordance with a construction permit issued to the former right holder of the land plot.

(Part 21.5 is introduced by the Federal Law of July 18, 2011 No. 224-FZ)

21.6. In the case of the formation of a land plot by combining land plots in respect of which or one of which a construction permit was issued in accordance with this Code, a natural or legal person who has a right to an established land plot has the right to carry out construction on such a land plot on terms contained in the specified building permit.

(Part 21.6 was introduced by the Federal Law dated July 18, 2011 No. 224-FZ)

21.7. In case of formation of land plots by dividing, redistributing land plots or segregating from land plots in respect of which a building permit was issued in accordance with this Code, a natural or legal person who has the right to formed land plots has the right to build on such land plots. plots on the conditions contained in the specified building permit, in compliance with the requirements for the placement of capital construction objects established in accordance This code and land legislation. In this case, it is required to obtain a town-planning plan of the formed land plot, on which it is planned to carry out construction, reconstruction of the capital construction object. The previously issued town-planning plan of the land plot, from which land plots are formed by dividing, redistributing land plots or being separated from land plots, loses its force from the date of issuance of a city-planning plan to one of the land plots formed.

(Part 21.7 was introduced by Federal Law of July 18, 2011 No. 224-FZ)

21.8. If the land plots were formed within the boundaries of the location zone of the linear object provided for by the territory planning project, and if project documentation was developed based on the territory planning project and the territory surveying project, the previously issued permit remains valid for the construction of such an object and the modification of such a permit is not required

(Part 21.8 was introduced by Federal Law dated July 18, 2011 No. 224-FZ)

"" 21.9. In the case of renewal of a license for the use of subsoil, a new subsoil user is entitled to carry out construction, reconstruction of a capital construction object on a land plot



provided to a subsoil user and necessary to conduct work related to subsoil use in accordance with the previously issued construction permit.

(Part 21.9 was introduced by Federal Law of July 18, 2011 No. 224-FZ)

21.10. The persons specified in parts 21.5 - 21.7 and 21.9 of this article are obliged to notify in writing about the transfer to them of rights to land plots, the rights to use subsoil resources, about the formation of a land plot, the federal executive body, the executive body of the subject authorized to issue building permits Of the Russian Federation, local government, the State Atomic Energy Corporation Rosatom, or the State Space Corporation Roscosmos, with the following details:

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(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

- 1) documents of title to such land plots in the case specified in paragraph 21.5 of this article;
- 2) decisions on land plots in cases provided for in subsections 21.6 and 21.7 of this article, if, in accordance with the land "legislation", the decision on the formation of a land plot is made by an executive body of state power or a local government body;
- 3) the town-planning plan of the land plot on which it is planned to carry out the construction, reconstruction of the capital construction object in the case provided for by part 21.7 of this article;
- 4) the decision on granting the right to use subsoil and the decision to re-register a license for the right to use subsoil in the case provided for in paragraph 21.9 of this article.

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(Part 21.10 was introduced by Federal Law of July 18, 2011 No. 224-FZ)

21.11. The persons referred to in paragraphs 21.5–21.7 and 21.9 of this article shall have the right simultaneously with the notification of the transfer of rights to land plots to them, subsoil use rights, and the establishment of land plots to submit to the federal executive body authorized to issue building permits a subject of the Russian Federation, a local government body, the State Atomic Energy Corporation Rosatom, or the State Space Corporation Roscosmos, copies of documents, redusmotrennyh paragraphs 1 - 4 of Part 21.10 of this article.

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(Part 21.11 was introduced by the Federal Law of July 18, 2011 No. 224-FZ; as amended by Federal Laws of July 13, 2015 No. 216-FZ, of August 3, 2017 No. 342-FZ)

(see the text in the previous "edition")

"" 12/21. In the event that the documents specified in clauses 1 to 4 of part 21.10 of this article are not submitted by the applicant, the federal executive body, executive body of the constituent entity of the Russian Federation or local government authorized to issue such permits must request such documents or information contained in them, in the relevant state or local government bodies.

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(Part 21.12 was introduced by Federal Law of July 18, 2011 No. 224-FZ)

21.13. If the Unified State Register of Real Estate does not contain information about title documents for a land plot, a copy of such documents to the federal executive body, state executive body of the Russian Federation, local government, State Atomic Energy Corporation authorized to issue building permits Rosatom or the State Space Corporation Roscosmos is obliged to represent the person referred to in paragraph 21.5 of this article ti.

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(Part 21.13 was introduced by the Federal Law of July 18, 2011 No. 224-FZ; as amended by Federal Laws of July 13, 2015 No. 216-FZ, of July 3, 2016 No. 361-FZ, as of 03.08.2018 No. 342-FZ)

(see the text in the previous "edition")

"" 21.14. Within a period not exceeding seven working days from the date of receipt of the notification specified in paragraph 21.10 of this article, or from the date of receipt of the developer's application for amending the construction permit (including due to the need to extend the period of validity of the construction permit) the issuance of construction permits to the federal executive authority, the executive authority of the constituent entity of the Russian Federation, the local government body, the State Atomic Energy Corporation Rosatom or D The Roscosmos State Space Corporation decides to amend the building permit or to refuse to amend the permit, indicating the reasons for the refusal. In the event of a developer's application for amending the construction permit, in addition to the

application for amending the building permit only in connection with the extension of the term of such a permit, the documents required by part 7 of this article are required to make a decision to amend the building permit. . The submission of these documents is carried out according to the rules established by parts 7.1 and 7.2 of this article.

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(Part 21.14 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

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21.15. **The reason for refusing to make changes to the building permit** is:

- 1) the absence in the notification of the transfer of rights to a land plot, the right to use subsoil resources, about the formation of a land plot of the requisites of documents provided for by clauses 1-4 of part 21.10 of this article, respectively, or the absence of a title document for a land plot in the case specified in paragraph 21.13 of this article or lack of documents stipulated by part 7 of this article, in case of receipt of an application for amending the construction permit, except for an application for amending permitted not for construction solely in connection with the renewal of such a permit;  
(as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")
- 2) the inaccuracy of the information specified in the notification of the transfer of rights to a land plot, the rights to use subsoil resources, and the formation of a land plot;
- 3) the discrepancy between the planned location of the capital construction object and the requirements for construction, reconstruction of the capital construction object established on the date of issue of the town-planning plan of the formed land plot, in the case provided for by paragraph 21.7 of this article. At the same time, the town-planning plan of the land plot should be issued no earlier than three years before the day of the notice referred to in paragraph 21.10 of this article;  
(clause 3 as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")
- 4) non-compliance of the planned placement of the capital construction object with the construction requirements, reconstruction of the capital construction object established on the date of issue of the submitted for obtaining a construction permit or for making changes to the construction permit of the urban development plan of the land plot in case of a request for changes to the construction permit , except for the application for amendments to the building permit solely in connection with the extension of the period and the actions of such permission. In the case of a submission for making changes to the construction permit of a town-planning plan for a land plot issued after obtaining a building permit, such a town-planning plan should be issued no earlier than three years before the day of sending the application for making changes to the building permit;  
(clause 4 was introduced by Federal Law of 03.08.2018 N 342-FZ)
- 5) non-compliance of the planned capital construction object with the permitted use of the land plot and (or) restrictions established in accordance with the land and other legislation of the Russian Federation and valid at the date of the decision to amend the building permit, in the case provided for by paragraph 21.7 of this article, or in case of receipt of the application of the developer for amending the building permit, except for the application for amending the building permit I exclude especially in connection with the renewal of the permit;  
(clause 5 was introduced by Federal Law of 03.08.2018 N 342-FZ)
- 6) non-compliance of the planned placement of the capital construction object with the requirements established in the permit for deviation from the limit parameters of the permitted construction, reconstruction, in case of receipt of the developer's application for amending the building permit, except for the application for amending the building permit solely due to the extension the term of the permit;  
(clause 6 was introduced by Federal Law of 03.08.2018 N 342-FZ)
- 7) that the authorized persons for issuing permits for the construction of a federal executive body, an executive body of a constituent entity of the Russian Federation, a local government body, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos have information about the identified within the

framework of the state construction supervision, state land supervision or municipal land control in the absence of commenced construction, reconstructed Ktsii on the day of filing an application for amending the construction permit in connection with the extension of the period of validity of such a permit or information of the state construction supervision authority about the absence of a notice of the commencement of these works, if such notice is required in accordance with the requirements of paragraph 5 of Article 52 of this Code , in case the introduction of changes to the construction permit is connected with the extension of the validity period of the construction permit;

(Clause 7 was introduced by Federal Law of 03.08.2018 N 342-FZ)

- 8) filing an application for amending the construction permit less than ten working days before the expiry of the building permit.

(Clause 8 was introduced by Federal Law of 03.08.2018 N 342-FZ)

(Part 21.15 was introduced by Federal Law of July 18, 2011 No. 224-FZ)

21.16. Within five working days from the date of the decision to terminate the construction permit or from the date of amending the construction permit by the federal government executive authority, the executive authority of the Russian Federation, the local government, the State Atomic Energy Corporation Energy "Rosatom" or the State Corporation for Space Activity "Roscosmos" specified bodies, organization, state corporation radio station is notified of this decision or such changes:

(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

- 1) the federal executive authority or the executive authority of a constituent entity of the Russian Federation that performs state construction supervision during construction, reconstruction of a capital construction object, the effect of which the construction permit has been terminated or the construction permit has been amended;
- 2) rights registration authority;  
(clause 2 as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")
- 3) the developer in the event of changes in the building permit.

(Part 21.16 was introduced by Federal Law dated July 18, 2011 No. 224-FZ)

21.17. If the building permit is issued to the owner of the easement, public easement, when the land plots are established within the boundaries of the easement, public easement, transfer of rights to such land areas, the action of the said permit is retained.

(Part 21.17 was introduced by Federal Law of 08/03/2018 N 341-FZ)

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22. Lost force. - Federal law of 18.07.2011 N 224-FZ.

(see the text in the previous "edition")

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23. The issuance of permits for the construction of capital construction objects, information about which constitutes a state secret, is carried out in accordance with the requirements of the legislation of the Russian Federation on state secrets.

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### **Article 51.1. Notification of the planned construction or reconstruction of the individual housing construction or garden house**

(introduced by the Federal Law of 03.08.2018 N 340-FZ)

Consultant Plus: note.

If construction is started before 08/04/2018, then before 01/03/2019 notice, provided for by Part 1 of Art. 51.1, may also send persons referred to in Art. 16 of the Federal Law of 03.08.2018 N 340-FZ.

1. For the purpose of building or reconstructing an individual housing construction or a garden house, the developer submits on paper through personal contact to the federal executive body, the executive body of the Russian Federation or local government authorized to issue building permits, including through the multifunctional center, or sends to the specified authorities by mail with return receipt or a single portal of the State governmental and municipal services notification of planned construction or reconstruction of the object of individual housing construction or home garden (hereinafter - the notification of the planned construction), containing the following information:

- 1) last name, first name, patronymic (if any), place of residence of the developer, details of an identity document (for an individual);
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- 2) the name and location of the developer (for a legal entity), as well as the state registration number of the record of the state registration of the legal entity in the unified state register of legal entities and the taxpayer identification number, except if the applicant is a foreign legal entity;
  - 3) cadastral number of the land plot (if available), address or description of the location of the land plot;
  - 4) information on the right of the developer to the land plot, as well as information on the availability of rights of other persons to the land plot (if such persons are available);
  - 5) information on the type of permitted use of the land plot and the capital construction object (individual housing construction or garden house);
  - 6) information on the planned parameters of the object of individual housing construction or garden house, for the construction or reconstruction of which a notice of the planned construction has been submitted, including departures from the boundaries of the land plot;
  - 7) information that the object of individual housing construction or the garden house is not intended to be divided into independent real estate objects;
  - 8) postal address and (or) e-mail address for communication with the developer;
  - 9) the method of sending notifications to the developer provided for by clause 2 of part 7 and clause 3 of part 8 of this article.
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2. The form of notification of the planned construction is approved by the federal executive body responsible for the development and implementation of state policy and legal regulation in the field of construction, architecture, and town planning.

3. The following are attached to the notification of the planned construction:

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- 1) title documents for a land plot if the rights to it are not registered in the Unified State Register of Real Estate;
  - 2) a document confirming the authority of the representative of the developer, in case the notification of the planned construction is sent by the representative of the developer;
  - 3) a certified translation into Russian of documents on the state registration of a legal entity in accordance with the legislation of a foreign state in the event that the developer is a foreign legal entity;
  - "4) a description of the external appearance of the object of individual housing construction or garden house in case the construction or reconstruction of the object of individual housing construction or garden house is planned within the boundaries of the territory of a historic settlement of federal or regional importance, except as provided for in paragraph 5 of this article. Description of the appearance of the object of individual housing construction or garden house includes a description in text form and a graphic description. The description of the external appearance of the object of individual housing construction or garden house in text form includes an indication of the parameters of the object of individual housing construction or garden house, the color decision of their appearance, building materials to be used that determine the appearance of the object of individual housing construction or garden house, and a description of other characteristics of the object of individual housing construction or garden house, the requirements for which are set radostroitelnym regulations as requirements for architectural solutions of the capital construction. The graphic description is an image of the external appearance of the object of individual housing construction or garden house, including the facades and configuration of the object of individual housing construction or garden house.
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4. Documents (their copies or information contained in them) specified in clause 1 of part 3 of this article are requested by the authorities indicated in the first paragraph of part 1 of this article from state bodies, local authorities and subordinate to state bodies or local authorities organizations that have the said documents at their disposal, no later than three working days from the date of receipt of the notice of the planned construction, if the developer has not submitted the specified documents flax By interdepartmental requests of

the authorities specified in the first paragraph of part 1 of this article, the documents (their copies or information contained in them) specified in clause 1 of part 3 of this article are provided by government bodies, local governments and subordinate government bodies or local governments organizations that have the said documents at their disposal, no later than three business days from the date of receipt of the relevant inter-agency request.

5. The developer has the right to carry out construction or reconstruction of an individual housing construction or a garden house within the boundaries of the territory of a historic settlement of federal or regional significance in accordance with a typical architectural design of a capital construction facility approved in accordance with the Federal "law" of June 25, 2002 No. 73- The Federal Law "On the objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation" for this historic settlement. In this case, the notification of the planned construction indicates such a typical architectural solution. The application describing the appearance of the object of individual housing construction or garden house to the notification of the planned construction is not required.
6. In the absence of information in the notification about the planned construction provided for by part 1 of this article or documents provided for by paragraphs 2-4 of part 3 of this article, the federal executive body, the executive body of the subject of the Russian Federation or the body authorized to issue building permits local government within three working days from the date of receipt of the notification of the planned construction returns to the developer this notice and the attached documents without consideration, specifying the reason for the return. In this case, the notification of the planned construction is considered non-directional.
7. Authorized to issue construction permits to the federal executive body, executive body of a constituent entity of the Russian Federation or local government within seven working days from the date of receipt of the notice of planned construction, except in the case provided for in paragraph 8 of this article:

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- 1) checks the compliance of the parameters of the individual housing construction or garden house specified in the notification of the planned construction with the limit parameters of the permitted construction, reconstruction of capital construction objects, established by land use and development rules, documentation on the territory planning, and mandatory requirements for the parameters of capital construction objects established this Code, other federal laws and effective on the date received I notice about the planned construction as well as the admissibility of the object of individual housing construction or gardening at home in accordance with the permitted use of land and restrictions established in accordance with the land and other legislation of the Russian Federation;
  - 2) sends to the developer, in the manner determined by him in the notice of the planned construction, a notice of compliance with the parameters specified in the notice of the planned construction of the individual housing construction or garden house to the established parameters and the admissibility of the location of the individual housing construction or garden house on the land plot or inconsistencies specified in the notification of the planned construction of the parameters of the object of individual housing construction or sado the established house, the established parameters and (or) the inadmissibility of placing the object of individual housing construction or garden house on the land plot. Forms of notification of compliance with the parameters specified in the notification of the planned construction of an individual housing construction or garden house to the established parameters and admissibility of locating the individual housing construction or garden house on a land plot, notification of non-compliance of the parameters of the individual housing construction or garden construction specified in the notification of planned construction home set parameters and (or) inadmissibility of placing an object indie Individual housing construction or a garden house on a land plot is approved by the federal executive body that performs the functions of developing and implementing

state policy and legal regulation in the field of construction, architecture, and city planning.

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8. If construction or reconstruction of an individual housing construction or a garden house is planned within the boundaries of the territory of a historic settlement of federal or regional significance and the notification of the planned construction does not contain an indication of a typical architectural solution in accordance with which the construction or reconstruction of such an individual housing construction is planned or garden house authorized to issue building permits the federal agency is authorities, executive authorities of the Russian Federation or the local self-government:

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- 1) within the period of no more than three working days from the date of receipt of this notification, in the absence of grounds for its return, provided for in paragraph 6 of this article, sends, including using a single system of inter-agency electronic interaction and regional systems of inter-departmental electronic interaction connected to it, the said notice and the description of the external appearance of the object of individual housing construction or garden house attached to it to the executive authority of the subject of the Russian Federation agencies authorized in the field of protection of cultural heritage objects;
  - 2) checks the compliance of the parameters of the individual housing construction or garden house specified in this notification with the limit parameters of the permitted construction, reconstruction of capital construction objects established by land use and development rules, territory planning documentation, and mandatory requirements for the parameters of capital construction objects established by this Code other federal laws and as of the date of receipt of this notice, and also the admissibility of locating the object of individual housing construction or garden house in accordance with the permitted use of the land plot and restrictions established in accordance with the land and other legislation of the Russian Federation and valid on the date of receipt of this notice;
  - 3) no later than twenty working days from the date of receipt of this notice, sends to the developer, in the manner specified by him in this notice, a notice of compliance with clause 2 of part 7 of this article regarding the compliance of the parameters of the individual housing construction or garden house specified in the notice of the planned construction with the specified parameters and the admissibility of the placement of the object of individual housing construction or garden house on the land plot or of the discrepancy specified in the Research Institute of the planned construction of object parameters for individual housing construction or garden house set parameters, and (or) the inadmissibility of the object of individual housing construction or garden house on the land.
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9. The executive authority of the constituent entity of the Russian Federation authorized in the field of protection of cultural heritage objects within ten working days from the date of receipt from the commissioners for issuing building permits the federal executive authority, the executive authority of the constituent entity of the Russian Federation or the local government authority of the planned construction and provided for in paragraph 4 of part 3 of this article, the description of the external appearance of the object of individual housing construction or and the garden house considers the specified description of the external appearance of the object of individual housing construction or garden house and sends, including using a single system of interdepartmental electronic interaction and regional systems of interdepartmental electronic interaction connected to it, a notification of compliance or non-compliance of the specified description of the external appearance of the object of individual housing the construction or garden house subject to the protection of the historic settlement and the requirements for architect tekturnym decisions of capital construction, the existing town planning regulations in relation to the territorial zone located within the territory of historical settlement of the federal or regional significance. If no notice is given within the deadline, the specified description of the appearance of the object of individual housing construction or the garden house does not correspond to the

specified subject of protection of the historic settlement and the requirements for architectural solutions of capital construction projects, the specified description of the external appearance of the object of individual housing construction or garden house is considered to correspond to the subject of historical protection settlements and requirements for architectural solutions of capital construction.

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10. Notification of non-compliance of the parameters of the individual housing construction or garden house specified in the notification of the planned construction with the established parameters and (or) the inadmissibility of locating the individual housing construction or garden house on the land plot is sent to the developer only if:

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- 1) the parameters of the individual housing construction or garden house specified in the notification of the planned construction do not meet the limit parameters of the permitted construction, reconstruction of capital construction objects, established by land use and development rules, territory planning documentation, or mandatory requirements for the parameters of capital construction objects established by this Code, other federal laws and valid on the date of receipt of the notice on the planned construction;
  - 2) the placement specified in the notice of the planned construction of the object of individual housing construction or garden house is not allowed in accordance with the types of permitted use of the land plot and (or) restrictions established in accordance with the land and other legislation of the Russian Federation and valid on the date of receipt of the notification of the planned construction;
  - 3) a notice of the planned construction is filed or sent by a person who is not a developer due to his lack of rights to the land plot;
  - 4) on the date specified in paragraph 9 of this article, the executive body of the Russian Federation authorized to protect cultural heritage objects received a notification about the discrepancy between the description of the appearance of the individual housing construction or garden house subject to the protection of the historic settlement and the requirements for architectural decisions of capital construction objects established by the town-planning regulations applicable to the territorial zone located within the boundaries of torii historical settlements of federal or regional significance.
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11. The notification of non-compliance of the parameters of the individual housing construction or garden house specified in the notification of the planned construction to the established parameters and (or) the inadmissibility of locating the individual housing construction or garden house on the land plot must contain all grounds for sending such a notice to the developer indicating the maximum parameters permitted construction, reconstruction of capital construction, which are established by the rules use of land, building planning documentation, or mandatory requirements for the parameters of capital construction objects that are established by this Code and other federal laws, are valid on the date of receipt of the notice of the planned construction and which do not correspond to the parameters of the individual housing construction or garden house specified in notification of the planned construction, as well as in the case of the inadmissibility of placing the object of individual housing construction or a garden house on a land plot - the established type of permitted use of a land plot, types of restrictions on the use of a land plot, in connection with which the construction or reconstruction of an individual housing construction or a garden house is not allowed, or that the person who submitted or sent the notice about the planned construction, is not the developer due to the lack of his rights to the land. In the case of sending such a notice to the developer on the basis provided for by clause 4 of part 10 of this article, a mandatory annex to it is the notification of the discrepancy between the description of the appearance of the object of individual housing construction or garden house subject to the protection of the historic settlement and the requirements for architectural solutions of capital construction applicable to the territorial zone located within the boundaries of the territory of the historic federal or regional significance.

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12. The federal executive body, the executive body of a constituent entity of the Russian Federation or the local government authorized to issue building permits within the time specified in paragraph 7 or clause 3 of part 8 of this article also sends, including through the use of a unified, inter-agency electronic system interaction and regional systems of interdepartmental electronic interaction connected to it, notification of non-compliance specified in the notification of the planned construction of a metro for individual housing construction or garden house set parameters, and (or) the inadmissibility of the object of individual housing construction or garden house on the land:

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- 1) to the executive authority of the constituent entity of the Russian Federation authorized to exercise state construction supervision, in the event that the said notice is sent on the basis provided for by clause 1 of part 10 of this article;
  - 2) to the federal executive body authorized to exercise state land supervision, a local government body exercising municipal land control, in the event that the said notice is sent on the basis provided for in clause 2 or 3 of part 10 of this article;
  - 3) to the executive authority of the constituent entity of the Russian Federation authorized in the field of protection of cultural heritage objects, in the case of sending the said notice on the basis provided for by clause 4 of part 10 of this article.
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13. Receipt by the developer of the notification of the parameters specified in the notification of the planned construction of an individual housing construction or garden house to the established parameters and the admissibility of locating the individual housing construction or garden home on a land plot from the authorized to issue building permits for the federal executive body, executive body authorities of a constituent entity of the Russian Federation or a local government body or not directed by specified bodies within the period stipulated by part 7 or clause 3 of part 8 of this article, notification of non-compliance of the parameters of the individual housing construction or garden house specified in the notice of planned construction with the established parameters and (or) the inadmissibility of placing the individual housing construction or garden house on the land plot is considered to be approved by the said authorities for the construction or reconstruction of the individual housing construction or garden home and gives the developer the right to carry out construction or renovation of an individual housing construction or a garden house in accordance with the parameters specified in the notification of the planned construction within ten years from the date the developer sends such notice of the planned construction in accordance with part 1 of this article. This right is retained upon the transfer of rights to a land plot and an individual housing construction object or a garden house, with the exception of the cases provided for in Clauses 1 to 3 of Part 21.1 of Article 51 of this Code. In this case, the direction of the new notice of the planned construction is not required.

14. In the event of changes in the parameters of the planned construction or reconstruction of the individual housing construction or garden house, the developer submits or sends, by the methods specified in paragraph 1 of this article, the federal executive body, the executive body of the Russian Federation or the federal government authorized to issue building permits. local government with the indication of variable parameters. Consideration of this notice is carried out in accordance with parts 4 - 13 of this article. The form of this notification is approved by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, and town planning.

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15. In the event that the developer receives a notification about the compliance of the parameters of the individual housing construction or garden house specified in the notification of the planned construction with the established parameters and the admissibility of locating the individual housing construction or garden house on the land plot from the authorized to issue construction permits to the federal executive body, executive authority of the subject of the Russian Federation or local government or by the said authorities in the period provided for by part 7 or clause 3 of part 8 of this article, notification of non-compliance of the parameters of the individual housing construction or



garden house specified in the notice of planned construction with the established parameters and (or) the inadmissibility of placing the individual housing construction or garden house on land plot losses caused to the developer by demolition or bringing into compliance with the established requirements of the individual residential facility construction site or garden house built or reconstructed in accordance with the parameters specified in the notification of the planned construction due to the recognition of such an individual housing construction or a garden house as an unauthorized building due to the inconsistency of their parameters with the limit parameters of the permitted construction, reconstruction of capital construction facilities established land use and development rules, territory planning documentation, or mandatory requirements to the parameters of capital construction objects established by this Code, other federal laws, or due to the inadmissibility of placing such an individual housing construction or garden house in accordance with restrictions established in accordance with the land and other legislation of the Russian Federation and valid on the date of receipt of the notice of the planned construction, in full subject to reimbursement at the expense of, respectively, the treasury of the Russian Federation, the treasury in the Russian Federation, the treasury of the municipality, provided that the court establishes the fault of an official of a public authority or local government that sent a notice to the developer of the conformity of the parameters of the individual housing construction or garden house specified in the notice of the planned construction with the established parameters and admissibility of the object individual housing construction or garden house on the land plot or not fulfilled the obligation information in the direction provided for by part 7 or clause 3 of part 8 of this article, notification of non-conformity of the parameters of the individual housing construction or garden house specified in the notice of planned construction with the established parameters and (or) the inadmissibility of placing the individual housing construction or garden house on land plot.

## **Article 52. Implementation of construction, reconstruction, overhaul of a capital construction object**

1. Construction, reconstruction of capital construction objects, as well as their overhaul is regulated by this Code, other federal laws and other regulatory legal acts of the Russian Federation adopted in accordance with them.

(as amended by the Federal Law of July 18, 2011 N 243-FZ)

(see the text in the previous "edition")

2. Works on construction, renovation, capital repairs of capital construction projects concluded with the developer, technical customer, person responsible for the operation of the building, structure, regional operator (hereinafter also referred to as a construction contract) must be performed only by individual entrepreneurs or legal entities, which are members of self-regulatory organizations in the field of construction, reconstruction, overhaul of capital construction, if not established by this Article. Construction, reconstruction, and overhaul of capital construction objects under such contracts are provided by construction organization specialists (chief project engineers). Work on contracts for the construction, reconstruction, overhaul of capital construction projects concluded with other persons may be performed by individual entrepreneurs or legal entities that are not members of such self-regulating organizations.

(part 2 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

2.1. An individual entrepreneur or legal entity who are not members of self-regulating organizations in the field of construction, reconstruction, overhaul of capital construction objects may perform work under construction contracts concluded with the developer, technical customer, person responsible for the operation of the building, structure, regional operator, if the amount of obligations under each of these contracts does not exceed three million rubles.

(Part 2.1 was introduced by Federal Law of July 3, 2016 N 372-FZ)

2.2. Membership in self-regulatory organizations in the field of construction, reconstruction, overhaul of capital construction objects is not required:

1) state and municipal unitary enterprises, including state and municipal state-owned enterprises, state and municipal institutions in case they conclude construction contracts with federal executive bodies, state corporations that carry out regulatory and legal regulation in the relevant field, state bodies of subjects Of the Russian Federation, the local government bodies in charge of such enterprises, institutions I, or in the case of such enterprises and institutions fulfilling the functions of a technical customer on behalf of the specified federal executive bodies, state corporations, state bodies of the constituent entities of the Russian Federation, local governments;

2) commercial organizations, in the authorized (share) capitals of which the share of state and municipal unitary enterprises, state and municipal autonomous institutions is more than fifty percent, in case of such commercial organizations concluding construction contracts with the specified enterprises, institutions, as well as with federal executive bodies government, state corporations, state authorities of the constituent entities of the Russian Federation, local governments Provided by clause 1 of this part and under the jurisdiction of these enterprises, institutions, or in the case of such commercial organizations performing the functions of a technical customer on behalf of specified enterprises, institutions, federal executive bodies, state corporations, state bodies of the constituent entities of the Russian Federation local authorities;

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3) legal entities created by public legal entities (with the exception of legal entities provided for by clause 1 of this part), in case of conclusion by these legal entities of construction contracts in specified areas of activity (in areas for which the activities of such legal entities are established ), as well as commercial organizations, in the authorized (share) capitals of which the share of these legal entities is more than fifty percent, in the case of the conclusion of such commercial ORGANIZATION construction contracts with these entities or in case of implementation of these business organizations functions of technical customer on behalf of the above entities;

4) legal entities, in the authorized (share) capitals of which the share of public legal entities is more than fifty percent, in the case of the said legal entities concluding construction contracts with federal executive authorities, state authorities of the constituent entities of the Russian Federation, local governments, in spheres of activity of which specified legal entities carry out statutory activities, or in case of fulfillment of the functions of said legal entities technical customer on behalf of these federal executive authorities, state authorities of the constituent entities of the Russian Federation, local governments, as well as commercial organizations, in the authorized (share) capital of which the share of these legal entities is more than fifty percent, in case of conclusion of construction contracts by such commercial organizations contract with the specified federal executive authorities, state authorities of the constituent entities of the Russian Federation, Ganas local government, legal entities, or in the case of performing such business organizations functions of technical customer on behalf of these federal bodies of executive power, bodies of state power of subjects of the Russian Federation, local self-government bodies, legal entities;

5) persons engaged in the construction, reconstruction, overhaul of the facilities specified in clauses 1-3 of part 17 of article 51 of this Code.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

(Part 2.2 was introduced by the Federal Law of July 3, 2016 N 372-FZ)

3. A person engaged in construction, reconstruction, overhaul of a capital construction object (hereinafter referred to as the person carrying out construction) may be the developer or an individual entrepreneur or a legal entity who has entered into a construction contract. The person carrying out the construction ensures compliance with the requirements of the project documentation, technical regulations, safety in the process of these works and is responsible for the quality of the work performed and their compliance with the requirements of the project documentation.

(part 3 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

3.1. The developer has the right to carry out construction, reconstruction, overhaul of capital construction objects independently, provided that he is a member of a self-regulatory organization in the field of construction, reconstruction, capital repair of capital construction objects, unless otherwise provided by this article, or with the involvement of other persons under a construction contract .

(Part 3.1 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

3.1. The developer has the right to carry out construction, reconstruction, overhaul of capital construction objects independently, provided that he is a member of a self-regulatory organization in the field of construction, reconstruction, capital repair of capital construction objects, unless otherwise provided by this article, or with the involvement of other persons under a construction contract .

(Part 3.1 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

3.2. In the case of issuing permits for certain stages of construction, reconstruction of capital construction projects, individual entrepreneurs or legal entities that are members of a self-regulatory organization in the field of construction, reconstruction of capital construction objects (unless otherwise provided by this article) may be attracted by the developer or technical customer on the basis of a construction contract contract for the implementation of individual stages of construction, reconstruction of the capital construction object of

(Part 3.2 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

4. In the implementation of construction, reconstruction, overhaul of a capital construction object on the basis of a construction contract with the developer or technical customer, the person responsible for the operation of the building, structure, regional operator, these persons must prepare a land plot for construction and (or) a capital construction object. for reconstruction or major repairs, and also to transfer to the individual entrepreneur or legal entity with whom such a contract is concluded p, materials and results of engineering surveys, project documentation, building permit. If it is necessary to stop work or suspend them for more than six months, the developer or technical customer must ensure the conservation of the capital construction object.

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated July 3, 2016 No. 372-FZ)

(see the text in the previous "edition")

5. If, in accordance with this Code, state construction supervision is provided for when carrying out construction, reconstruction of a capital construction object, the developer or technical customer must send to authorized persons for implementation, no later than seven working days before construction begins, reconstruction of a capital construction object. State Construction Supervision Federal Executive Authority, Executive Authority of the Subject of the Russian Federation radio or public corporation of "Rosatom" Nuclear Energy (hereinafter - the state construction supervisors) notice of the commencement of such works, to which the following documents are attached:

(as amended by Federal Laws dated July 18, 2011 No. 243-FZ, dated November 28, 2011 No. 337-FZ, dated July 2, 2013 No. 188-FZ, dated August 3, 2017 No. 342-FZ)

(see the text in the previous "edition")

1) a copy of the building permit;

2) the project documentation in full, and in cases of issuing a permit for a separate stage of construction, reconstruction to the extent necessary for the implementation of the corresponding phase of construction;

(as amended by Federal Law of December 31, 2005 N 210-FZ)

(see the text in the previous "edition")

3) a copy of the document on the placement of indentation lines on the terrain from the red lines;

- 4) general and special journals in which records of work performance are kept;
- 5) a positive conclusion of the expertise of the project documentation in case the project documentation of the capital construction object is subject to expertise in accordance with Section 49 of this Code.

(Clause 5 was introduced by Federal Law dated December 18, 2006 N 232-FZ, as amended by Federal Law dated November 28, 2011, N 337-FZ)

(see the text in the previous "edition")

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5. If, in accordance with this Code, in the course of construction, reconstruction of a capital construction object, state construction supervision is provided, the developer or technical customer must send to authorized representatives in advance, but no later than seven working days before construction begins, on the implementation of state construction supervision of the federal executive body, the executive body of the subject of the Russian Federation The Federal Agency for Atomic Energy "Rosatom" (hereinafter also referred to as state construction supervision authorities) notified the start of such works, to which the following documents are attached:

(as amended by Federal Laws dated July 18, 2011 No. 243-FZ, dated November 28, 2011 No. 337-FZ, dated July 2, 2013 No. 188-FZ, dated August 3, 2017 No. 342-FZ)

(see the text in the previous "edition")

- 1) a copy of the building permit;
- 2) the project documentation in full, and in cases of issuing a permit for a separate stage of construction, reconstruction to the extent necessary for the implementation of the corresponding phase of construction;

(as amended by Federal Law of December 31, 2005 N 210-FZ)

(see the text in the previous "edition")

- 3) a copy of the document on the placement of indentation lines on the terrain from the red lines;

- 4) general and special journals in which records of work performance are kept;

- 5) a positive conclusion of the expertise of the project documentation in case the project documentation of the capital construction object is subject to expertise in accordance with Section 49 of this Code.

(Clause 5 was introduced by Federal Law dated December 18, 2006 N 232-FZ, as amended by Federal Law dated November 28, 2011, N 337-FZ)

(see the text in the previous "edition")

"" 5.1. A person carrying out construction has the right not to submit the documents provided for by clauses 1 and 5 of part 5 of this article. In this case, the state construction supervision authorities independently request the specified documents (information contained in them) in the authority that issued the construction permit.

(Part 5.1 was introduced by the Federal "law" of 01.07.2011 N 169-FZ, as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

6. A person carrying out construction is obliged to carry out construction, reconstruction, overhaul of a capital construction object in accordance with the task of the builder, technical customer, person responsible for the building, structure, or regional operator's operation (in case of construction, reconstruction, major repairs based on a construction contract), project documentation, requirements for construction, reconstruction of the capital construction facility the date of issue of the land plot submitted for obtaining a permit for the construction of a town-planning plan, permitted use of the land plot, restrictions established in accordance with land and other legislation of the Russian Federation, requirements of technical regulations and at the same time ensure safety of work for third parties and the environment, meeting safety requirements labor, preservation of cultural heritage. The person carrying out the construction is also obliged to provide access to the territory on which the construction, reconstruction, overhaul of the capital construction object, representatives of the builder, technical customer, person responsible for the operation of the building, structure, or regional operator, state construction supervision authorities is provided, they need the necessary

documentation, carry out construction control, ensure the maintenance of as-built documentation, notify the developer, those the customer, the person responsible for the operation of the building, structure, or regional operator, representatives of the state construction supervision authorities on the completion date of the work to be checked, ensure elimination of identified deficiencies and do not proceed to continue work until the drafting of acts on elimination of identified deficiencies, ensure control for the quality of used building materials.

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated July 3, 2016 N 372-FZ, dated July 3, 2016 N 373-FZ)

(see the text in the previous "edition")

7. The deviation of the parameters of the capital construction object from the project documentation, the need for which was revealed in the process of construction, reconstruction, and overhaul of such an object, is allowed only on the basis of the design documentation re-approved by the developer, technical customer, person responsible for operating the building or structure, or corresponding changes in it in the manner established by the federal government authorized by the Government of the Russian Federation on the executive.

(as amended by Federal Laws dated July 23, 2008 No. 160-FZ, dated November 28, 2011 No. 337-FZ, dated July 3, 2016 No. 372-FZ)

(see the text in the previous "edition")

8. In the event of the discovery of an object possessing the features of a cultural heritage object, during construction, reconstruction, major overhaul, the person carrying out the construction must suspend construction, reconstruction, major overhaul, and notify bodies that are provided for by the "legislation" of the Russian Federation on the objects to be discovered. cultural heritage.

9. Requirements for the preparation of land plots for construction and a capital construction object for reconstruction, capital repairs, the composition and procedure for maintaining as-built documentation, the form and "procedure" for maintaining general and special journals in which records of work performance, procedure for construction, reconstruction, and capital repairs are kept, the procedure for the conservation of a capital construction object may be established by normative legal acts of the Russian Federation.

### **Article 53. Construction Control**

1. Construction control is carried out in the process of construction, reconstruction, overhaul of capital construction objects in order to verify compliance of the work performed with the design documentation (including solutions and measures aimed at ensuring compliance with energy efficiency requirements and equipment requirements of the capital construction facility by metering energy resources used) requirements of technical regulations, results of engineering surveys, requirements for construction reconstruction of the capital construction object established on the date of issue of the land plot submitted for obtaining a construction permit, as well as the permitted use of the land plot and restrictions established in accordance with the land and other legislation of the Russian Federation.

(as amended by Federal Law of 03.07.2016 N 373-FZ, as of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2. Construction control is carried out by a person carrying out construction. In the case of construction, reconstruction, capital repairs on the basis of a construction contract, construction control is also carried out by the developer, technical customer, person responsible for the operation of the building, structure, or regional operator or an individual entrepreneur or legal entity engaged by them on the basis of the contract. The developer or technical customer, on his own initiative, may involve the person involved in the preparation of project documentation to verify the compliance of the work performed with the project documentation.

(as amended by Federal Law of 07/27/2010 N 240-FZ, of 11/28/2011 N 337-FZ, of 07/03/2016 N 372-FZ)

(see the text in the previous "edition")

2.1. With regard to individual capital construction projects, construction, the reconstruction of which is planned to be carried out in full or in part at the expense of the federal budget, the Government of the Russian Federation, in the cases established by it, decides to conduct construction control by the federal executive body that performs the functions of developing and implementing state policy - legal regulation in the field of construction, architecture, urban planning, or subordinate to the UK The state body (budgetary or autonomous) institution.

(Part 2.1 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

3. The person carrying out the construction is obliged to notify the state construction supervision authorities of each case of emergency situations at the capital construction object.

4. In the process of construction, reconstruction, overhaul of a capital construction object by the person carrying out the construction (by the person carrying out the construction, and by the developer, technical customer, person responsible for the operation of the building or structure, or by a regional operator in the event of construction, reconstruction, major overhaul based on construction contract), should be monitored over the execution of works that affect the safety of the capital construction In accordance with the technology of construction, reconstruction, overhaul, monitoring of the implementation of which cannot be carried out after performing other work, as well as the safety of building structures and network sections of engineering and technical support, if the elimination of the deficiencies identified during construction control is impossible dismantling or damage to other building structures and network sections of engineering and technical support, for compliance with the specified works, structures and network sections to the requirements of technical regulations and project documentation. Prior to monitoring the safety of building structures, control should be exercised over the implementation of all works that affect the safety of such structures and in accordance with the technology of construction, reconstruction, overhaul monitoring of which cannot be carried out after performing other works, as well as in stipulated by the project documentation, the requirements of technical regulations, should be tested for such structures. According to the results of monitoring the implementation of these works, the safety of these structures, sections of the networks of engineering and technical support, certificates of examination of these works, structures, sections of networks of engineering and technical support are drawn up.

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated July 3, 2016 No. 372-FZ)

(see the text in the previous "edition")

5. If, as a result of monitoring, defects are identified, the constructions, sections of engineering networks specified in part 4 of this article, the developer or technical customer may require monitoring of the implementation of these works, the safety of these structures, engineering sections of networks again after eliminate identified deficiencies. Certificates of examination of such works, structures, sections of the networks of engineering and technical support should be drawn up only after the elimination of the identified deficiencies.

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

6. In cases where the execution of other works specified in subsection 4 of this article should be started more than six months after the end of the relevant control, control over the execution of works that affect the safety of the capital construction object and in accordance with the construction technology, reconstruction, overhaul monitoring of the implementation of which can not be carried out after performing other work, as well as the safety of building structures and network sections engineering software-ethnic, if the elimination of the revealed in the process of building control deficiencies impossible without disassembly or damage to other parts of building structures and engineering support networks, should be carried out again with the preparation of the relevant acts.

7. Remarks of the builder, technical customer, person responsible for the operation of a building, structure, or regional operator, who are used by them to carry out construction control of persons involved in the preparation of project documentation, about the shortcomings of work during the construction, reconstruction, overhaul of a capital

construction object decorated in writing. On the elimination of these deficiencies, an act is drawn up, which is signed by the person who has made comments on these shortcomings, and the person carrying out the construction.

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated July 3, 2016 No. 372-FZ)

(see the text in the previous "edition")

7.1. Upon completion of construction, reconstruction of a capital construction object, an act is signed confirming that the parameters of the correspondingly constructed, reconstructed capital construction object comply with the requirements of the project documentation (including solutions and measures aimed at ensuring compliance with the energy efficiency requirements and equipment requirements of the capital construction facility by metering energy resources used), the person carrying out the construction (an architect engaged in construction, and a developer or technical customer in the case of construction, reconstruction on the basis of a construction contract, and also a person exercising construction control, in the case of construction control on the basis of an agreement), except for cases of construction, reconstruction of individual housing facilities construction, garden houses.

(Part 7.1 was introduced by the Federal Law of 03.08.2018 N 340-FZ)

8. The order of the construction control is established by the Government of the Russian Federation.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

## **Article 54. State Construction Supervision**

1. State construction supervision is carried out when:

"" 1) the construction of capital construction projects, the design documentation of which is subject to examination in accordance with Article 49 of this Code;

(as amended by Federal Law of 03.07.2016 N 368-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

2) reconstruction of capital construction objects, including during the work on preservation of cultural heritage objects affecting the constructive and other characteristics of reliability and safety of such objects, if the project documentation for the reconstruction of capital construction objects, including the specified works on preservation of cultural heritage objects, subject to examination in accordance with Article 49 of this Code.

(clause 2 as amended by the Federal Law of 22.10.2014 N 315-FZ)

(see the text in the previous "edition")

(Part 1 as amended by the Federal Law of December 18, 2006 N 232-FZ)

(see the text in the previous "edition")

1.1. During construction, reconstruction of capital construction objects not specified in part 1 of this article, as well as in respect of such capital construction objects, construction work whose reconstruction has been completed (except for the case when, upon completion of the said work, permission to commission the object was received), state construction supervision is carried out in the form of a field inspection only if there are grounds provided for by sub-clause b of clause 2, sub-clause b of clause 3 of part 5 of this article either on the basis of appeals and applications of citizens, including individual entrepreneurs, legal entities, information from public authorities (officials of the state supervision authority), local authorities, from the media about violations in the construction, reconstruction of capital construction projects, not specified in part 1 of this article, established by the rules of land use and development, documentation on the planning of the territory of the maximum parameters of the permitted builder Twa, reconstruction of capital construction or mandatory requirements to the parameters of capital construction prescribed by this Code, other federal laws. With respect to the capital construction objects indicated in this part, state construction supervision is carried out taking into account the features established by parts 6.1 and 6.2 of

this article.

(Part 1.1 was introduced by the Federal Law of 03.08.2018 N 340-FZ)

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2. The subject of state construction supervision in relation to capital construction projects specified in part 1 of this article is to verify:

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

1) the compliance of the performance of work and the used building materials in the process of construction, reconstruction of the capital construction object, as well as the results of such work to the requirements of the project documentation, including the requirements of energy efficiency (except for capital construction projects to which the energy efficiency requirements do not apply) and the requirements of the equipment of the capital construction facility with metering devices for the energy resources used;

(as amended by Federal Law of 23.11.2009 "N 261-FZ", of 18.07.2011 N 243-FZ, of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) the presence of a building permit;

3) compliance with the requirements established by Parts 2, 3 and 3.1 of Article 52 of this Code.

(Clause 3 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

(Part 2 as amended by the Federal Law of 22.07.2008 N 148-FZ)

(see the text in the previous "edition")

3. State construction supervision is exercised by the federal executive body authorized to exercise federal state construction supervision in the construction and reconstruction of all facilities referred to in paragraph 5.1 of Article 6 of this Code, unless otherwise provided by the Federal Law on the implementation of this Code.

(as amended by Federal Law of December 18, 2006 No. 232-FZ, of July 18, 2011 No. 242-FZ, of July 18, 2011 No. 243-FZ)

(see the text in the previous "edition")

3.1. Federal state construction supervision during the construction, reconstruction of defense facilities may be exercised by other federal executive bodies authorized to exercise federal state construction supervision by decree of the President of the Russian Federation. State construction supervision during construction and reconstruction of facilities in the exclusive economic zone of the Russian Federation, on the continental shelf of the Russian Federation, in inland marine waters, in the territorial sea of the Russian Federation, within the boundaries of specially protected natural territories, may be exercised by other federal executive bodies authorized to exercise state construction supervision by decree of the President of the Russian Federation and (or) the regulatory legal act of the Russian Federation.

(Part 3.1 was introduced by Federal Law of December 18, 2006 N 232-FZ, as amended by Federal Laws of May 16, 2008 No. 75-FZ, of July 18, 2011 No. 242-FZ, of July 18, 2011 No. 243-FZ, of August 3, 2011. 2018 N 321-FZ)

(see the text in the previous "edition")

3.2. Federal state construction supervision during construction, reconstruction of facilities of federal nuclear organizations is carried out by the State Atomic Energy Corporation "Rosatom".

(Part 3.2 was introduced by the Federal Law of July 2, 2013 N 188-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

4. State construction supervision is carried out by the executive authorities of the constituent entities of the Russian Federation authorized to exercise regional state construction supervision, construction, reconstruction of capital construction objects other than those specified in paragraph 3 of this article, if regional construction supervision is provided for in their construction.



(as amended by Federal Law of July 18, 2011 No. 242-FZ, as of July 18, 2011 No. 243-FZ)  
(see the text in the previous "edition")

5. The provisions of the Federal "Law" dated December 26, 2008 N 294-FZ "On protection of the rights of legal entities and individual entrepreneurs when exercising state control (supervision) and municipal control" with the following features of the organization and conduct of inspections:

1) inspections are carried out without forming an annual plan for conducting scheduled inspections;

"2) inspections are carried out on the basis of those who have been received by the state construction supervision body

a) "notices" from the developer (customer) or the person carrying out the construction, sent in accordance with paragraphs 5 and 6 of Article 52 of this Code, as well as to eliminate violations, on the completion of construction;

b) appeals and applications of citizens, including individual entrepreneurs, legal entities, including notices sent by persons carrying out construction in accordance with Part 3 of Article 53 of this Code, information from public authorities (officials of the state supervisory authority), local governments including notifications sent by persons carrying out construction in accordance with Part 3 of Article 53 of this Code from the media about the facts of the accident technical regulations, other regulatory legal acts and project documentation when performing work in the course of construction, reconstruction of a capital construction object, including violations of mandatory requirements for used construction materials, if such violations create a threat of harm to life, human health, the environment, safety state, property of individuals and legal entities, state or municipal property, or caused such harm; (as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

Art. 54 applies to contracts of participation in the shared construction of apartment buildings and (or) other real estate objects, if the state registration of the first contract is carried out after 01/01/2014. (FZ of 12/30/2012 N 294-FZ).

c) appeals and applications of citizens, including individual entrepreneurs, legal entities, information from public authorities (officials of the state supervision authority), local governments, from the mass media on the facts of attracting citizens' funds for the shared construction of apartment buildings and (or) other real estate objects in violation of the "legislation" on participation in the shared construction of apartment buildings and (or) other real estate objects;

(paragraphs "in" introduced by Federal Law of 30.12.2012 N 294-FZ)

3) the basis for the inspection, in addition to the basis specified in clause 2 of this part, is: (as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

a) the inspection program developed by the state construction supervision authority;

b) the expiration of the period of execution by a legal entity, an individual entrepreneur of a prescription issued by a state construction supervision authority on the elimination of the revealed violation of mandatory requirements;

c) the presence of the order (order) of the head (deputy head) of the state building supervision authority on conducting an inspection issued in accordance with the instructions of the President of the Russian Federation or the Government of the Russian Federation or on the basis of the requirement of the prosecutor to conduct an unscheduled inspection as part of supervision prosecutors' offices materials and appeals;

4) an on-site inspection on the basis specified in sub-paragraph b) of clause 2 of this part may be carried out immediately by the state construction supervision authority with a notice to the prosecutor's office in the manner prescribed by Section 10, Clause 12 of the Federal Law of December 26, 2008 N 294- The Federal Law "On the Protection of the Rights of Legal Entities and Individual Entrepreneurs in the Implementation of State Control (Supervision) and Municipal Control";

5) prior notification of a legal entity, an individual entrepreneur of a field audit on the basis

specified in sub-clause b of clause 2 of this clause is not required;

6) the order (order) of the state construction supervision authority on the appointment of the inspection, the inspection report shall additionally indicate the name and location of the capital construction object, in relation to which, respectively, control measures are planned and these measures were actually carried out.

(Part 5 as amended by the Federal Law of 07/18/2011 N 242-FZ)

(see the text in the previous "edition")

6. According to the results of the inspection, the state construction supervision body shall draw up a statement, which is the basis for issuing to the person carrying out construction the instructions on the elimination of the violations found. The prescription specifies the type of violation, the reference to the regulatory legal act, technical regulation, project documentation, the "requirements" of which are violated, as well as the deadline for the elimination of the revealed violations. Suspension of construction, reconstruction of a capital construction facility for a specified period is carried out in the manner established by the legislation of the Russian Federation.

(as amended by Federal Law of December 31, 2005 N 210-FZ, of July 18, 2011 N 243-FZ)

(see the text in the previous "edition")

6.1. The subject of state construction supervision in relation to the facilities specified in part 1.1 of this article is to check whether a construction permit is in place and that the capital construction object complies with the requirements specified in the construction permit, and if the construction or reconstruction of the capital construction object is not required for construction, verification of compliance of parameters of capital construction objects with the limiting parameters of permitted construction, re-construction ktsii capital construction projects established by the rules of land use and development, land planning documentation, and mandatory requirements to the parameters of capital construction projects established by this Code, other federal laws. The developer is obliged to provide officials of the state construction supervision body with access to capital construction facilities in order to conduct an appropriate check upon the presentation of a service certificate and a copy of the order (instruction) of the state building supervision body on the appointment of an appropriate check.

(Part 6.1 was introduced by Federal Law of 03.08.2018 N 340-FZ)

6.2. If, as a result of the inspection, the state construction supervision body revealed the fact of construction or reconstruction of a capital construction object without a construction permit (except for cases when the construction of a capital construction object does not require issuing such a permit) or a non-compliance of the capital construction object the requirements specified in the construction permit, and if for construction or reconstruction It is not required to issue a construction permit for capital construction, the fact that the capital construction object does not comply with the limit parameters of the permitted construction, reconstruction of capital construction objects established by land use and development rules, territory planning documentation, or mandatory requirements for the parameters of capital construction objects established by this Code, other federal laws, the state construction supervision body is not More than five working days after the end of the inspection, it sends to the local government body of the settlement, the city okrug at the location of such a capital construction object, or if the capital construction object in the inter-settlement area is located, to the local government body of the municipal district, a notice of unauthorized construction attached relevant fact. The form of the notification on the identification of unauthorized construction, as well as a list of documents confirming the presence of signs of unauthorized construction, shall be established in accordance with Part 3 of Article 55.32 of this Code.

(Part 6.2 was introduced by the Federal Law of 03.08.2018 N 340-FZ)

6.3. The results of the inspection specified in paragraph 6.2 of this article may be appealed by the developer in court.

(Part 6.3 is introduced by the Federal Law of 03.08.2018 N 340-FZ)

"" 7. It is not allowed to exercise other types of state supervision during construction, reconstruction of capital construction objects, except for state construction supervision

provided by this Code, as well as federal state environmental supervision in respect of facilities, construction, reconstruction of which is carried out in the exclusive economic zone of the Russian Federation on the continental shelf of the Russian Federation, in inland waters, in the territorial sea of the Russian Federation, within the boundaries of specially protected natural areas, on artificial land plots on water bodies, and state supervision over the condition, maintenance, preservation, use, promotion and state protection of cultural heritage objects during conservation of cultural heritage objects, and during construction, reconstruction capital construction, related in accordance with the legislation in the field of environmental protection to the objects of the first category.

(as amended by Federal Laws dated December 18, 2006 No. 232-FZ, dated May 16, 2008 No. 75-FZ, dated July 18, 2011 No. 242-FZ, dated July 18, 2011 No. 243-FZ, dated July 19, 2011 No. 246-FZ, dated 07/21/2014 "N 219-FZ", dated 10.22.2014 N 315-FZ, dated 03.08.2018 N 321-FZ)

(see the text in the previous "edition")

8. The procedure for exercising state construction supervision, including the procedure for organizing and conducting inspections of the activities of individuals who are not individual entrepreneurs, when exercising state construction supervision, is established by the Government of the Russian Federation.

(as amended by Federal Law of 12/18/2006 N 232-FZ, dated 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

ConsultantPlus: note.

Until March 1, 2020, it is not required to receive (submit) permission to enter the IZhS object into operation (FZ of 12/29/2004 N 191-FZ (as amended on 02/28/2018)).

"" RF CCR Article 55. Issuance of permits for commissioning an object

1. The permission to commission the facility is a document that certifies the completion of construction, reconstruction of the capital construction object in full in accordance with the construction permit, project documentation, as well as the compliance of the constructed, reconstructed capital construction facility with the construction requirements, reconstruction of the capital construction facility, established on the date of issue of the submitted for obtaining a permit for the construction of urban planning land plot, permitted use of a land plot or, in the case of construction, reconstruction of a linear object, a territory planning project and a territory surveying project (except for cases where no linear planning documentation is required for construction, reconstruction of a linear object), a territory planning project in case issuing a permit for commissioning a linear object, for which the formation of a land plot is not required, as well as restrictions, tanovlenii in accordance with the land and other Russian legislation.

(as amended by Federal Law of 03.07.2016 N 373-FZ, of 03.08.2018 N 341-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"" 2. To commission the facility, the developer "applies" to the federal executive body, executive body of the Russian Federation, local government, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos, which issued the building permit, directly or through the multifunctional center with an application for issuing a permit for commissioning the facility.

(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

The documents stipulated in Clause 13, Part 3, Article 55 (in the previous edition), submitted before 04.08.2018, together with the application for issuing a permit for commissioning the facility, are attached to the permit, and the permit itself is a decision on establishing a security zone.

ConsultantPlus: note.

On the direction from 01/09/2017 of the documents provided for by Part 3 of Art. 55 in electronic form, see Resolution of the Government of the Russian Federation of 07/04/2017 N 788.

3. To make a decision on issuing a permit for commissioning a facility, the following documents are required:

1) documents of title to a land plot, including an agreement on the establishment of a servitude, a decision on the establishment of a public servitude;

(as amended by the Federal Law of 03.08.2018 N 341-FZ)

(see the text in the previous "edition")

2) a town-planning plan of a land plot submitted for obtaining a construction permit, or in the case of construction, reconstruction of a linear object, a territory planning project and a land survey project (except for cases where no planning documentation is required for the construction, reconstruction of a linear object territory), the project of planning the territory in the case of issuing a permit for commissioning a linear object, which does not require the formation of land stka;

(as amended by Federal Law of 28.11.2011 N 337-FZ, of 03/07/2016 N 373-FZ, of 03.08.2018 N 341-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3) building permit;

4) the act of acceptance of the capital construction object (in the case of construction, reconstruction on the basis of a construction contract);

(as amended by Federal Laws dated July 18, 2011 No. 243-FZ, dated July 3, 2016 No. 372-FZ)

(see the text in the previous "edition")

5) has expired. - Federal Law of 03.08.2018 N 340-FZ;

(see the text in the previous "edition")

6) an act confirming the compliance of the parameters of the constructed, reconstructed capital construction of project documentation, including the requirements of energy efficiency and the requirements of equipment of the capital construction facility with metering devices for the energy resources used, and signed by the person carrying out the construction (the person carrying out the construction and the developer or technical in the case of construction, reconstruction on the basis of a construction contract or, as well as the person carrying out construction control, in the case of construction control on the basis of the contract);

(as amended by Federal Laws dated July 18, 2011 No. 243-FZ, dated November 28, 2011 No. 337-FZ, dated July 3, 2016 No. 372-FZ, dated August 3, 2017 No. 340-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

Since January 1, 2021, paragraph 7 of Part 3 of Art. 55 is described in the new edition (Federal Law of 27.12.2018 N 522-FZ).

7) documents confirming the compliance of the constructed, reconstructed capital construction object with the technical conditions and signed by representatives of organizations operating the engineering and technical support networks (if any);

(as amended by the Federal Law of July 18, 2011 N 243-FZ)

(see the text in the previous "edition")

8) a diagram showing the location of the constructed, reconstructed capital construction object, the location of engineering and technical support networks within the boundaries of the land plot and the planning organization of the land plot and signed by the person carrying out the construction (the person carrying out the construction, and the developer or technical customer in the case of construction, reconstruction on the basis of a construction contract), with the exception of cases of construction, reconstruction of a linear object and;

(as amended by Federal Laws dated July 18, 2011 No. 243-FZ, dated July 3, 2016 No. 372-FZ)

(see the text in the previous "edition")

9) the conclusion of the state construction supervision authority (if the state construction supervision is envisaged in accordance with part 1 of article 54 of this Code) on the compliance of the constructed, reconstructed capital construction object with the requirements of the

project documentation, including energy efficiency requirements and requirements of the capital facility construction of metering devices used energy resources, the conclusion authorized to implement edernalnogo state environmental supervision of the federal executive body (hereinafter - the authority of the federal state ecological control), issued in the cases specified in paragraph 7 of Article 54 of this Code;

(as amended by Federal Law of 07/18/2011 N 243-FZ, of 06/25/2012 N 93-FZ, of 08/03/2018 N 340-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

"" 10) a document confirming the conclusion of a contract of compulsory insurance of civil liability of the owner of a hazardous facility for injury resulting from an accident at a hazardous facility in accordance with the "legislation" of the Russian Federation on compulsory insurance of civil liability of the owner of a hazardous facility for injury resulting from an accident at a hazardous facility ;

(clause 10 was introduced by Federal Law of 27.07.2010 N 226-FZ)

11) the act of acceptance of the work on the preservation of the cultural heritage object, approved by the relevant body for the protection of cultural heritage objects defined by Federal "Law" of June 25, 2002 N 73-FZ "On objects of cultural heritage (historical and cultural monuments) of the peoples of the Russian Federation", during the restoration, conservation, repair of this object and its adaptation for modern use;

(clause 11 was introduced by Federal Law dated 10.22.2014 N 315-FZ)

"12) the technical plan of the capital construction object prepared in accordance with the Federal" Law "of July 13, 2015 N 218-FZ" On State Registration of Real Estate ";

(clause 12 was introduced by the Federal Law of 13.07.2015 N 252-FZ; as amended by the Federal Law of 03.07.2016 N 361-FZ)

(see the text in the previous "edition")

"" 13) has expired. - Federal Law of 03.08.2018 N 342-FZ;

(see the text in the previous "edition")

(Part 3 as amended by the Federal "law" of 01.07.2011 N 169-FZ)

(see the text in the previous "edition")

3.1. The document and conclusion specified in clauses 6 and 9 of part 3 of this article shall contain information on the normative values of the indicators included in the composition of the energy efficiency requirements of the capital construction facility, and on the actual values of such indicators determined in relation to the constructed, reconstructed capital construction facility as a result of studies, measurements, examinations, tests, as well as other information on the basis of which the conformity of such an object is established Niyama energy efficiency and the requirements of its equipment metering devices used energy resources. During the construction and reconstruction of an apartment building, the conclusion of the state construction supervision authority should also contain information on the energy efficiency class of the apartment building, determined in accordance with the "legislation" on energy saving and energy efficiency improvement.

(Part 3.1 was introduced by the Federal "law" of 23.11.2009 N 261-FZ, as amended by the Federal Law of 18.07.2011 N 243-FZ)

(see the text in the previous "edition")

"" 3.2. The documents (their copies or the information contained in them) specified in clauses 1, 2, 3 and 9 of part 3 of this article are requested by the bodies specified in part 2 of this article from state bodies, local governments and subordinated to state bodies or bodies local self-government organizations that have the said documents at their disposal, unless the developer has submitted the specified documents independently.

(Part 3.2 was introduced by the Federal "law" of 01.07.2011 N 169-FZ)

"" 3.3. The documents referred to in clauses 1, 4, 5, 6, 7 and 8 of part 3 of this article shall be sent by the applicant independently if the specified documents (their copies or information contained in them) are not at the disposal of state authorities, local self-government bodies or subordinate government bodies or local authorities of organizations. If the documents specified in this part are at the disposal of state authorities, local authorities or organizations subordinated to state bodies or local authorities, such documents are requested by the body

specified in paragraph 2 of this article, in the bodies and organizations at whose disposal the said documents if the developer has not submitted the specified documents independently. (Part 3.3 was introduced by the Federal "law" of 01.07.2011 N 169-FZ; as amended by Federal Laws of 13.07.2015 N 252-FZ, of 03.08.2018 N 342-FZ) (see the text in the previous "edition")

3.4. According to the interdepartmental requests of the bodies specified in part 2 of this article, the documents (their copies or information contained in them), provided for by part 3 of this article, are provided by state bodies, local self-government bodies and subordinate state bodies or local self-government organizations, at whose disposal these documents are located no later than three working days from the date of receipt of the relevant interdepartmental request. (Part 3.4 was introduced by the Federal Law of 03.07.2016 N 370-FZ)  
ConsultantPlus: note.

On the direction from 01/09/2017 in electronic form of documents provided for by Part 4 of Art. 55, see Resolution of the Government of the Russian Federation of 07/04/2017 N 788.

4. The Government of the Russian Federation may establish, in addition to those provided for in part 3 of this article, other documents necessary for obtaining permission to enter a facility into operation, in order to obtain in full the information necessary for putting a capital construction object on state accounting.

"4.1. To obtain permission to commission an object, only the documents specified in paragraphs 3 and 4 of this article may be required. The documents stipulated by parts 3 and 4 of this article may be sent in electronic form. The Government of the Russian Federation or the highest executive body of state power of a constituent entity of the Russian Federation (in relation to the cases of issuing permits for commissioning the facility by the executive authorities of the constituent entities of the Russian Federation, local authorities) may establish cases in which the direction specified in paragraphs 3 and 4 of this article The documents are carried out exclusively in electronic form. The procedure for sending the documents specified in parts 3 and 4 of this article to the federal executive authorities, the executive authorities of the constituent entity of the Russian Federation, local governments, the State Atomic Energy Corporation Rosatom or the State Corporation authorized to issue permits. for space activities "Roscosmos" in electronic form established by the Government of the Russian Federation.

(Part 4.1 was introduced by the Federal Law of December 18, 2006 N 232-FZ; as amended by Federal Laws of July 3, 2016 N 370-FZ, of August 3, 2018 N 342-FZ) (see the text in the previous "edition")

5. The authority, the State Atomic Energy Corporation "Rosatom" or the State Corporation for Space Activity "Roskosmos", which issued the construction permit, within seven working days from the date of receipt of the application for issuing a permit for commissioning the facility into operation must ensure the availability and correctness the execution of the documents referred to in paragraph 3 of this article, an inspection of the capital construction object and grant the applicant permission to enter the facility into operation or refuse to issue such permission from indicating the reasons for failure. During the inspection of the constructed, reconstructed capital construction object, the compliance of such an object with the requirements specified in the construction permit to the construction requirements, reconstruction of the capital construction object established on the date of issue of the land plot submitted for obtaining a construction permit, is carried out , reconstruction of a linear object to the requirements of the project of planning the territory and the project of land surveying ai (except for the cases when the construction of the territory planning documentation is not required for the construction, reconstruction of the linear object), the requirements established by the territory planning project, in the case of issuing a permit for commissioning the linear object for which the formation of the land plot is not required, as well as the permitted use of the land plot, restrictions established in accordance with the land and other legislation of the Russian Federation, the requirements of the project document entatsii, including energy efficiency requirements and the requirements of the facilities of capital construction of metering devices used energy resources. If during construction, reconstruction of a capital construction object, state construction supervision is carried out in

accordance with Part 1 of Article 54 of this Code, inspection by such an object by the authority that issued the construction permit is not carried out.

(as amended by Federal Laws dated 07.13.2015 N 216-FZ, dated 03.07.2016 N 373-FZ, dated 12.19.2016 N 445-FZ, dated 03.08.2018 N 340-FZ, dated 03.08.2018 N 341-FZ from 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"" 6. The reason for refusing to issue a permit for commissioning an object is:

(as amended by the Federal Law of 27.07.2006 N 143-FZ)

(see the text in the previous "edition")

"" 1) the lack of documents specified in parts 3 and 4 of this article;

(as amended by the Federal Law dated 06.23.2016 N 198-FZ)

(see the text in the previous "edition")

"" 2) non-compliance of the capital construction object with the requirements for construction, reconstruction of the capital construction object established on the date of issue of the land plot submitted for obtaining a construction permit, or in the case of construction, reconstruction, and overhaul of a linear object to the requirements of the territory planning and land survey project territory (except for cases when construction, reconstruction of a linear object does not require preparation of documentation on the territory planning), the requirements established by the territory planning project, in the case of issuing a permit for commissioning a linear object for which the formation of a land plot is not required;

(as amended by Federal Laws of 20.03.2011 N 41-FZ, of 03.07.2016 N 373-FZ, of 03.08.2018 N 341-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

3) non-compliance of the capital construction object with the requirements established in the construction permit;

4) the discrepancy between the parameters of the constructed, reconstructed capital construction project documentation;

(Clause 4 as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

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5) non-compliance of the capital construction object with the permitted use of the land plot and (or) restrictions established in accordance with the land and other legislation of the Russian Federation on the date of issuance of the permit for putting the object into operation, except if these restrictions are provided for by the decision to establish or change the zone with special conditions for the use of the territory, adopted in the cases provided for by clause 9 of part 7 of article 51 of this Code, and under construction, reconstructed kt capital construction, in connection with the placement of which is set or changed area with the special conditions of use of the territory, not put into operation.

(Clause 5 was introduced by the Federal Law of 03.07.2016 N 373-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"" 6.1. Non-receipt (late receipt) of documents requested in accordance with paragraphs 3.2 and 3.3 of this article may not be grounds for refusing to issue a permit for commissioning the facility.

(Part 6.1 was introduced by the Federal "law" of 01.07.2011 N 169-FZ)

7. Terminated from January 1, 2019. - Federal Law of 03.08.2018 N 342-FZ.

(see the text in the previous "edition")

8. Refusal to issue a permit for commissioning a facility may be challenged in court.

(as amended by the Federal Law of 27.07.2006 N 143-FZ)

(see the text in the previous "edition")

9. Permission to commission an object (with the exception of a linear object) is issued to the developer if the federal executive body, executive body of the Russian Federation, local government, the State Atomic Energy Corporation "Rosatom" or the State Corporation for Space Roscosmos, which issued a building permit, donated a copy of the scheme showing the location of the constructed, reconstructed capital construction object elstva, layout,

engineering support networks within the boundaries of the land and planning organization of land to accommodate a copy of the state information system for urban development.

(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

9.1. Federal executive authority, executive authority of a constituent entity of the Russian Federation, local government, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos, which issued the permit for the facility to be commissioned, within five working days from the date of issue such permission is provided (including using a unified system of interdepartmental electronic interaction and regional systems of interdepartmental electricity connected to it electronic interaction) transfer to the state authorities of the constituent entities of the Russian Federation, local governments of municipal districts, urban districts, information, documents, materials specified in paragraphs 3, 9 - 9.2, 11 and 12 of part 5 to the authorized to place in state information systems Article 56 of this Code.

(Part 9.1 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

""ten. Permission to enter the facility into operation is the basis for putting on the state account of the constructed capital construction object, amending the state accounting documents of the reconstructed capital construction object.

"" 10.1. An obligatory appendix to the permission for putting the object into operation is the technical plan of the capital construction object submitted by the applicant, prepared in accordance with the Federal "Law" of July 13, 2015 N 218-FZ "On State Registration of Real Estate".

(Part 10.1 was introduced by the Federal Law of 13.07.2015 N 252-FZ; as amended by the Federal Law of 03.07.2016 N 361-FZ)

(see the text in the previous "edition")

"" 10.2. Lose force. - Federal Law of 03.08.2018 N 342-FZ.

(see the text in the previous "edition")

11. The permission to commission the object should reflect the information on the capital construction object in the volume necessary for the implementation of its state cadastral registration. The composition of such information must comply with the requirements for the composition of information in the graphical and textual parts of the technical plan established in accordance with the Federal "Law" of July 13, 2015 N 218-FZ "On State Registration of Real Estate".

(as amended by Federal Laws of 13.05.2008 "N 66-FZ", of 03.07.2016 N 361-FZ)

(see the text in the previous "edition")

11.1. After the construction of a capital construction object is completed, the construction undertaking is obliged to transfer to the developer of such an object the results of engineering surveys, project documentation, acts of inspection of works, structures, network engineering sections of the capital construction object, other documentation necessary for the operation of such an object.

(Part 11.1 was introduced by Federal Law of 28.11.2011 N 337-FZ)

11.2. When working on preserving a cultural heritage object, permission to commission such an object is issued taking into account the specifics established by the "legislation" of the Russian Federation on the protection of cultural heritage objects.

(Part 11.2 was introduced by Federal Law dated 10.22.2014 N 315-FZ)

""12. The form of permission to enter the facility into operation shall be established by the federal executive body authorized by the Government of the Russian Federation.

(as amended by the Federal Law dated July 23, 2008 N 160-FZ)

(see the text in the previous "edition")

""13. Within three working days from the date of issuance of the permit for commissioning the facility, the authority that issued the permit sends a copy of the permit to the federal executive body authorized to exercise state construction supervision if permission to commission the capital construction facilities is issued. referred to in paragraph 5.1 of Article 6 of this Code, or to the executive authority of the Russian Federation authorized to carry out state construction of supervision, if granted permission for commissioning of other capital construction.



(Part 13 was introduced by the Federal Law of 28.11.2011 N 337-FZ; as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

14. In the cases provided for by clause 9 (7) of Article 51 of this Code, within three working days from the date of issuance of the permit for commissioning the facility, the federal executive body, the executive body of the Russian Federation, local government, State Atomic Energy Corporation "Rosatom" or the State Corporation for Space Activity "Roskosmos", who issued such a permit, send (including using a single system of interdepartmental electronic interoperability actions and regional interdepartmental electronic interaction systems connected to it) a copy of such permission to state authorities or local governments that decided to establish or change the zone with special conditions for the use of the territory in connection with the location of the object in respect of which permission was granted to enter the object in operation.

(Part 14 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

ConsultantPlus: note.

Obtaining permission to enter the facility into operation is also not required in the cases indicated in Article 16 of the Federal Law of 03.08.2018 N 340-FZ.

15. Permission to enter the facility into operation is not required if, in accordance with paragraph 17 of Article 51 of this Code, no construction permit is required for the construction or reconstruction of the facility.

(Part 15 is introduced by the Federal Law of 03.08.2018 N 340-FZ)

16. In the case of construction or renovation of an individual housing construction or a garden house, the developer shall, on a paper not later than one month from the date of completion of the construction or reconstruction of an individual housing construction or garden house, on paper by personal request to the federal authority authorized to issue building permits executive authority, the executive authority of a constituent entity of the Russian Federation or a local government body, including through the multifunctional center, or sends to the specified authorities by mail with notification of delivery or a single portal of state and municipal services notification of the completion of construction or reconstruction of the individual housing construction or garden house (hereinafter - the notification of the completion of construction). The notification of the completion of construction should contain information provided for by clauses 1-5, 7 and 8 of Part 1 of Article 51.1 of this Code, as well as information about the parameters of the constructed individual or residential building constructed or reconstructed, about paying the state fee for the state registration of rights, on the method of sending the notification to the developer, provided for by paragraph 5 of part 19 of this article. Attached to the notice of completion of construction are:

1) documents stipulated by clauses 2 and 3 of part 3 of article 51.1 of this Code;

"" 2) the technical plan of the object of individual housing construction or garden house;

3) the agreement concluded between the right holders of the land plot on the determination of their shares in the right of common share ownership of the individual housing construction or garden house constructed or reconstructed in case the land plot on which the individual housing construction or garden house is built or reconstructed belongs to two and more citizens on the right of common ownership or on the right to lease with a multiplicity of persons on the side of the tenant.

(Part 16 is introduced by the Federal Law of 03.08.2018 N 340-FZ)

"" 17. If the notification on the completion of construction does not contain the information specified in the first paragraph of part 16 of this article, or there are no documents attached to it and provided for in clauses 1 to 3 of part 16 of this article, and also if the notification of the completion of construction has been received after ten years from the date of receipt of the notice of the planned construction, in accordance with which the construction of the individual housing construction project or the garden house was carried out or Washing of the planned construction of such an individual housing construction or a garden house has not previously been sent (including it was returned to the developer in accordance with Part 6 of Article 51.1 of this Code) authorized for issuing building permits by the federal executive authority, the executive authority of the Russian Federation or the local government within three working

days from the date of receipt of the notice of completion of construction returns the notification to the developer on completion of construction and the attached documents without consideration, indicating the reasons for the return. In this case, the notice of completion of construction is considered non-directional.

(Part 17 is introduced by the Federal Law of 03.08.2018 N 340-FZ)

18. The form of notification of the completion of construction is approved by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, and town planning.

(Part 18 was introduced by the Federal Law of 03.08.2018 N 340-FZ)

19. Authorized to issue building permits, the federal executive body, the executive body of the constituent entity of the Russian Federation or the local government within seven working days from the date of receipt of the notice of completion of construction:

- 1) checks the compliance of the parameters of constructed or reconstructed object of individual housing construction or garden house specified in the notification of the completion of construction to the maximum permitted construction parameters, reconstruction of capital construction objects, established land use and development rules, and territory planning documentation on the date of receipt of the notification of the planned construction, and mandatory requirements for the parameters of capital objects other federal laws (including if the specified thresholds or mandatory requirements for the parameters of capital construction objects are changed after the day when the notice of the planned construction is received by the relevant authority and the completion notice confirms that the parameters constructed or reconstructed the object of individual housing construction or garden house limit parameters and mandatory requirements to the parameters of capital construction facilities in effect on the date of receipt of the notification of the planned construction). If the notification of the completion of construction confirms the compliance of the parameters of the constructed or reconstructed object of individual housing construction or garden house with the limiting parameters and mandatory requirements for the parameters of capital construction objects in force on the date of receipt of the notice of completion of construction, it is checked that the parameters of the constructed or reconstructed individual object housing or garden house specified limit b parameters and mandatory requirements for the parameters of capital construction projects in force at the date of receipt of the notice of completion of construction;
- 2) checks, by inspecting an individual housing construction or a garden house, the compliance of the appearance of the individual housing construction or a garden house with a description of the appearance of such an object or a house attached to the notification of the planned construction (provided that the developer, in accordance with paragraph 3 of 8 of Article 51.1 of this Code, no notification was sent about the inconsistency of the parameters of the individual rail object specified in the notice of the planned construction construction or a garden house, the established parameters and (or) the inadmissibility of placing an individual housing construction object or a garden house on the land plot on the basis specified in clause 4 of part 10 of article 51.1 of this Code), or a typical architectural solution specified in the notification of the planned construction, in the case of construction or reconstruction of an individual housing construction or a garden house within the boundaries of a historic settlement of federal or regional significance;
- 3) checks the compliance of the type of permitted use of an individual housing construction or a garden house with the type of permitted use specified in the notification of the planned construction;
- 4) checks the admissibility of placing the object of individual housing construction or garden house in accordance with the restrictions established in accordance with the land and other legislation of the Russian Federation on the date of receipt of the notice of completion of construction, except if these restrictions are provided for by the decision to establish or change the zone with special conditions of use of the territory, adopted in relation to the planned construction, reconstruction of the capital construction object properties and such a capital construction object is not put into operation;
- 5) sends to the developer, in the manner specified in the notification of the completion of construction, a notification of the compliance of the individual housing construction or garden

house constructed or reconstructed with the requirements of the legislation on urban planning activities or the nonconformity of the individual housing construction or garden house with the requirements of legislation on urban planning activities from an indication of all the reasons for such notice. The “forms” of notification of compliance of constructed or reconstructed objects of individual housing construction or a garden house with the requirements of legislation on urban planning activities, notifications of nonconformity of constructed or reconstructed objects of individual housing construction or garden houses with the requirements of legislation of urban planning activities are approved by the federal executive body that performs the functions of and implementation of government policies and regulations normative-legal regulation in the sphere of construction, architecture and town planning.

(Part 19 is introduced by the Federal Law of 03.08.2018 N 340-FZ)

20. Notification of non-compliance of the constructed or reconstructed object of individual housing construction or garden house with the requirements of legislation on urban planning activity is sent only in the following cases:

- 1) parameters of constructed or reconstructed objects of individual housing construction or a garden house do not meet the limits for the permitted construction specified in clause 1 of part 19 of this article, reconstruction of capital construction objects established by the rules of land use and development, territory planning documentation, or mandatory requirements for the parameters of objects capital construction established by this Code, other federal laws;
- 2) the appearance of the object of individual housing construction or garden house does not match the description of the appearance of such object or house, which is an annex to the notification of the planned construction, or a typical architectural solution specified in the notification of the planned construction, or the developer was notified of the non-compliance specified in notification of the planned construction of the parameters of the object of individual housing construction or garden house to the established parameters and (or) short Ustimov the object of individual housing construction or garden house on a plot on the grounds mentioned in paragraph 4 of Part 10 of Article 51.1 of this Code, in the case of construction or reconstruction of the object of individual housing construction or garden house within the boundaries of the historical settlement of the federal or regional significance;
- 3) the type of permitted use of the constructed or reconstructed capital construction object does not correspond to the type of permitted use of the individual housing construction object or garden house specified in the notification of the planned construction;
- 4) the placement of the object of individual housing construction or a garden house is not allowed in accordance with the restrictions established in accordance with the land and other legislation of the Russian Federation on the date of receipt of the notice of completion of construction, except if these restrictions are provided for by the decision to establish or change the zone with special conditions of use of the territory, adopted in relation to the planned construction, reconstruction of the capital construction object, and t Coy capital construction object not put into operation.

(Part 20 was introduced by Federal Law of 03.08.2018 N 340-FZ)

21. A copy of the notice of non-compliance of the constructed or reconstructed object of individual housing construction or garden house with the requirements of legislation on urban planning is sent on time specified in subsection 19 of this article authorized to issue building permits by the federal executive authority, the executive authority of the Russian Federation or local authority to the registration authority, as well as:

- 1) to the executive authority of a constituent entity of the Russian Federation authorized to exercise state construction supervision, in the case of sending the specified notice to the developer on the basis provided for in clause 1 or 2 of part 20 of this article;
- 2) to the executive authority of the constituent entity of the Russian Federation authorized in the field of protection of cultural heritage objects, in the case of sending the specified notice to the developer on the basis provided for by clause 2 of part 20 of this article;
- 3) to the federal executive body authorized to exercise state land supervision, a local government body exercising municipal land control, in the event that the specified notice is

sent to the developer on the basis provided for in clause 3 or 4 of part 20 of this article.  
(Part 21 is introduced by the Federal Law of 03.08.2018 N 340-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ  
(edition of December 25, 2018)

**"" RFC RF Chapter 6.1. SELF-REGULATION IN THE FIELD OF ENGINEERING RESEARCH, ARCHITECTURAL AND CONSTRUCTION DESIGN, CONSTRUCTION, RECONSTRUCTION, CAPITAL REPAIR, DEMOLITION OF CAPITAL CONSTRUCTION OBJECTS**

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

(introduced by Federal Law of July 22, 2008 N 148-FZ)

**Article 55.1. The main objectives of self-regulatory organizations in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul, demolition of capital construction objects and the content of their activities**

(as amended by Federal Laws dated 11.24.2014 N 359-FZ, dated 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

1. The main objectives of self-regulatory organizations are:

1) prevention of harm to life or health of individuals, property of individuals or legal entities, state or municipal property, the environment, life or health of animals and plants, cultural heritage objects (historical and cultural monuments) of the peoples of the Russian Federation (hereinafter referred to as harm) due to shortcomings of work that affect the safety of capital construction projects and are carried out by members of self-regulatory organizations;

2) improving the quality of engineering surveys, the implementation of architectural and construction design, construction, reconstruction, major repairs, demolition of capital construction projects;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

"3) ensuring the fulfillment by members of self-regulatory organizations of obligations under contracts for engineering surveys, for preparing project documentation, construction contracts concluded using competitive methods for identifying suppliers (contractors, performers) in accordance with the legislation of the Russian Federation on the contract system in procurement of goods, works, services for state and municipal needs, legislation of the Russian Federation on the procurement of goods in, works, services by certain types of legal entities, or in other cases according to the results of tenders (tenders, auctions), if, in accordance with the legislation of the Russian Federation, tenders (tenders, auctions) to conclude relevant contracts are mandatory (hereinafter - using competitive methods conclusion of contracts).

(Clause 3 was introduced by Federal Law of July 3, 2016 N 372-FZ)

2. The content of the activities of the self-regulating organization in the field of engineering surveys, architectural design, construction, reconstruction, major repairs, demolition of capital construction objects are the development and approval of documents provided for in Article 55.5 of this Code, as well as monitoring compliance by members of such self-regulating organization documents.

(as amended by Federal Laws dated 11.24.2014 N 359-FZ, dated 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

**Article 55.2. Acquisition of the status of a self-regulatory organization**

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1. The status of a self-regulatory organization may be acquired by a non-profit organization created in the form of an association (union) for the purposes provided for in Article 55.1 of this Code, provided it complies with the requirements established by Article 55.4 of this Code.

(Part 1 as amended by the Federal Law of 07/03/2016 N 372-FZ)

(see the text in the previous "edition")

"" 1.1. Effective from July 1, 2017. - Federal law of 03.07.2016 N 372-FZ.

(see the text in the previous "edition")

"" 2. To include information on a non-profit organization specified in part 1 of this article to the state register of self-regulatory organizations, it submits to the relevant National Association of self-regulatory organizations a statement on the inclusion of information on such a non-profit organization in the state register of self-regulatory organizations, documents provided for in paragraphs 1 to 7 of part 8 Article 20 of the Federal Law "On Self-Regulatory Organizations", and documents confirming the compliance of such a non-profit organization the requirements specified in Article 55.4 of this Code. At the same time, the charter of a non-profit organization specified in paragraph 1 of this article shall indicate the type of self-regulatory organization in accordance with article 55.3 of this Code. The application and documents specified in this part may be submitted on paper or in the form of electronic documents (package of electronic documents) signed by a self-regulating organization using a reinforced qualified electronic signature.

(part 2 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

"" 2.1. No later than thirty days from the date of receipt of the documents provided for in part 2 of this article from the self-regulatory organization specified in part 1 of this article, the National Association of self-regulatory organizations shall approve the conclusion whether it is possible or not to enter information on the said self-regulatory organization into the state register of self-regulating organizations.

(Part 2.1 was introduced by Federal Law dated 11.24.2014 N 359-FZ)

2.2. The basis for the approval by the National Association of self-regulating organizations of a decision to refuse to include information about the self-regulating organization specified in paragraph 1 of this article to the state register of self-regulating organizations is its non-compliance with the requirements established by parts 1 and 2 of article 55.4 of this Code.

(Part 2.2 was introduced by Federal Law of November 24, 2014 N 359-FZ)

"" 2.3. Not later than five working days from the date of approval of the conclusion provided for in paragraph 2.1 of this article, the national association of self-regulatory organizations shall send to the federal executive body authorized to exercise state supervision over the activities of the self-regulatory organizations in the field of engineering research, architectural and construction design, construction, reconstruction, overhaul, demolition of capital construction objects (hereinafter - self-regulatory body organizations), such a conclusion and the documents specified in part 2 of this article on paper or in the form of electronic documents (package of electronic documents), signed by the National Association of Self-Regulatory Organizations using a reinforced qualified electronic signature, for adoption by the supervisory authority of the self-regulating organizations in time, provided for by part 4 of article 55.18 of this Code, the decision on the introduction or refusal to enter information on the information specified in paragraph 1 of this article the regulated entity in the state register of self-regulatory organizations. The National Association of Self-Regulatory Organizations informs the self-regulating organization about the direction of such a conclusion and the above documents.

(Part 2.3 was introduced by the Federal Law of November 24, 2014 N 359-FZ; as amended by the Federal Laws of July 13, 2015 No. 263-FZ, of July 3, 2016 No. 372-FZ, of August 3, 2018 N 340-FZ)

(see the text in the previous "edition")

"" 3. It is not allowed to require the submission of other documents for entering information about a self-regulating organization into the state register of self-regulating organizations, except for the documents specified in paragraphs 2 and 2.3 of this article.

(Part 3 was introduced by the Federal Law of 07/27/2010 N 240-FZ, in red. of the Federal Law of 24.11.2014 N 359-FZ)

(see the text in the previous "edition")

4. Effective from July 1, 2017. - Federal law of 03.07.2016 N 372-FZ.

(see the text in the previous "edition")

5. The grounds for excluding information on a self-regulating organization from the state register of self-regulating organizations, along with the grounds provided for in paragraph 1 of Article 21 of the Federal Law "On Self-Regulating Organizations" are:

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1) non-compliance by such self-regulatory organization with the requirements or requirements of Article 55.4, and (or) Article 55.16, and (or) Article 55.16-1 of this Code, as well as non-compliance with the self-regulating organization based on the membership of the persons engaged in construction, demolition of capital construction objects (further - self-regulating organization based on the membership of persons engaged in construction) of the requirements provided for by paragraph 3 of Article 55.6 of this Code;

(as amended by Federal Law of 03.07.2016 N 372-FZ, of 06/18/2017 N 126-FZ, of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) inconsistency of the approved documents of such self-regulatory organization with the requirements established by article 55.5 of this Code to these documents, or the lack of documents provided for in paragraph 1 of article 55.5 of this Code;

3) non-compliance by such self-regulatory organization with the requirements provided for by its documents approved in accordance with Article 55.5 of this Code;

4) failure of such a self-regulating organization to have access to information about its activities and the activities of its members in accordance with this Code and other federal laws;

5) has become invalid since July 1, 2017. - Federal Law of 03.07.2016 N 372-FZ;

(see the text in the previous "edition")

6) failure of such a self-regulatory organization to provide information at the request of the supervisory authority of the self-regulatory organizations, at the request of the National Association of self-regulatory organizations, sent in the performance of the functions specified in clauses 5, 7 and 9, part 8, article 55.20 of this Code, or providing false information;

7) the provision by such a self-regulating organization of inaccurate information about the address (location) of the self-regulating organization, which is confirmed by an act of the supervisory authority of the self-regulatory organizations;

8) the failure by such self-regulatory organization within six months to the appropriate National Association of self-regulatory organizations of notifications and documents provided for by paragraph 6 of Article 55.18 of this Code.

(Part 5 was introduced by Federal Law of November 24, 2014 N 359-FZ)

6. Exclusion of information about a self-regulating organization from the state register of self-regulating organizations is carried out on the basis of a decision to exclude information about such a self-regulating organization from the state register of self-regulating organizations, made by the supervisory body of self-regulating organizations in accordance with part 12 of article 55.19 of this Code, or in court accordance with part 13 of article 55.19 of this Code.

(Part 6 was introduced by the Federal Law of November 24, 2014 N 359-FZ; as amended by the Federal Law of July 3, 2016 N 372-FZ)

(see the text in the previous "edition")

7. Liquidation of a non-profit organization having the status of a self-regulating organization is carried out only after excluding information about it from the state register of self-regulating organizations and enrollment in the manner and within the time specified in paragraph 14 of article 55.16 of this Code, funds of its compensation fund (compensation funds) for a special bank account of the National Association of Self-Regulatory Organizations, of which such a self-regulating organization was a member.

(Part 7 was introduced by Federal Law of July 3, 2016 N 372-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC Code Article 55.3. Types of self-regulatory organizations**

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

The acquisition by non-profit organizations of the status of self-regulatory organizations of the following types is allowed:

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

- 1) self-regulatory organizations based on the membership of individuals performing engineering surveys;
- 2) self-regulatory organizations based on the membership of persons engaged in the preparation of project documentation;
- 3) self-regulating organizations based on the membership of construction undertakings.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC RF Clause 55.4. Requirements for a non-profit organization required to acquire the status of a self-regulatory organization**

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1. A non-profit organization is entitled to acquire the status of a self-regulatory organization based on the membership of persons performing engineering surveys, or a self-regulating organization based on the membership of persons carrying out the preparation of project documentation, provided that the non-profit organization complies with the following requirements:

- 1) the union in a non-profit organization as its members are not less than fifty individual entrepreneurs and (or) legal entities performing engineering surveys or preparing project documentation on the basis of a contract for performing engineering surveys, preparing project documentation, individual entrepreneurs and (or) legal entities that are developers, independently carrying out engineering surveys or carrying out the preparation of project documentation;
- 2) the non-commercial organization has a compensation fund for compensation for harm formed in the amount established by article 55.16 of this Code;
- 3) the non-commercial organization has standards of the self-regulatory organization and internal documents, the development and approval of which by the self-regulatory organization in accordance with Article 55.5 of this Code are mandatory.

"" 2. In the event that at least fifteen members of a non-profit organization referred to in paragraph 1 of this article have submitted to a self-regulatory organization statements of intent to participate in the conclusion of contracts for performing engineering surveys, for preparing project documentation using competitive contracting methods, such a non-profit the organization on the basis of the statements of these members, by decision of its permanent collegial management body, is obliged to additionally form A compensation fund to secure contractual obligations. The size of this compensation fund is calculated as the sum of the number of members of a non-profit organization determined for each level of responsibility for the obligations of members of the self-regulatory organization, who indicated in the statement of intent the same level of responsibility for obligations and the amount of contributions to this compensation fund established in accordance with Article 55.16 of this Code for this level of responsibility for the obligations.

"" 3. A non-profit organization has the right to acquire the status of a self-regulating organization based on the membership of persons engaged in construction, provided that the non-profit organization complies with the following requirements:

- "" 1) joining a non-profit organization as its members not less than one hundred individual entrepreneurs and (or) legal entities carrying out construction on the basis of a construction contract, the demolition of capital construction objects on the basis of an agreement on the

demolition of a capital construction object concluded with the developer, technical customer or person responsible for the operation of the building, structure (hereinafter - the contract for the demolition), individual entrepreneurs and (or) legal persons who are developers who independently carry out construction, demolition of capital construction objects registered in accordance with the procedure established by law in the territory of the Russian Federation in which such self-regulatory organization is registered, and individual entrepreneurs and (or) legal entities carrying out construction, demolition of capital construction objects and specified in clauses 1 and 2 of part 3 of article 55.6 of this Code;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) the absence of a non-profit organization of territorial divisions, separate branches and representative offices located outside the territory of the subject of the Russian Federation in which such a non-profit organization is registered;

3) the presence of a non-profit organization compensation fund for compensation for harm, formed in the amount established by article 55.16 of this Code;

4) the non-profit organization has standards of the self-regulatory organization and internal documents, the development and approval of which by the self-regulatory organization in accordance with Article 55.5 of this Code are mandatory.

4. In the event that at least thirty members of a non-profit organization referred to in paragraph 3 of this article submitted to the self-regulatory organization declarations of intent to participate in the conclusion of construction contracts, contract contracts for the implementation of the demolition using competitive methods of concluding contracts, such a non-profit organization based on the applications of the said members, by decision of its permanent collegial management body, is obliged to additionally form a compensation background ensuring contractual obligations. The size of this compensation fund is calculated as the sum of the number of members of a non-profit organization determined for each level of responsibility for the obligations of members of the self-regulatory organization, who indicated in the statement of intent the same level of responsibility for obligations and the amount of contributions to this compensation fund established in accordance with Article 55.16 of this Code for this level of responsibility for the obligations.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

5. When determining the number of members of a self-regulating organization in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul, demolition of capital construction objects, only individual entrepreneurs and legal entities are taken into account, respectively, carrying out engineering surveys, carrying out the preparation of project documentation, construction, reconstruction, overhaul, demolition of capital construction objects.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

6. The requirements established by Parts 1–4 of this Article and imposed on non-profit organizations are mandatory at the time of entering information about a non-profit organization in the state register of self-regulating organizations and during the whole period of activity of the self-regulating organization, unless otherwise provided by part 7 of this article.

7. A non-profit organization specified in subsection 1 or 3 of this article does not lose the status of a self-regulating organization in the course of its activities in the event of:

1) if the self-regulating organization has not formed a compensation fund for securing contractual obligations, provided for in Parts 2 and 4 of this Article;

2) reducing by no more than two times in the course of the activity of the self-regulating organization the minimum number of members of the self-regulating organization expressing their intention to participate in concluding contracts for engineering surveys, for preparation of project documentation, construction contracts, contracts for demolition using competitive ways of entering into contracts and paying contributions to the compensation fund to secure contractual obligations, if such a reduction is not led to a reduction in the size of the



compensation fund for securing contractual obligations, initially formed by such members of the self-regulatory organization, taking into account their actual level of liability for obligations.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

8. A non-profit organization specified in subsection 1 or 3 of this article and having formed a compensation fund for securing contractual obligations shall not have the right to decide in the course of its activities on the liquidation of this compensation fund of a self-regulating organization.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.5. Standards and internal documents of the self-regulatory organization**

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1. A non-profit organization prior to entering information about it in the state register of self-regulatory organizations must develop and approve documents stipulated by the legislation of the Russian Federation on non-profit organizations and the Federal Law "On Self-Regulatory Organizations", as well as the following internal documents of the self-regulatory organization:

"" 1) on the compensation fund for compensation for harm;

"2) on the compensation fund for securing contractual obligations (in the cases provided for by paragraphs 2 and 4 of article 55.4 of this Code);

"" 3) on the register of members of the self-regulatory organization;

4) the procedure for the consideration of complaints against actions (inaction) of members of the self-regulating organization and other appeals received by the self-regulating organization;

"5) on the self-regulatory organization conducting an analysis of the activities of its members based on the information they submit in the form of reports;

"" 6) on membership in a self-regulating organization, including requirements for members of the self-regulating organization, on the amount, procedure for calculating and paying the entrance fee, membership fees.

"" 2. Self-regulatory organization can be developed and approved internal documents:

"" 1) on the insurance by members of a self-regulating organization of the risk of civil liability, which may occur in the event of harm due to deficiencies in work that affect the safety of capital construction projects, and on the conditions of such insurance;

"2) on insuring the risk of liability for members of a self-regulating organization to violate the terms of a contract for engineering surveys, for the preparation of project documentation, a construction contract, a contract for demolition, and the conditions for such insurance;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3) other internal documents.

3. The internal documents of the self-regulating organization provided for in Parts 1 and 2 of this Article may not contradict the legislation of the Russian Federation and the charter of the non-profit organization.

4. A self-regulating organization in the course of its activities, in addition to the standards stipulated by the Federal Law "On Self-Regulating Organizations" (hereinafter referred to as standards of a self-regulating organization), approves the qualification standards of the self-regulating organization in the relevant field of activity no later than three months from the date of assigning the status of a self-regulating organization.

5. The qualification standards of the self-regulating organization are internal documents of the self-regulating organization and determine the characteristics of the qualification (the required level of knowledge and skills, the level of independence in the performance of the

labor function, differentiated depending on the direction of activity) necessary for employees to perform the labor functions for performing engineering surveys, preparing the project documentation, construction, reconstruction, overhaul, demolition of facilities to pitalnogo construction.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

6. The requirements for members of a self-regulating organization established in the standards of the self-regulating organization and in the internal documents of the self-regulating organization cannot be lower than the minimum established in this part:

1) qualification requirements for individual entrepreneurs, as well as managers of a legal entity who independently organize the execution of engineering surveys, preparation of project documentation, construction, reconstruction, major repairs, demolition of capital construction objects, have a higher education of the appropriate profile and length of service in the specialty less than five years;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) requirements for the presence of an individual entrepreneur or legal entity specialists in the organization of engineering surveys (chief project engineers), specialists in the organization of architectural and construction design (chief project engineers, chief architects of projects), construction organization specialists (chief project engineers) The work function of which includes, respectively, the organization of the performance of works on engineering surveys, the execution of works on the preparation of project documentation, and works on the construction, reconstruction, overhaul, demolition of capital construction objects and information about which are included in the national rosters of specialists provided for in Article 55.5-1 of this Code (hereinafter also referred to as specialists) are at least two specialists at their main place of work.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

7. The requirement for the minimum number of specialists of an individual entrepreneur or a legal entity at the place of main work can be increased by a self-regulating organization, including when such specialists need to perform a labor function, including organizing engineering survey works, preparing project documentation for cultural heritage sites in order to preserve such facilities, as well as the need for such specialists to perform a work function that includes Ganization of the performance of engineering surveys, the preparation of project documentation, construction, reconstruction, overhaul, demolition of capital construction objects, depending on their technical complexity and potential danger, the cost of one contract for engineering survey, preparation of project documentation, construction contract contract, contract for the demolition.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

8. Requirements for members of a self-regulatory organization performing engineering surveys, preparing project documentation, construction, reconstruction, overhaul, demolition of especially dangerous, technically complex and unique facilities, differentiated taking into account the technical complexity and potential danger of such facilities, are established in the internal documents of the self-regulated organizations and can not be below the minimum established by the Government of the Russian Federation.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

9. Standards of a self-regulating organization and internal documents cannot contradict this Code, the legislation of the Russian Federation on technical regulation, as well as standards for the processes of engineering survey work, preparation of project documentation, construction, reconstruction, major overhaul, demolition of capital construction projects approved by the relevant National Association of Self-Regulatory Organizations.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

10. Standards of a self-regulating organization and internal documents of a self-regulating organization are approved by the permanently operating collegial management body of the self-regulating organization, except for internal documents whose approval falls within the exclusive competence of the general meeting of the members of the self-regulating organization. Standards of a self-regulating organization and internal documents of a self-regulating organization are mandatory for all its members, their specialists and other employees.

11. The procedure for developing standards of a self-regulating organization and internal documents of a self-regulating organization shall be determined by the self-regulating organization independently in compliance with the requirements established by this article.

12. The internal documents of the self-regulatory organization provided for in Parts 1 and 4 of this Article, the development and approval of which by the self-regulatory organization are mandatory, the changes made to such documents, the decisions on recognizing such documents as invalid come into force no earlier than from the date they are entered. to the state register of self-regulatory organizations in accordance with Part 5 of Article 55.18 of this Code.

13. The internal documents of the self-regulating organization provided for by part 2 of this article, the changes made to these documents, the decisions on recognizing such documents to become invalid take effect no earlier than ten days after the day of their adoption.

14. Internal documents of the self-regulatory organization, provided for in Parts 1, 2 and 4 of this Article, changes made to these documents, decisions made by the permanent collegial management body of the self-regulatory organization shall be posted no later than three business days from the date of their adoption. on the website of this self-regulating organization on the Internet and its direction (with the exception of decisions made by the permanent collegial management body of the self-regulating organization regarding members self-regulatory organization) on paper or in the form of electronic documents (package of electronic documents), signed by the self-regulatory organization with the use of enhanced qualified electronic signature, to the supervisory authority of the self-regulatory organizations.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.5-1. Specialists in the organization of engineering surveys, specialists in the organization of architectural and construction design, specialists in the organization of construction**

(introduced by the Federal Law of 03.07.2016 N 372-FZ)

1. A specialist in the organization of engineering surveys, a specialist in the organization of architectural and construction design, a specialist in the organization of construction is an individual who has the right to carry out, under an employment contract with an individual entrepreneur or a legal entity, work functions in the organization of engineering survey work, project design documentation, construction, reconstruction, overhaul, demolition of a capital construction object in the position of a dedicated project engineer, the chief architect of the project, and information about which is included in the national register of specialists in the field of engineering surveys and architectural design, or in the national register of construction specialists.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2. Specialists in the organization of engineering surveys, specialists in the organization of architectural and construction design, details of which are included in the national register of specialists in the field of engineering surveys and architectural construction planning, are recruited by an individual entrepreneur or legal entity under an employment contract in order to organize the performance of work according engineering surveys, preparation of project documentation.

3. The official duties of specialists in the organization of engineering surveys, specialists in the organization of architectural and construction design include, respectively:

- 1) preparation and approval of assignments for the performance of engineering surveys, assignments for the preparation of project documentation of a capital construction facility;
  - 2) determination of the selection criteria for participants in the work on the implementation of engineering surveys, the preparation of project documentation and the selection of the executors of such works, as well as coordination of the activities of the executors of such works;
  - 3) submission, approval and acceptance of the results of work on the implementation of engineering surveys, preparation of project documentation;
  - 4) approval of the results of engineering surveys, project documentation.
4. Specialists in the organization of construction, information about which is included in the national register of specialists in the field of construction, are attracted by an individual entrepreneur or legal entity under an employment contract in order to organize the performance of construction, reconstruction, overhaul, demolition of capital construction projects.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

5. The official duties of specialists in the organization of construction include:

- 1) the organization of the entrance control of the project documentation of the capital construction object, the project of the organization of work on the demolition of the capital construction object;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

- 2) operational planning, coordination, organization and carrying out construction control in the process of construction, reconstruction, overhaul of a capital construction object, operational planning, coordination and organization of the demolition of a capital construction object;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

- 3) acceptance of finished types and individual phases of construction, reconstruction, overhaul, demolition of capital construction objects, elements, structures and parts of capital construction objects, engineering networks, their plots with the right to sign relevant documents;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

"" 4) signing of the following documents:

- a) the act of acceptance of the capital construction object;
- b) a document confirming the compliance of the constructed, reconstructed capital construction object with the requirements of technical regulations;
- c) a document confirming the compliance of the parameters of the constructed, reconstructed object of capital construction of project documentation, including the requirements of energy efficiency and the requirements of equipment of the object of capital construction with metering devices for the energy resources used;
- d) a document confirming compliance of the constructed, reconstructed capital construction object with the technical conditions of connection (technological connection) to the networks of engineering and technical support (if any).

"" 6. Information about the individual specified in part 1 of this article shall be included by the relevant National Association of Self-Regulatory Organizations respectively into the national register of specialists in the field of engineering surveys and architectural design, into the national register of construction specialists (hereinafter also referred to as national registers of specialists) on the basis of the application of such a person, subject to compliance with the following minimum requirements:

- 1) the presence of higher education by profession, specialty or training in the field of construction;
- 2) the presence of work experience, respectively, in organizations performing engineering surveys, preparing project documentation, construction, reconstruction, major repairs,

demolition of capital construction projects in engineering positions for at least three years;  
(as amended by the Federal Law of 03.08.2018 N 340-FZ)  
(see the text in the previous "edition")

"" 3) the presence of a total length of service in a profession, specialty or area of training in the field of construction for at least ten years;

"4) professional development of a specialist in the direction of training in the field of construction at least once every five years;

"" 5) availability of a work permit (for foreign citizens).

"" 7. The procedure for including information about an individual in national registries of specialists and their exclusion from such registers, as well as a list of areas of training in the field of construction, is approved by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, town planning.

8. The national association of self-regulatory organizations refuses to an individual to include information about him in the national register of specialists in the event of:

1) non-compliance of such person with the requirements established by paragraph 6 of this article;

2) establish the fact of submission of documents containing inaccurate information;

3) the presence of such a person with an outstanding or unwithdrawn conviction for the commission of an intentional crime;

4) the availability of decisions regarding such an individual to exclude information about him from the national register of specialists on the grounds specified in clauses 3 through 5 of part 9 of this article, taken for a period of not more than three years preceding the filing date of the application specified in part 6 of this articles;

5) the existence of decisions regarding such an individual to exclude information about him from the national register of specialists taken during a period of not less than two years preceding the date of submission of the application specified in paragraph 6 of this article.

9. Information on the physical person specified in part 1 of this article shall be excluded from the national register of specialists:

1) on the basis of the application of such an individual;

2) in connection with the death of such an individual (including on the basis of the application of a self-regulating organization);

3) if due to the fault of such an individual, payments were made from the compensation funds of the self-regulatory organization and the fault of this specialist was established by the court (including on the basis of the application of the self-regulatory organization);

4) in the case of bringing such an individual to administrative responsibility two or more times for similar offenses committed in the performance of engineering surveys, preparation of project documentation in respect of one capital construction facility, allowed in the implementation of construction, reconstruction, capital repairs, demolition of one capital construction object (including on the basis of the application of the self-regulatory organization);

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

5) if an individual entrepreneur or a legal entity whose employee is an individual is included into the register of unscrupulous suppliers (contractors, performers) and the fault of such an individual due to the fault of such an individual (based on the appeal of such an individual entrepreneur or such legal entity) ;

6) upon expiration of the validity of the temporary residence permit in the Russian Federation and the validity of the work permit for the foreign citizen.

10. The national registry of specialists in the field of engineering surveys and architectural design, the national registry of specialists in the field of construction is maintained by the relevant National Association of Self-Regulatory Organizations.

11. The following information should be contained in the national rosters of specialists:

1) surname, name, patronymic (if available) of an individual;

2) the type of work performed by an individual (organization of work on engineering surveys,

preparation of project documentation, construction, reconstruction, overhaul, demolition of capital construction objects);

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3) the date of the decision to include information about an individual in the national register of specialists or the decision to exclude information about such an individual from the national register of specialists.

12. The information contained in the national register of specialists shall be posted on the website of the corresponding National Association of Self-Regulatory Organizations on the Internet and should be available for review without charge.

13. The procedure for maintaining national registries of specialists, the procedure for amending information about individuals included in such registers, are established by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture and urban planning.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.6. Admission to the members of the self-regulatory organization**

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1. A legal entity, including a foreign legal entity, and an individual entrepreneur can be accepted as members of a self-regulating organization, subject to the compliance of such legal entities and individual entrepreneurs with the requirements established by the self-regulating organization to their members, and paying such contributions in full to the compensation fund (compensation funds) self-regulatory organization, unless otherwise specified by this article.

"" 2. For admission to the membership of a self-regulating organization, an individual entrepreneur or legal entity shall submit to the self-regulating organization the following documents:

1) an application for admission to the self-regulatory organization, which must include, among other things, information on the intention to take part in concluding contracts for engineering surveys, preparation of project documentation, construction contracts, contracts for demolition using competitive conclusion methods contracts or the absence of such intentions;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) a copy of the document confirming the fact that an entry regarding the state registration of an individual entrepreneur or legal entity is made in the relevant state register, copies of constituent documents (for a legal entity), a duly certified translation into Russian of documents on state registration of a legal entity in accordance with the legislation of the relevant state (for a foreign legal entity);

3) documents confirming the compliance of an individual entrepreneur or legal entity with the requirements established by a self-regulating organization to its members in the internal documents of the self-regulating organization;

"" 4) documents confirming the presence of an individual entrepreneur or legal entity of the specialists indicated in paragraph 1 of Article 55.5-1 of this Code;

5) documents confirming that the specialists have official duties stipulated in paragraph 3 or 5 of Article 55.5-1 of this Code.

3. Members of a self-regulating organization based on the membership of persons engaged in construction can only be individual entrepreneurs and (or) legal entities registered in the same subject of the Russian Federation in which such self-regulatory organization is registered, with the exception of:

1) foreign legal entities;

2) a case if there is no registered self-regulating organization in the territory of a constituent entity of the Russian Federation in which an individual entrepreneur or legal entity is registered, based on the membership of construction persons and complying with the

requirements provided for in paragraph 3 of Article 55.4 of this Code. In this case, an individual entrepreneur or legal entity has the right to apply for admission to the membership of a self-regulating organization based on the membership of construction workers and registered in the territory of any of the constituent entities of the Russian Federation having a common border with this constituent entity of the Russian Federation. At the same time, such an individual entrepreneur or such a legal entity additionally submits to the said self-regulating organization an extract from the state register of self-regulating organizations that there are no registered self-regulating organizations on the territory of this subject of the Russian Federation based on the membership of construction entities. A self-regulating organization to which an individual entrepreneur or a legal entity registered in the territory of a constituent entity of the Russian Federation, having a common border with a constituent entity of the Russian Federation in whose territory such self-regulating organization is registered, has not applied refuse such a person to become a member of a self-regulating organization on the basis specified in the first paragraph of this part.

4. When an individual entrepreneur or a legal entity is admitted to membership in a self-regulating organization, the self-regulating organization has the right to request from the self-regulating organization, of which the individual entrepreneur or legal entity was previously a member, documents and (or) information relating to the activities of such an individual entrepreneur or such legal entity, including acts inspections of its activities. The self-regulating organization to which this request for the submission of documents and (or) information has been received is obliged to submit relevant documents and (or) information within thirty days from the date of receipt of this request.

5. Within a period not exceeding two months from the date of receipt of the documents specified in paragraph 2 of this article, the self-regulating organization checks the individual entrepreneur or legal entity for compliance with the requirements established by the self-regulating organization to its members. In this case, the self-regulatory organization has the right to appeal:

1) to the appropriate National Association of self-regulatory organizations requesting information:

a) on payments from the compensation fund of a self-regulating organization, of which the individual entrepreneur or legal entity was a member, made through the fault of such an individual entrepreneur or such legal entity;

b) on the presence or absence of an individual entrepreneur or legal entity specified in the documents of an individual entrepreneur or legal entity regarding the decision to exclude information about such specialists from the national register of specialists adopted for a period of not less than two years preceding the day of receiving the self-regulated the organization of the documents specified in paragraph 2 of this article;

2) to state authorities or local governments with a request for information required by the self-regulating organization to make a decision on the admission of an individual entrepreneur or legal entity to the membership of a self-regulating organization.

"" 6. State bodies and local governments within thirty days from the date of the request of the self-regulatory organization specified in paragraph 2 of part 5 of this article are obliged to submit the requested information to the self-regulatory organization.

"" 7. According to the results of the inspection provided for in part 5 of this article, the self-regulatory organization makes one of the following decisions:

"" 1) on the admission of an individual entrepreneur or legal entity to the members of a self-regulating organization, subject to payment of a contribution to the compensation fund for compensation for harm, as well as to the compensation fund for securing contractual obligations if the self-regulating organization decided to form such a compensation fund and in a statement of individual an entrepreneur or a legal entity on admission to the self-regulatory organization's members indicates information on their intention to take part in concluding contracts in a row and on the implementation of engineering surveys, the preparation of project documentation, construction contracts, contracts for the implementation of the demolition using competitive methods of contracting;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) the refusal to admit an individual entrepreneur or a legal entity as a member of a self-regulating organization, indicating the reasons for such refusal.

8. A self-regulating organization refuses to admit an individual entrepreneur or a legal entity as a member of a self-regulating organization for the following reasons:

1) non-compliance of an individual entrepreneur or a legal entity with the requirements established by a self-regulating organization for its members (except for the case established in paragraph 3 of this article);

2) non-submission by the individual entrepreneur or legal entity in full of the documents provided for by part 2 of this article;

3) if the individual entrepreneur or legal entity is already a member of a self-regulatory organization of a similar type.

9. A self-regulating organization has the right to refuse to accept an individual entrepreneur or a legal entity as a member of a self-regulating organization for the following reasons:

1) through the fault of an individual entrepreneur or a legal entity, payments were made from the compensation fund for compensation for harm or a compensation fund to secure contractual obligations of a self-regulating organization, of which such an individual entrepreneur or such legal entity was previously a member;

2) commission by an individual entrepreneur or a legal entity during one year of two or more similar administrative offenses committed in the performance of engineering surveys, preparation of project documentation in respect of one capital construction facility, allowed during construction, reconstruction, major repairs, demolition of one capital construction facility ;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3) other reasons established by the internal documents of the self-regulatory organization.

10. Within three days from the moment of the adoption of one of the decisions specified in paragraph 7 of this article, the self-regulating organization is obliged to send a notification to the individual entrepreneur or legal entity about the decision with an attachment of a copy of such a decision.

11. The individual entrepreneur or legal entity in respect of whom the decision was made to admit to the membership of a self-regulating organization, within seven working days from the date of receipt of the notification specified in paragraph 10 of this article, must pay in full:

1) contribution to the compensation fund for compensation for harm;

2) Contribution to the compensation fund for securing contractual obligations if the self-regulating organization made a decision to form such a compensation fund and in the application of an individual entrepreneur or legal entity for admission to the self-regulating organization indicated information about the intention to participate in the conclusion of contracts for engineering studies , preparation of project documentation, construction contracts, contracts for the implementation of demolition using entnyh ways of contracting;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3) an admission fee to a self-regulating organization in the event that the internal documents of the self-regulating organization establish the requirements for the payment of an admission fee.

12. The decision of the self-regulating organization on the admission to membership of the self-regulating organization enters into force from the date of full payment of the contribution (s) to the compensation fund (compensation funds) of the self-regulating organization, as well as the entrance fee if the internal documents of the self-regulating organization establish payment requirements such a contribution.

13. Decisions of a self-regulating organization on admission of an individual entrepreneur or legal entity as a member of a self-regulating organization, refusal to admit an individual entrepreneur or legal entity as a member of a self-regulating organization, inaction of a self-regulating organization upon admission to a self-regulating organization organizations established by the internal documents of the self-regulatory organization may be appealed to



the arbitral tribunal, and the arbitration court formed by the relevant National Association of Self-Regulatory Organizations.

14. A legal entity or an individual entrepreneur may be a member of one self-regulating organization of each of the types of self-regulating organizations specified in Article 55.3 of this Code.

15. A self-regulating organization in respect of each person accepted as a member of a self-regulating organization shall conduct the business of a member of the self-regulating organization. This case includes:

- 1) documents submitted for admission to the membership of a self-regulating organization, including those of an individual entrepreneur or a legal entity;
- 2) documents on the payment of the contribution (s) to the compensation fund (compensation funds) of the self-regulating organization;
- 3) documents submitted for making changes to the register of members of a self-regulating organization, voluntary withdrawal of a member of a self-regulating organization from a self-regulating organization;
- 4) documents on the results of the implementation by the self-regulating organization of control over the activities of a member of such an organization;
- 5) documents on disciplinary measures taken by a self-regulating organization in relation to a member of such an organization;
- 6) other documents in accordance with the decision of the self-regulatory organization.

16. A self-regulating organization is obliged to keep the affairs of the members of the self-regulating organization, as well as the affairs of persons whose membership in the self-regulating organization is terminated. These cases are subject to permanent storage on paper and (or) in the form of an electronic document (package of electronic documents), signed by a self-regulating organization using a strengthened qualified electronic signature, in a self-regulating organization. In case of exclusion of information about a self-regulating organization from the state register of self-regulating organizations, the affairs of the members of the self-regulating organization, as well as the cases of persons whose membership in the self-regulating organization has been terminated, shall be transferred to the appropriate National Association of self-regulating organizations.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

"" **RFC RF Clause 55.7. Termination of membership in a self-regulatory organization** (as amended by the Federal Law of 03.07.2016 N 372-FZ) (see the text in the previous "edition")

1. Membership of an individual entrepreneur or legal entity in a self-regulating organization shall be terminated on the grounds and in the cases specified in the Federal Law "On Self-Regulatory Organizations", including in the case of the accession of one self-regulating organization to another self-regulating organization. A self-regulating organization has the right to establish by internal documents of the self-regulating organization additional grounds for exclusion from the members of the self-regulating organization.

2. A self-regulating organization shall have the right to decide on exclusion from the members of a self-regulating organization of an individual entrepreneur or a legal entity also:

- 1) if two or more times are not fulfilled within one year of the prescriptions of the state construction supervision authorities during the construction and reconstruction of capital construction objects;
- 2) in other cases established by the internal documents of the self-regulatory organization.

3. Membership in a self-regulating organization shall be considered terminated from the date the relevant information is entered into the register of members of the self-regulatory organization.

4. Not later than three working days from the day following the day when the standing collective management body of the self-regulating organization makes a decision to exclude an individual entrepreneur or legal entity from the members of the self-regulating organization,

the self-regulating organization shall notify in writing about this:

- 1) a person whose membership in a self-regulating organization has been terminated;
- 2) The national association of self-regulatory organizations, of which such a self-regulatory organization is a member.

5. A person who has ceased membership in a self-regulating organization shall not be refunded the entrance fee, membership fees and contribution (s) to the compensation fund (compensation funds) of the self-regulating organization, unless otherwise provided by the Federal Law on the implementation of this Code.

6. In the event of termination by an individual entrepreneur or a legal entity of membership in a self-regulating organization, such an individual entrepreneur or such legal entity within one year cannot be re-admitted to membership in a self-regulating organization.

7. The decision of the self-regulating organization on exclusion from the members of the self-regulating organization, the list of grounds for exclusion from the members of the self-regulating organization, established by the internal documents of the self-regulating organization, can be appealed to the arbitration court, as well as to the arbitration court formed by the relevant National Association of self-regulating organizations.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**RF Article 55.8. The right of a member of a self-regulating organization to carry out engineering surveys, to carry out the preparation of project documentation, construction, reconstruction, overhaul, demolition of capital construction objects**

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1. An individual entrepreneur or legal entity has the right to carry out engineering surveys, prepare project documentation, build, renovate, overhaul, demolish capital construction objects under a contract to carry out engineering surveys, prepare project documentation, under a construction contract, under a contract to demolish concluded with the developer, technical customer, person responsible for the operation of the building, structure, or regional Ator, provided that such an individual entrepreneur or a legal person is a member of, respectively, the self-regulatory organization in the field of engineering studies, architectural design, construction, reconstruction, repair, demolition of capital structures, unless otherwise provided by this "Code".

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2. The developer has the right to carry out engineering surveys, prepare project documentation, construction, reconstruction, overhaul, demolition of capital construction objects independently, provided that such person is a member of the relevant self-regulatory organization, except as provided for in paragraph 5 of part 2.2 of Article 52 of this Code.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3. A member of a self-regulating organization has the right to carry out engineering surveys, prepare project documentation, build, reconstruct, overhaul, demolish capital construction objects under a contract for engineering surveys, prepare project documentation, under a construction contract, and contract for demolition using competitive methods of concluding contracts, provided that the following conditions are met:

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

1) the self-regulatory organization, of which such person is a member, has a compensation fund for securing contractual obligations formed in accordance with Articles 55.4 and 55.16 of this Code;

2) if the aggregate amount of obligations under the contracts specified in the first paragraph of

this part does not exceed the limit of obligations on the basis of which such person made a contribution to the compensation fund to secure contractual obligations in accordance with Section 55.16, part 11 or 13 of this Code. The number of contracts for the implementation of engineering surveys, preparation of project documentation, construction contracts, contracts for the implementation of demolition, which can be concluded by a member of the self-regulatory organization using competitive contracting methods, is not limited.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

4. A member of a self-regulating organization annually, in accordance with the procedure established by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture and urban planning, is obliged to notify the self-regulating organization of the actual aggregate amount of obligations under contract agreements performing engineering surveys, preparing project documentation, construction contracts, contracts in a row to carry out the demolition, signed by the person during the year using competitive methods of contracting. This notice is sent by a member of the self-regulating organization before March 1 of the year following the reporting year, with attachment of documents confirming such actual aggregate amount of obligations of this member. A member of a self-regulatory organization has the right not to submit documents to the self-regulatory organization containing information in the form of open data.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

5. A member of a self-regulating organization shall independently, if necessary, increase the amount of his contribution to the compensation fund for securing contractual obligations to the next level of responsibility of a member of the self-regulating organization for obligations provided for by paragraph 11 or 13 of Article 55.16 of this Code, must make an additional contribution to the compensation fund for contractual obligations in order, established by internal documents of the self-regulatory organization.

6. A member of a self-regulating organization who has not paid the additional contribution specified in subsection 5 of this article to the compensation fund for securing contractual obligations is not entitled to participate in concluding new subcontracts for performing engineering surveys, preparing project documentation, construction contracts, and performance contracts demolition using competitive contracting methods.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

7. Upon receipt of a warning from a self-regulating organization regarding the excess of the level of responsibility of a member of the self-regulating organization for obligations set forth in accordance with Part 11 or 13 of this Code and the requirement to increase the amount of the contribution made by such member to the compensation fund to secure contractual obligations to the level of responsibility of the member of the self-regulatory organization, corresponding to the aggregate amount of obligations, respectively, under contracts for the execution of engineering black surveys, preparation of project documentation, construction contracts, demolition contracts concluded by such a member using competitive contracting methods, an individual entrepreneur or a legal entity must make an additional contribution to such compensation fund within five days from the date of receipt of these documents contribution provided by the self-regulatory organization for an appropriate level of responsibility for the obligations of a member of the self-regulatory body regulatory organizations in accordance with part 11 or 13 of Article 55.16 of this Code.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

8. Restricting the right of a member of a self-regulating organization to perform engineering surveys, prepare project documentation, build, renovate, overhaul, demolish capital construction objects under a contract to carry out engineering surveys, prepare project documentation, construction contract, contract for demolition concluded using competitive ways of entering into contracts, on other grounds not provided for in this article, are not

allowed .

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.9. Providing self-regulatory organization access to information about its activities and the activities of its members**

“In order to ensure access to information about its activities and the activities of its members, a self-regulating organization, along with information provided for by the Federal Law“ On Self-Regulatory Organizations ”, is obliged to post the following information and documents on its Internet site

1) has expired. - Federal law of 07.06.2013 N 113-FZ;

(see the text in the previous "edition")

2) the name, address and contact numbers of the supervisory authority of self-regulatory organizations;

3) has expired. - Federal law of 07.06.2013 N 113-FZ;

(see the text in the previous "edition")

4) information on the credit institution in which the funds of the compensation fund for compensation of harm are placed and the means of the compensation fund for securing contractual obligations (in the case of the formation of such a compensation fund). This information is subject to change within five working days from the day following the day of the event that resulted in such changes.

(Clause 4 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

5) - 9) have become invalid. - Federal law of 07.06.2013 N 113-FZ.

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.10. The exclusive competence of the general meeting of members of the self-regulatory organization**

The exclusive competence of the general meeting of members of a self-regulatory organization includes the following questions:

1) approval of the charter of the self-regulating organization, making changes to it;

(as amended by the Federal Law of November 24, 2014 N 359-FZ)

(see the text in the previous "edition")

2) the election by secret ballot of members of a permanent collegial management body of a self-regulating organization, the early termination of the powers of the said body or the early termination of the powers of individual members;

3) election by secret ballot of the head of the permanently acting collegial management body of the self-regulating organization, early termination of the powers of such head;

4) establishing the size of admission and regular membership fees and the procedure for their payment;

"" 5) establishing the amount of contributions to the compensation funds of the self-regulating organization: the compensation fund for compensation for harm and the compensation fund for securing contractual obligations, the procedure for forming such compensation funds. At the same time, the amounts of contributions to compensation funds of a self-regulating organization shall be established not lower than the minimum amounts of contributions to such compensation funds provided for in subsections 10–13 of article 55.16 of this Code;

(Clause 5 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

5.1) establishing rules for placing and investing funds of compensation funds, making

decisions on investing funds of a compensation fund for compensation for harm, determining possible ways of placing funds of compensation funds of a self-regulating organization in credit institutions;

(Clause 5.1 was introduced by the Federal Law of 03.07.2016 N 372-FZ)

"" 6) approval of documents provided for by paragraph 1 of Article 55.5 of this Code;

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

7) - 8) have become invalid since July 1, 2017. - Federal Law of 03.07.2016 N 372-FZ;

(see the text in the previous "edition")

9) making a decision on the participation of the self-regulatory organization in non-profit organizations, including joining the association (union) of self-regulatory organizations, the Chamber of Commerce, withdrawal from the membership of these non-profit organizations;

"10) making decisions on the reorganization of a self-regulating organization in the form of a merger;

(clause 10 as amended by the Federal Law of 07/03/2016 N 372-FZ)

(see the text in the previous "edition")

"11) the establishment of the competence of the executive body of the self-regulating organization and the procedure for its management of the current activities of the self-regulating organization;

12) making other decisions that, in accordance with this Code, the Federal Law "On Self-Regulatory Organizations", other federal laws and the charter of the self-regulating organization, are attributed to the exclusive competence of the general meeting of members of the self-regulating organization.

(as amended by the Federal Law of November 24, 2014 N 359-FZ)

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

#### **Article 55.11, article 55.12. Lost power**

"" Articles 55.11 - 55.12. Effective from July 1, 2017. - Federal law of 03.07.2016 N 372-FZ.

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

#### **"" RFC of the RF Article 55.13. Control by self-regulatory organization over the activities of its members**

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1. A self-regulating organization exercises control over the activities of its members in accordance with the Federal Law "On Self-Regulatory Organizations".

2. As part of the control of the self-regulating organization, the activities of its members are carried out, including the control of:

1) compliance by members of the self-regulatory organization with the requirements of the legislation of the Russian Federation on urban development activities, technical regulation, including compliance by the members of the self-regulatory organization with the requirements established in the standards for engineering survey work, preparation of project documentation, construction, reconstruction, overhaul, demolition of objects capital construction approved by the relevant National Association of Self-Regulatory Organizations ;  
(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) over the fulfillment by the members of the self-regulating organization of obligations under the contracts for the performance of engineering surveys, the preparation of project documentation, construction contracts, contracts for the demolition, concluded using competitive methods for concluding contracts.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3. If the activity of a member of a self-regulating organization is related to the performance of engineering surveys, the preparation of project documentation, construction, reconstruction, major repairs, the demolition of highly dangerous, technically complex and unique objects, the control of the self-regulating organization over the activities of its members is carried out including using a risk-based approach. When applying a risk-based approach, the calculation of the values of indicators used to assess the severity of potential negative consequences of possible non-compliance with mandatory requirements, assessing the likelihood of their non-compliance, is carried out according to a methodology approved by the federal executive body that performs the functions of developing and implementing public policy and legal regulation in the field of construction, architecture, urban planning.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

4. A self-regulating organization shall exercise control over the activities of its members in accordance with the annual audit plan for members of the self-regulating organization.

5. Control over the fulfillment by members of a self-regulating organization of obligations under contracts for engineering surveys, preparation of project documentation, construction contracts, contracts for demolition, concluded using competitive methods for concluding contracts, is carried out by the self-regulating organization in the form of an audit conducted no less than once a year.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

6. A self-regulating organization within two weeks from the date of receipt from its member of a notice and documents confirming the actual aggregate amount of obligations under contracts for engineering surveys, preparation of project documentation, construction contracts, contracts for demolition concluded by such a person during the reporting period year using competitive methods of concluding contracts, conducts with respect to such a member compliance with actual cumulative measure of obligations under contracts for engineering surveys, preparation of project documentation, construction contracts, contracts for demolition, concluded by such a person using competitive methods for concluding contracts, the maximum amount of obligations on the basis of which such a member made a contribution to compensatory fund for securing contractual obligations in accordance with paragraph 11 or 13 of Article 55.16 of this Code.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

7. When calculating the actual aggregate amount of obligations of a member of the self-regulating organization under contract for engineering surveys, preparation of project documentation, construction contracts, contracts for demolition concluded by such a member using competitive methods for entering into contracts, it does not include obligations, recognized by the parties under the specified work contracts executed on the basis of the act of acceptance of the results of work.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

8. If according to the results of the inspection specified in paragraph 6 of this article, a self-regulating organization has determined that, as of the beginning of the year following the reporting year, the actual aggregate amount of obligations under the contract for the performance of engineering surveys, preparation of project documentation, construction contracts, contracts for the implementation of the demolition made by such a person using competitive contracting methods exceeds the limit of obligations, on the basis of which this member the organization was paid a contribution to the compensation fund for securing contractual obligations, the self-regulatory organization, within three days after completing the test, sends a warning to it that the responsibility level of the member of the self-regulating organization established in accordance with paragraph 11 or 13 of this Code and the need to increase the contribution made by such a member to the compensation fund to secure

contractual obligations to the level of concern member of self-regulatory organization, corresponding to the actual size of the aggregate liabilities of such member.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

9. If a member of a self-regulating organization has not submitted the necessary documents specified in paragraph 4 of article 55.8 of this Code, the self-regulating organization has the right to independently in the manner prescribed by the legislation of the Russian Federation on the contractual system in the field of procurement of goods, works and services to ensure state and municipal needs, to obtain the information necessary for carrying out such a check from a single information system containing a register of contracts concluded by customers.

10. A self-regulating organization, in order to ensure the protection of the legitimate interests of its members, has the right, in accordance with the procedure established by the legislation of the Russian Federation, to file claims and participate as a person participating in the case when considering litigations on non-performance or improper performance of obligations under engineering contracts for project documentation, construction contracts, demolition contracts, one of the parties of which is a member of self-regulation regulatory organizations.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

11. Self-regulatory organization has the right to exercise public control in the field of procurement.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ

(edition of December 25, 2018)

#### **"" RFC of the RF Article 55.14. Consideration by a self-regulatory organization of complaints against the actions of its members and appeals**

1. A self-regulating organization shall consider complaints against actions (inaction) of its members and other appeals received by the self-regulating organization. Complaints against actions (inaction) of members of a self-regulating organization and other appeals submitted to a self-regulating organization are subject to consideration by the self-regulating organization within thirty calendar days from the date of their receipt, unless a different period is established by the legislation of the Russian Federation. The self-regulating organization, based on the results of the consideration of the complaint about the actions (inaction) of its members, as well as the appeal, which is not a complaint, but which requires consideration in accordance with the internal documents of the self-regulating organization, takes the appropriate decision. This decision, or if no decision is required, the response to the appeal is sent to the person who sent the complaint or other appeal, by mail to the postal address indicated in the complaint or other appeal, or in the form of an electronic document to the email address specified in complaint or other treatment.

(Part 1 as amended by the Federal Law of 07/03/2016 N 372-FZ)

(see the text in the previous "edition")

2. If, as a result of consideration of a complaint against actions (inaction) of a member of a self-regulating organization or other violation of a self-regulating organization, a mandatory requirement is identified, the self-regulating organization applies disciplinary measures in relation to such a member in accordance with Article 55.15 of this Code.

(part 2 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

3. The procedure for the consideration of complaints against actions (inaction) of members of a self-regulating organization and other appeals received by a self-regulating organization is approved by the internal documents of the self-regulating organization provided for in Article 55.5 of this Code.

(part 3 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

4. When considering a complaint against the actions of a member of a self-regulatory organization, the person who sent such a complaint and a member of the self-regulating

organization to which such complaint is sent should be invited to attend the meeting of the relevant body of the self-regulatory organization.

5. In the event that a self-regulating organization finds out that a member of such a self-regulating organization has violated the requirements of technical regulations and project documentation when performing work during construction, reconstruction, major repair, demolition of a capital construction object, the self-regulating organization is obliged to notify the federal executive body authorized to exercise state construction supervision. in case of detection of these violations during construction, reconstructed of a section, overhaul, demolition of objects specified in paragraph 3 of Article 54 of this Code, or the executive authority of a constituent entity of the Russian Federation authorized to exercise state construction supervision in the event of the indicated violations in the course of construction, reconstruction, major overhaul, demolition of other capital construction objects .  
(as amended by the Federal Law of 03.08.2018 N 340-FZ)  
(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ  
(edition of December 25, 2018)

**"" RFC of the RF Article 55.15. The use of self-regulatory organization disciplinary measures against members of the self-regulatory organization**

(as amended by the Federal Law of 03.07.2016 N 372-FZ)  
(see the text in the previous "edition")

1. With regard to a member of a self-regulating organization who has violated the requirements of the legislation of the Russian Federation on urban development, the requirements of technical regulations, the mandatory requirements of standards for the processes of engineering survey work, preparation of project documentation, construction, reconstruction, overhaul, demolition of capital construction projects approved relevant national association of self-regulatory organizations, standards of self-regulatory organizations tions and internal documents of the self-regulating organization may apply disciplinary measures stipulated by the Federal law "On self-regulatory organizations."  
(as amended by the Federal Law of 03.08.2018 N 340-FZ)  
(see the text in the previous "edition")

"" 2. A member of a self-regulating organization, in respect of which a disciplinary measure has been applied in the form of suspension of the right to perform engineering surveys, prepare project documentation, build, renovate, overhaul, demolish capital construction objects, has the right to continue to carry out engineering surveys, prepare project documentation, build , reconstruction, overhaul, demolition of capital construction objects only in accordance and with contracts for the performance of engineering surveys, preparation of project documentation, construction contracts, contracts for the implementation of demolition, concluded before the decision on the application of this disciplinary measure.  
(as amended by the Federal Law of 03.08.2018 N 340-FZ)  
(see the text in the previous "edition")

3. A decision of a self-regulating organization on the application of a disciplinary measure may be appealed to an arbitration court, as well as an arbitration court formed by the relevant National Association of self-regulating organizations, a member of the self-regulating organization in respect of which this decision was made.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ  
(edition of December 25, 2018)

**"" RFC RF Clause 55.16. Self-Regulatory Organization Compensation Funds**

(as amended by the Federal Law of 03.07.2016 N 372-FZ)  
(see the text in the previous "edition")

1. A self-regulating organization in order to ensure the property liability of members of a self-regulating organization for obligations arising from personal injury or property of a citizen,



property of a legal entity as a result of destruction, damage to a building, structure or part of a building or structure, forms a compensation fund for compensation for harm. A self-regulating organization, within the limits of the means of the compensation fund for compensation for harm, shall be jointly and severally liable for the obligations of its members arising from the injury, in the cases provided for in Article 60 of this Code.

"" 2. Self-regulatory organization in the cases established by this Code, in order to ensure the property liability of members of the self-regulatory organization for obligations arising from non-performance or improper performance by them of their obligations under contracts for engineering surveys, preparation of project documentation, construction contracts or contracts for the demolition, concluded with the use of competitive contracting methods, additionally forms a computer sensational fund for securing contractual obligations in the cases provided for by paragraphs 2 and 4 of Article 55.4 of this Code. A self-regulating organization, within the limits of the means of the compensation fund for securing contractual obligations, shall bear subsidiary liability for the obligations of its members in the cases provided for in Article 60.1 of this Code.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

"" 3. A member of a self-regulating organization shall not be exempted from the obligation to contribute to the compensation fund for compensation of harm, including due to its requirements for the self-regulating organization, as well as the exemption of a member of the self-regulating organization who submitted a statement of intent to participate in the conclusion of contracts for engineering research, preparation project documentation, construction contracts, demolition contracts using competitive methods for entering into I contract, from the obligation to make a contribution to the compensation fund to secure contractual obligations in case the self-regulating organization decided to form such a compensation fund. It is not allowed to pay the contribution (s) to the compensation fund (compensation funds) of the self-regulating organization by installments or by other means, excluding the lump-sum payment of the specified contribution (s), as well as paying the contribution (contributions) by third parties who are not members of such self-regulating organization, except for the case provided for in part 16 of this article.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

4. The transfer by the credit organization of the compensation compensation fund means is not allowed, except for the cases provided for by the Federal Law on the entry into force of this Code, and the following cases:

"" 1) return of mistakenly transferred funds;

2) placement and (or) investment of the compensation compensation fund in order to preserve them and increase their size;

3) making payments from the compensation fund for compensation for harm as a result of joint liability, as provided for in paragraph 1 of this article (payments for the purpose of compensation for harm and legal costs), in cases provided for in Article 60 of this Code;

4) payment of corporate income tax, calculated from the income received from the placement of the compensation compensation fund in credit institutions, and (or) the investment of the compensation compensation fund in other financial assets;

5) transfer of funds from the compensation fund to compensate damage to a self-regulating organization to the National Association of self-regulating organizations, of which such a self-regulating organization was a member, in cases established by this Code and the Federal Law on the enactment of this Code.

5. A credit institution shall not be allowed to transfer funds from the compensation fund to secure contractual obligations, except for the following cases:

"" 1) return of mistakenly transferred funds;

2) allocation of funds of the compensation fund to secure contractual obligations in order to preserve them and increase their size;

3) making payments from the compensation fund to secure contractual obligations as a result of the occurrence of subsidiary liability, as provided for in paragraph 2 of this article

(payments for the purpose of compensation for actual damages, penalties (fines) under a contract for engineering surveys, preparation of project documentation, construction contracts, contracts contract for the demolition, concluded using competitive methods of contracting, as well as court costs), in cases provided s by Article 60.1 of this Code;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

4) payment of tax on the profit of organizations, calculated from the income received from the placement of funds of the compensation fund to secure contractual obligations in credit institutions;

5) transfer of funds from the compensation fund to secure contractual obligations of a self-regulating organization to the National Association of self-regulating organizations, of which such self-regulating organization was a member, in cases established by this Code and the Federal Law on the implementation of this Code.

"" 6. When reducing the size of the compensation fund for compensation for harm or the size of the compensation fund for securing contractual obligations below the minimum size determined in accordance with this Code, the persons specified in paragraphs 7–9 of this article must make contributions to the corresponding compensation fund within no more than three months in order to increase the size of the corresponding compensation fund in the manner and to the size established by the internal documents of the self-regulatory organization on the basis of the actual The number of members of the self-regulatory organization and their level of responsibility for liabilities.

7. In the event that the reduction in the size of the compensation fund for compensation for harm arose as a result of payments made from such compensation fund in accordance with Article 60 of this Code, a member of the self-regulatory organization, due to deficiencies in engineering research, preparation of project documentation, construction, reconstruction, overhaul, the demolition of capital construction of which was damaged, as well as other members of the self-regulatory organization must make contributions to the compensation ion reparation fund specified in Paragraph 6 of this Article from the date of such payments.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

8. In the event that the reduction in the size of the compensation fund for securing contractual obligations resulted from payments made from such compensation fund in accordance with Article 60.1 of this Code, a member of the self-regulatory organization, as a result of non-fulfillment or improper performance of which obligations under the contract for engineering research, preparation of project documentation, construction contract or contract for the implementation of the demolition was carried out such payments, and akzhe other members of the self-regulatory organizations that have made contributions to a compensation fund shall be to contribute to a compensation fund to ensure the contractual obligations specified in Paragraph 6 of this Article from the date of such payments.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

""9. If the reduction in the size of the compensation fund for damages resulted from the impairment of financial assets, in order to recover damages arising from the investment of such compensation fund, members of the self-regulating organization must pay contributions to the compensation fund for damages in of the date of the notification by the self-regulating organization of its members about the approval of the annual financial statements, in which the loss on the results of the investment is fixed IAOD resources such compensation fund.

""ten. The minimum contribution to the compensation compensation fund per member of a self-regulating organization in the field of engineering surveys or a self-regulating organization in the field of architectural and construction design, depending on the level of responsibility of a member of the self-regulating organization for obligations (hereinafter, the responsibility of a member of the self-regulating organization) :

1) fifty thousand rubles if a member of a self-regulatory organization plans to carry out engineering surveys, prepare project documentation, the cost of which is under a single contract for engineering surveys, the preparation of project documentation does not exceed

twenty five million rubles (the first level of responsibility of a member of the self-regulating organization);

2) one hundred and fifty thousand rubles if a member of a self-regulating organization plans to carry out engineering surveys, prepare project documentation, the cost of which is under one contract for engineering surveys, the preparation of project documentation does not exceed fifty million rubles (the second level of responsibility of a member of the self-regulatory organization);

3) five hundred thousand rubles if a member of a self-regulatory organization plans to carry out engineering surveys, prepare project documentation, the cost of which is under one contract for engineering surveys, the preparation of project documentation does not exceed three hundred million rubles (the third level of responsibility of a member of the self-regulating organization);

4) one million rubles in case a member of a self-regulatory organization plans to carry out engineering surveys, prepare project documentation, the cost of which is under one contract for engineering surveys, project documentation preparation is three hundred million rubles or more (fourth level of responsibility of a member of the self-regulatory organization).

11. The minimum contribution to the compensation fund to secure contractual obligations per member of a self-regulating organization in the field of engineering surveys or a self-regulating organization in the field of architectural and construction design expressing an intention to take part in concluding contracts for performing engineering surveys, preparing project documentation using competitive methods of concluding contracts, depending on the level of responsibility of the member of the self-regulatory organization imposes:

1) one hundred and fifty thousand rubles if the maximum amount of obligations under such contracts does not exceed twenty five million rubles (the first level of responsibility of a member of a self-regulating organization);

2) three hundred and fifty thousand rubles if the maximum amount of obligations under such agreements does not exceed fifty million rubles (the second level of responsibility of a member of a self-regulating organization);

3) two million five hundred thousand rubles if the maximum amount of obligations under such contracts does not exceed three hundred million rubles (the third level of responsibility of a member of the self-regulating organization);

4) three million five hundred thousand rubles if the maximum amount of obligations under such agreements is three hundred million rubles or more (the fourth level of responsibility of a member of a self-regulating organization).

12. The minimum contribution to the compensation fund per member of a self-regulating organization in the field of construction, reconstruction, overhaul, demolition of capital construction objects, depending on the level of responsibility of a member of the self-regulating organization, is:

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

1) one hundred thousand rubles in case a member of a self-regulating organization plans to carry out construction, reconstruction (including the demolition of a capital construction object, its parts during construction, reconstruction), capital repair of a capital construction object (hereinafter referred to as construction), the value of which under one contract does not exceed sixty million rubles (the first level of responsibility of a member of a self-regulating organization);

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) five hundred thousand rubles in case a member of a self-regulating organization plans to carry out construction, the value of which under one contract does not exceed five hundred million rubles (the second level of responsibility of a member of the self-regulating organization);

3) one million five hundred thousand rubles if a member of a self-regulating organization plans to carry out construction, the value of which under one contract does not exceed three billion rubles (the third level of responsibility of a member of the self-regulating organization);

- 4) two million rubles if a member of a self-regulating organization plans to carry out construction, the value of which under one contract does not exceed ten billion rubles (the fourth level of responsibility of a member of the self-regulating organization);
- 5) five million rubles in case a member of a self-regulating organization plans to carry out construction, the value of which according to one contract is ten billion rubles or more (the fifth level of responsibility of a member of the self-regulating organization);
- 6) one hundred thousand rubles in case a member of a self-regulating organization plans to carry out only the demolition of a capital construction object not related to construction, reconstruction of a capital construction object (a simple level of responsibility of a member of the self-regulating organization).

(Clause 6 was introduced by Federal Law of 03.08.2018 N 340-FZ)

""13. The minimum contribution to the compensation fund to secure contractual obligations per member of a self-regulating organization in the field of construction, reconstruction, overhaul, demolition of capital construction objects, expressing an intention to participate in the conclusion of construction contracts, contract contracts for the implementation of demolition using competitive methods of concluding contracts, depending on the level of responsibility of a member of the self-regulatory organization, it is:

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

- "" 1) two hundred thousand rubles if the maximum amount of obligations under such agreements does not exceed sixty million rubles (the first level of responsibility of a member of a self-regulating organization);
- 2) two million five hundred thousand rubles if the maximum amount of obligations under such contracts does not exceed five hundred million rubles (the second level of responsibility of a member of a self-regulating organization);
- 3) four million five hundred thousand rubles if the maximum amount of obligations under such agreements does not exceed three billion rubles (the third level of responsibility of a member of a self-regulating organization);
- 4) seven million rubles if the maximum amount of obligations under such agreements does not exceed ten billion rubles (the fourth level of responsibility of a member of a self-regulating organization);
- 5) twenty-five million rubles if the maximum amount of obligations under such agreements is ten billion rubles or more (the fifth level of responsibility of a member of a self-regulating organization).

14. In case of exclusion of information about a self-regulating organization from the state register of self-regulating organizations, the funds of the compensation fund for compensation of harm and the compensation fund for securing contractual obligations of the self-regulating organization within one week from the date of exclusion of such information should be credited to a special bank account of the National Association of Self-Regulatory Organizations, the member of which was self-regulatory organization, and can only be used to exercise you fees in connection with the occurrence of a joint or subsidiary liability of a self-regulating organization for the obligations of members of such an organization, arising in the cases provided for by Articles 60 and 60.1 of this Code, respectively.

15. The national association of self-regulatory organizations is obliged to allocate the funds of the compensation funds of the self-regulatory organization specified in paragraph 14 of this article in accordance with the requirements established by Article 55.16-1 of this Code.

16. An individual entrepreneur or legal entity in the event of the exclusion of information about a self-regulating organization of which they were members, from the state register of self-regulating organizations and making such an individual entrepreneur or such legal entity a member of another self-regulating organization, has the right to apply to the appropriate National Association of self-regulating organizations with a statement about the transfer of enrolled to the account of such a National Association of Self-Regulatory Organizations in the compensation fund (compensation funds) at the expense of the self-regulatory organization to which the decision on the admission of an individual entrepreneur or legal entity as a member of a self-regulatory organization.

17. The procedure for interaction between the National Association of self-regulating organizations and self-regulating organizations in the cases provided for in paragraphs 14 and 16 of this article shall be established by the federal executive body responsible for developing and implementing state policy and legal regulation in the field of construction, architecture and urban planning.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC RF Article 55.16-1. Placing funds of the compensation fund for compensation for harm and the compensation fund for securing the contractual obligations of the self-regulating organization in credit institutions**

(introduced by the Federal Law of 03.07.2016 N 372-FZ)

1. The funds of the compensation fund for compensation for harm and the compensation fund for securing the contractual obligations of the self-regulating organization are placed on special bank accounts opened with Russian credit institutions that meet the requirements established by the Government of the Russian Federation.

"" 2. A credit institution specified in paragraph 1 of this article, in the manner prescribed by the banking rules and the special bank account agreement, opens for the self-regulating organization special bank accounts in accordance with the Civil Code of the Russian Federation and taking into account the features established by this Code. A special bank account is opened separately for the placement of funds from the compensation fund for compensation for harm, funds from the compensation fund for securing contractual obligations. Special bank account agreements are perpetual.

3. Funds of the compensation fund for compensation for harm and funds of the compensation fund for securing contractual obligations deposited into special bank accounts are used for the purposes and in the cases specified in paragraphs 4 and 5 of article 55.16 of this Code.

4. A credit institution is obliged to carry out operations on special bank accounts in which funds of compensatory funds of a self-regulating organization are placed, in accordance with the requirements of paragraphs 4 and 5 of article 55.16 of this Code. Other operations on special bank accounts are not allowed. Upon receipt from the supervisory authority of self-regulatory organizations of a notice of deletion of information about a self-regulating organization from the state register of self-regulating organizations, the credit organization is obliged to suspend operations on special bank accounts where funds of compensation funds of such self-regulating organization are placed.

5. Accounting for the compensation fund of harm compensation and the funds of the compensation fund for securing contractual obligations is maintained by a self-regulating organization separately from recording other property of such an organization. The compensation funds of the self-regulating organization cannot be levied on the obligations of the self-regulating organization, except for the cases provided for by paragraphs 4 and 5 of Article 55.16 of this Code, and such funds are not included in the bankruptcy weight if the self-regulating organization is declared insolvent (bankrupt).

6. The rights to the funds of compensation funds of a self-regulating organization, placed on special bank accounts, belong to the account holder. If a self-regulating organization is excluded from the state register of self-regulating organizations, the rights to the means of the compensation fund for compensation of harm and the compensation fund for securing contractual obligations are transferred to the National Association of self-regulating organizations, of which the self-regulating organization was a member. In this case, the credit institution, at the request of such a National Association of self-regulatory organizations, sent in the manner and form established by the Government of the Russian Federation, transfers the funds of the compensation fund (compensation funds) of such a non-profit organization to a special bank account (s) of such a National Association of self-regulating organizations.

"" 7. One of the essential conditions of a special bank account agreement is the consent of a self-regulating organization to provide a credit institution in which a special bank account is opened, at the request of the supervisory authority of self-regulating organizations,

information about payments from the funds of the compensation fund (compensation funds) of the self-regulating organization account (s), as well as the means of the compensation fund of the self-regulatory organization, placed in deposits and other financial assets of self-regulatory organizations, in the form established by the Bank of Russia.

8. The funds of the compensation fund for compensation for harm in order to preserve and increase their size are placed and (or) invested in the manner and on the conditions established by the Government of the Russian Federation. Placement and (or) investment of compensation fund funds for compensation for damage to a self-regulating organization shall be carried out taking into account the enforcement of the obligations of the self-regulating organization in accordance with paragraph 10 of this article.

9. In the cases, the procedure and on the terms established by the Government of the Russian Federation, the funds of the compensation fund for compensating damage to a self-regulating organization may be transferred into trust management of a management company that has a license to carry out securities management activities or a license to manage investment funds, mutual investment funds and non-state pension funds.

10. If it is necessary to make payments from the compensation compensation fund or from the compensation fund for securing contractual obligations, the repayment of funds from the assets indicated in this article shall not exceed ten working days from the time the need arises.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.17. Keeping a register of members of a self-regulatory organization**

1. A self-regulating organization must maintain a register of members of the self-regulating organization. Such a register may be maintained as part of a unified register of members of self-regulating organizations, provided that the self-regulating organization of such a register of members of a self-regulating organization is posted on its Internet site.

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

"" 2. Along with the information provided for by the Federal Law of December 1, 2007 N 315-FZ "On Self-Regulatory Organizations", the following information should be included in relation to each of its members in the register of members of a self-regulatory organization:

(as amended by the Federal Law of 07.06.2013 N 113-FZ)

(see the text in the previous "edition")

1) has expired. - Federal law of 07.06.2013 N 113-FZ;

(see the text in the previous "edition")

"" 2) information on the right of a member of the self-regulatory organization to carry out engineering surveys accordingly, prepare project documentation, build, reconstruct, overhaul, demolish capital construction objects under a contract for engineering surveys, prepare project documentation, under a construction contract, under a contract for the implementation of demolition, concluded using competitive methods of concluding contracts;

(as amended by Federal Law of 07/03/2016 N 372-FZ, of 08/03/2018 N 340-FZ)

(see the text in the previous "edition")

3) expired on July 1, 2017. - Federal Law of 03.07.2016 N 372-FZ;

(see the text in the previous "edition")

4) information on the level of responsibility of a member of the self-regulating organization for obligations under the contract for the performance of engineering surveys, preparation of project documentation, under the construction contract, under the contract for demolition, in accordance with which the said member contributed to the compensation fund for compensation for harm;

(clause 4 was introduced by the Federal Law of 03.07.2016 N 372-FZ; as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

5) information about the level of responsibility of a member of the self-regulating organization

for obligations under the contract for the performance of engineering surveys, preparation of project documentation, for construction contracts, for contract for the demolition, concluded using competitive methods for concluding contracts, in accordance with which the said member is entered contribution to the compensation fund to secure contractual obligations. (Clause 5 was introduced by the Federal Law of 03.07.2016 N 372-FZ; as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3. On the day of the entry into force of the decision of the self-regulatory organization on the admission of an individual entrepreneur or legal entity as a member of a self-regulating organization, the self-regulating organization places such a decision on its Internet site, enters the registry of members of the self-regulating organization about the admission of an individual entrepreneur or legal entity to members of the self-regulatory organization, sends to the National Association of Self-Regulatory Organizations, of which it is a member, a notification of decision. If a different decision is taken on a member of a self-regulating organization, the self-regulating organization on the day of such a decision places such a decision on its website on the Internet, enters the register of members of the self-regulating organization with relevant information regarding such member of the self-regulating organization or makes changes to the information contained in the specified register, and sends to the appropriate National Association of self-regulatory organizations a notification of the decision.

(part 3 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

"" 3.1. A self-regulating organization on the day it receives an application from a member of a self-regulating organization to voluntarily terminate its membership in this organization shall enter information on the termination of membership of an individual entrepreneur or legal entity in the self-regulating organization to the register of members of the self-regulating organization and within three days from the date of receipt of the application on paper or on the same day, if received in the form of an electronic document (package of electronic documents), sends The existing National Association of self-regulatory organizations is notified of this.

(Part 3.1 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

3.2. Notifications about admission of an individual entrepreneur or legal entity to a self-regulatory organization, changes in the register of members of a self-regulatory organization, termination of membership of an individual entrepreneur or legal entity in a self-regulatory organization can be sent to the appropriate National Association of self-regulating organizations on paper or in the form of electronic documents (package of electronic documents), signed by a self-regulatory organization using Silenus qualified electronic signatures.

(Part 3.2 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

4. A self-regulating organization is obliged to provide, at the request of the interested person, an extract from the register of members of the self-regulating organization within a period of not more than three working days from the date of receipt of the said request. Validity of an extract from the register of members of a self-regulatory organization is one month from the date of its issuance.

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

5. The form of an extract from the register of members of a self-regulatory organization shall be established by the supervisory authority of the self-regulatory organizations.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

"" **RFC RF Article 55.18. Maintaining a state register of self-regulatory organizations**

1. The maintenance of the state register of self-regulatory organizations is carried out by the supervisory authority of the self-regulatory organizations.
2. The following information is entered into the state register of self-regulatory organizations with respect to each self-regulatory organization:
  - 1) the name, address (location) and contact phone number of the self-regulatory organization;
  - 2) type of self-regulatory organization;
  - 43) has expired. - Federal Law of 03.07.2016 N 372-FZ;  
(see the text in the previous "edition")
  - 4) information on the size of the compensation fund formed by the self-regulating organization for securing contractual obligations at the date of the inclusion of such information in the register;  
(Clause 4 as amended by the Federal Law of 03.07.2016 N 372-FZ)  
(see the text in the previous "edition")
  - 5) information on the size of the compensation fund for compensation for harm created by the self-regulating organization at the date of the inclusion in the register of such information;  
(Clause 5 as amended by the Federal Law of 03.07.2016 N 372-FZ)  
(see the text in the previous "edition")
  - 6) information on documents (their details) developed and approved by the self-regulatory organization in accordance with paragraphs 1 and 4 of Article 55.5 of this Code.  
(p. 6 as amended by the Federal Law of 03.07.2016 N 372-FZ)  
(see the text in the previous "edition")
3. Information contained in the state register of self-regulatory organizations shall be posted on the official website of the supervisory authority of self-regulatory organizations on the Internet and should be available for review at no charge.
4. Entering into the state register of self-regulating organizations the information on the self-regulating organization provided for in part 2 of this article, excluding such information from the state register of self-regulating organizations shall be carried out by the supervisory authority of the self-regulating organizations, respectively, within thirty days from the day the self-regulating organizations submit the relevant conclusion ) the documents established by this Code, with the exception of the case It refers to part 6 of this article.  
(as amended by Federal Laws dated 11.24.2014 N 359-FZ, dated July 3, 2016 N 372-FZ)  
(see the text in the previous "edition")
  - 4.1. Within three days from the date of entering information about a self-regulating organization into the state register of self-regulating organizations or deleting information about such an organization from the state register of self-regulating organizations, the supervisory authority for self-regulating organizations sends a notice of this on paper or in the form of an electronic document to the appropriate National Association of self-regulating organizations in the case of exclusion of information about a self-regulating organization from the state register with The organizations are also regulated in a credit organization in which the funds of the compensation fund (compensation funds) of such a self-regulatory organization are placed.  
(Part 4.1 was introduced by the Federal Law of 07/27/2010 N 240-FZ, in the edition of the Federal Laws of 22.10.2014 N 320-FZ, of 13.07.2015 N 263-FZ, of 03.07.2016 N 372-FZ)  
(see the text in the previous "edition")
5. A self-regulating organization sends to the supervisory authority of self-regulating organizations a notice on paper or in the form of electronic documents (package of electronic documents), signed by the self-regulating organization using enhanced qualified electronic signature, on approval or amendment of documents specified in paragraphs 1 and 4 of article 55.5 of this Code , and the information provided by paragraphs 4 - 6 of part 2 of this article, with the attachment of the relevant documents. Within ten working days from the date of receipt of the said notification, the supervisory authority for self-regulatory organizations makes appropriate changes to the state register of self-regulatory organizations and sends a notification to the self-regulating organization about entering information into the state register of self-regulating organizations or sends a notification about the refusal to make changes to the state register of self-regulating organizations indicating the reasons for failure.



Entering information into the state register of self-regulatory organizations can be refused only if the documents of the self-regulatory organization, changes to such documents that have been received by the supervisory body of the self-regulatory organizations, do not meet the requirements provided for in Article 55.5 of this Code.

(Part 5 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

5.1. Lose force. - Federal law of 03.07.2016 N 372-FZ.

(see the text in the previous "edition")

6. A self-regulating organization is obliged to send a notice on paper or in the form of electronic documents (package of electronic documents), signed by the self-regulating organization with the use of enhanced qualified electronic signature, about the change of information specified in paragraphs 1 and 2 of part 2 of this article to the relevant National Association self-regulatory organizations and at the same time submit documents confirming these changes. Within three working days from the date of receipt of these notifications and documents, the National Association of self-regulatory organizations sends them, in the form in which they were presented by the self-regulatory organization, to the supervisory body of the self-regulatory organizations, which within three working days from the date of their registration makes the appropriate changes to state register of self-regulatory organizations.

(part 6 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

7. Entering information into the state register of self-regulatory organizations, changing such information is carried out free of charge.

8. The procedure and method of maintaining the state register of self-regulatory organizations shall be determined by the federal executive body authorized to maintain the state register of self-regulatory organizations.

(part 8 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

9. The information contained in the state register of self-regulating organizations is provided at the request of interested parties in the form of extracts from the register within seven working days from the date of registration of the request for a fee, and at the request of state bodies and local governments without charge. The amount of payment for providing information from the state register of self-regulatory organizations in the form of extracts from the register shall be established by the federal executive body authorized by the Government of the Russian Federation.

(Part 9 is introduced by the Federal Law of 03.07.2016 N 372-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.19. State supervision of the activities of self-regulatory organizations**

(as amended by the Federal Law of July 18, 2011 N 242-FZ)

(see the text in the previous "edition")

1. State supervision of the activities of self-regulating organizations is carried out by the authorized federal executive body (hereinafter referred to as the body of supervision of self-regulating organizations) in accordance with Federal Law No. 294-FZ of December 26, 2008 on the Protection of the Rights of Legal Entities and Individual Entrepreneurs in the exercise of state control (supervision) and municipal control "taking into account the specifics of the organization and conduct of inspections established by this article.

2. The subject of verification is the observance by the self-regulating organization of the "requirements" for self-regulating organizations and their activities established by this Code and other federal laws.

"" 3. Routine inspection of the activity of a self-regulating organization is carried out in accordance with the plan approved by the supervisory authority of self-regulating organizations. This plan does not require coordination and is approved by the supervisory

authority of self-regulating organizations independently.  
(part 3 as amended by the Federal Law of 24.11.2014 N 359-FZ)  
(see the text in the previous "edition")

4. The basis for an unscheduled inspection is:

1) the expiration of the fulfillment by the self-regulating organization of an order issued by the supervisory authority of self-regulating organizations to eliminate the revealed violation of the requirements of the legislation of the Russian Federation;

2) admission to the supervisory authority of self-regulating organizations of appeals and statements of citizens, including individual entrepreneurs, legal entities, information from public authorities (officials of the supervisory authority of self-regulating organizations), local authorities, the relevant National Association of self-regulating organizations, from funds  
Mass media about the facts:

(as amended by the Federal Law of November 24, 2014 N 359-FZ)

(see the text in the previous "edition")

a) the self-regulatory organization and its officials commit actions (omissions) that violate the requirements of this Code, other federal laws and the rights of the members of the self-regulatory organization;

b) non-fulfillment by the self-regulating organization of obligations to compensate damage caused to third parties as a result of actions (inaction) of members of the self-regulating organization;

c) non-fulfillment or inadequate fulfillment by the self-regulating organization of the powers to control the activities of its members identified by the supervisory authority of the self-regulating organizations when considering documents submitted by the self-regulating organizations in accordance with the procedure established by the legislation of the Russian Federation;

3) the presence of the order (order) of the head (deputy head) of the supervisory body of self-regulatory organizations to conduct an unscheduled audit, issued in accordance with the instructions of the President of the Russian Federation or the Government of the Russian Federation, or on the basis of the requirement of the prosecutor to conduct an unscheduled inspection as part of materials and appeals received by the prosecution authorities.

5. In the event that self-regulatory organizations, provided for in paragraph 10 of article 55.20 of this Code, notify the relevant National Association of self-regulatory organizations, appeals and applications of citizens (including individual entrepreneurs), legal entities about violations committed by a self-regulating organization regarding the absence of a self-regulating organization, are received by the supervisory authority formed taking into account the provisions of Article 55.16 of this Code of the compensation fund for compensation of harm and (or) compensators fund for securing contractual obligations (if a self-regulating organization decides to form such a fund), failing to provide the self-regulating organization with access to information about its activities and activities of its members in accordance with this Code and other federal laws, the supervisory authority of self-regulating organizations is no later than within twenty days from the date of receipt of the said notice, appeals and applications must decide to conduct an unscheduled inspection of such self-regulatory organization or to refuse to conduct unscheduled inspections of such self-regulatory organization, stating the reasons of the decision and send the applicant a notice of the decision.

(Part 5 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

6. The duration of the inspection is not more than ten working days from the date of its commencement. In exceptional cases related to the need for complex and / or long-term research, testing, special examinations and investigations on the basis of motivated proposals of officials of the supervisory authority of self-regulatory organizations conducting the inspection, the period of the inspection can be extended by the head of such a body, but no more than ten working days.

7. Lost force. - Federal law of 11/24/2014 N 359-FZ.

(see the text in the previous "edition")

8. In accordance with the legislation of the Russian Federation on state control (supervision), a self-regulating organization is obliged to submit to the supervisory authority of self-regulating organizations, upon request, information and documents necessary for it to perform its functions, including a document (statement) of the credit organization in the form established by the Bank of Russia, containing information on the movement of funds of the compensation fund (compensation funds) of the self-regulatory organization placed on a special bank account (special bank accounts), as well as balances on such accounts, certified by the relevant credit institution.

(part 8 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

8.1. The national association of self-regulating organizations is obliged to provide the supervisory body of self-regulating organizations of its choice to carry out its functions with access to the unified register of members of self-regulating organizations in viewing mode without the possibility of deleting or editing information in it or provide, upon request, the necessary information from the specified registry.

(Part 8.1 was introduced by Federal Law of July 3, 2016 N 372-FZ)

9. In case of detection of violations specified in paragraph 5 of Article 55.2 of this Code, the supervisory authority of self-regulatory organizations shall issue an order to the self-regulatory organization to eliminate the violations detected.

(Part 9 was introduced by Federal Law of November 24, 2014 N 359-FZ)

10. In the case of non-fulfillment of the prescription specified in paragraph 9 of this Article, within the time limit established by it, the supervisory authority for self-regulating organizations has the right to apply to the appropriate National Association of self-regulating organizations in order to obtain the opinion of the National Association of Self-Regulatory Organizations within five working days from the date of expiration information about the self-regulatory organization from the state register of self-regulatory organizations or about the lack of vany to exclude information about the self-regulatory organization of the state register of self-regulatory organizations and sent to the respective national association of self-regulatory organizations necessary for the preparation of this opinion information.

(Part 10 is introduced by the Federal Law of November 24, 2014 N 359-FZ)

11. The national association of self-regulatory organizations within thirty days from the date of receipt of the information and information specified in part 10 of this article approves the conclusion about the possibility of excluding information on the self-regulating organization from the state register of self-regulating organizations or about the absence of grounds for excluding information on the self-regulating organization from the state register of self-regulating organizations, which is subject to direction on paper or in the form of an electronic document (p A copy of electronic documents), signed by the National Association of Self-Regulatory Organizations with the use of enhanced qualified electronic signature, to the supervisory authority of self-regulating organizations within five days from the date of its approval.

(Part 11 was introduced by the Federal Law of 24.11.2014 N 359-FZ; as amended by the Federal Law of 13.07.2015 N 263-FZ)

(see the text in the previous "edition")

12. When entering into the supervisory body of self-regulatory organizations the conclusion of the relevant National Association of self-regulatory organizations on the possibility of excluding information on the self-regulatory organization from the state register of self-regulatory organizations, prepared in accordance with part 11 of this article or part 11 of article 55.20 of this Code, the body of supervision of self-regulating organizations within thirty days from the date of receipt of the said conclusion shall have the right to take out of court pshenie to exclude information about the self-regulatory organization of the state register of self-regulatory organizations.

(Part 12 is introduced by Federal Law of November 24, 2014 N 359-FZ)

13. When entering into the supervisory body of self-regulatory organizations the conclusion of the relevant National Association of self-regulatory organizations about the absence of grounds for excluding information about the self-regulating organization from the state

register of self-regulating organizations, as well as if the decision to exclude the self-regulating organization from the state register of self-regulating organizations was not made within the period specified in paragraph 12 of this article, and in other periods provided for by federal laws In cases where the supervisory authority for self-regulatory organizations has the right to apply to the court with a request to exclude information about the self-regulatory organization from the state register of self-regulatory organizations.

(Part 13 is introduced by Federal Law of November 24, 2014 N 359-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

### **"" RFC of the RF Article 55.20. National associations of self-regulatory organizations**

1. National associations of self-regulatory organizations are all-Russian non-governmental non-profit organizations that unite self-regulatory organizations on the basis of compulsory membership, and are created in the form of an association (union).

(as amended by the Federal Law of November 24, 2014 N 359-FZ)

(see the text in the previous "edition")

2. National unions of self-regulating organizations of the following types are created:

1) the National Association of self-regulatory organizations based on the membership of persons performing engineering surveys and self-regulatory organizations based on the membership of persons carrying out the preparation of project documentation;

2) The national association of self-regulatory organizations based on the membership of construction workers.

(Part 2 as amended by the Federal Law of 22.10.2014 N 320-FZ)

(see the text in the previous "edition")

2.1. Only one National Association of self-regulating organizations based on the membership of persons performing engineering surveys and self-regulating organizations based on the membership of persons carrying out the preparation of project documentation and only one National Association of self-regulating organizations based on the membership of construction undertakings can be created.

(Part 2.1 as amended by the Federal Law of 22.10.2014 N 320-FZ)

(see the text in the previous "edition")

3. National associations of self-regulatory organizations are created in order to respect the public interests of self-regulatory organizations of relevant types, ensure representation and protect the interests of self-regulatory organizations of relevant types in government bodies, local governments, interaction of self-regulatory organizations and these bodies, consumers of building products.

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

4. National associations of self-regulating organizations are legal entities, have estimates, settlement and other accounts in banks in accordance with the legislation of the Russian Federation, stamp, stamps and forms with their names.

5. National associations of self-regulatory organizations are formed by the All-Russian Congress of self-regulatory organizations of the respective types.

5.1. A self-regulating organization is a member of the relevant National Association of self-regulating organizations from the day the information on such an organization is entered in the state register of self-regulating organizations. Within thirty days from the date of entering information about a self-regulating organization into the state register of self-regulating organizations, it is obliged to pay an entrance fee to the appropriate National Association of self-regulating organizations, as well as to make other contributions to the needs of the relevant National Association of self-regulating organizations in the manner and amount established by the All-Russian Congress self-regulatory organizations.

(Part 5.1 was introduced by the Federal Law of 07/27/2010 N 240-FZ, as amended by the Federal Law of 22.10.2014 N 320-FZ)

(see the text in the previous "edition")

"" 5.2. A self-regulating organization is excluded from the members of the respective National Association of self-regulating organizations in the event of exclusion of information about it from the state register of self-regulating organizations.

(Part 5.2 was introduced by the Federal Law of 07/27/2010 N 240-FZ, as amended by the Federal Law of 22.10.2014 N 320-FZ)

(see the text in the previous "edition")

"" 6. The statutes of the national associations of self-regulatory organizations are adopted by the All-Russian Congress of self-regulatory organizations of the respective types.

7. National associations of self-regulatory organizations are subject to state registration in accordance with the procedure established by Federal Law No. 129-FZ of August 8, 2001 "On State Registration of Legal Entities and Individual Entrepreneurs".

8. The main functions of the national associations of self-regulatory organizations are:

1) discussion of issues of state policy in the field of respectively engineering surveys, architectural and construction design, construction, reconstruction, major repairs, demolition of capital construction objects;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) representing the interests of self-regulating organizations of relevant types in the federal government bodies, government bodies of the constituent entities of the Russian Federation, and local self-government bodies;

3) the formation of proposals on the development of state policy in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul, demolition of capital construction facilities, respectively;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

4) protection of the interests of self-regulatory organizations of relevant types;

5) consideration of appeals, petitions, complaints of self-regulatory organizations of relevant types, as well as complaints of other persons on actions (inaction) of self-regulatory organizations of relevant types, on actions (inaction) of specialists in the organization of engineering surveys, specialists in the organization of architectural and construction design, specialists in the organization construction included in the national rosters of specialists (with the exception of complaints and other appeals of self-regulatory organizations);

(as amended by Federal Law of 07/27/2010 N 240-FZ, of 07/03/2016 N 372-FZ)

(see the text in the previous "edition")

6) placing funds of the compensation fund of a self-regulatory organization credited to the account of the respective National Association of self-regulating organizations, and making payments therefrom in accordance with this Code;

(clause 6 was introduced by Federal Law of 07/27/2010 N 240-FZ, as amended by the Federal Law of 22.10.2014 N 320-FZ)

(see the text in the previous "edition")

7) preparation and approval of conclusions on the possibility of entering information about self-regulatory organizations in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul, demolition of capital construction objects in the state register of self-regulating organizations, conclusions about the refusal to enter information about such self-regulating organizations to the state register of self-regulatory organizations, conclusions on the possibility of excluding information on the self-regulatory body zatsiyah from the state register of self-regulatory organizations, the conclusions of the absence of grounds for exclusion of data on self-regulating organizations from the state register of self-regulatory organizations;

(Clause 7 was introduced by Federal Law of November 24, 2014 N 359-FZ; as amended by Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

"" 8) maintaining a unified register of members of self-regulating organizations, the form of which is approved by the supervisory authority of self-regulating organizations in coordination with the federal executive body that performs the functions of developing and implementing

state policy and legal regulation in the field of construction, architecture, urban planning, and providing at the request of interested persons information from the specified registry; (clause 8 was introduced by Federal Law of November 24, 2014 No. 359-FZ; as amended by Federal Laws of July 3, 2016 No. 372-FZ, of July 26, 2017 No. 191-FZ) (see the text in the previous "edition")

9) interaction with self-regulating organizations, the supervisory body of self-regulating organizations in terms of receiving and transmitting information provided for by this Code; (clause 9 was introduced by Federal Law dated 11.24.2014 N 359-FZ)

10) development and approval of standards for the performance of works on engineering surveys, preparation of project documentation, construction, reconstruction, overhaul, demolition of capital construction objects; (clause 10 was introduced by the Federal Law of 03.07.2016 N 372-FZ; as amended by the Federal Law of 03.08.2018 N 340-FZ) (see the text in the previous "edition")

11) maintaining the national register of specialists in the field of engineering surveys and architectural construction planning, the national register of specialists in the field of construction. (clause 11 was introduced by Federal Law of 03.07.2016 N 372-FZ)

8.1. To perform their functions, national associations of self-regulatory organizations are entitled to send mandatory requests and notifications to self-regulated organizations. (Part 8.1 was introduced by Federal Law of November 24, 2014 N 359-FZ)

""9. National associations of self-regulatory organizations do not have the right to interfere in the activities of self-regulatory organizations, to restrict their activities, except in cases provided for by this Code.

(as amended by the Federal Law of 27.07.2010 N 240-FZ) (see the text in the previous "edition")

""ten. In the event that the National Association of self-regulatory organizations detects a violation provided for by paragraph 5 of Article 55.2 of this Code, other federal laws and is committed by the self-regulatory organization, the National Association of self-regulatory organizations shall send to such self-regulatory organization a mandatory notification of the violations found, containing a proposal for their elimination to this notice, and also sends a notice and copies of documents confirming the admission infringement, to the supervisory authority of self-regulatory organizations. Notification of violations found, as well as copies of documents confirming the violation, may be sent on paper or in the form of electronic documents (package of electronic documents), signed by the National Association of Self-Regulatory Organizations using the enhanced qualified electronic signature, to the self-regulating organization and the supervisory authority for self-regulatory organizations. (as amended by Federal Laws of November 24, 2014 No. 359-FZ, of July 13, 2015 No. 263-FZ) (see the text in the previous "edition")

11. In the event that a self-regulatory organization fails to comply with the proposal for eliminating a violation specified in paragraph 5 of article 55.2 of this Code contained in paragraph 10 of this article, the relevant National Association of self-regulating organizations approves the conclusion about the possibility of excluding information about the self-regulating organization from the state register of self-regulating organizations and sends the said opinion to paper carrier or in the form of an electronic document signed by National association of self-regulatory organizations, with a reinforced qualified electronic signatures, the supervisor of the self-regulatory organizations not later than five working days from the date of approval of this conclusion.

(Part 11 was introduced by the Federal Law of 24.11.2014 N 359-FZ; as amended by the Federal Law of 13.07.2015 N 263-FZ) (see the text in the previous "edition")

12. The information contained in the unified register of members of self-regulatory organizations shall be posted on the website of the corresponding National Association of Self-Regulatory Organizations on the Internet and should be available for review without charge. (Part 12 is introduced by the Federal Law of 03.07.2016 N 372-FZ)

""13. Provision of information contained in the unified register of members of self-regulatory organizations is carried out in the form of extracts from the register without charging at the request of interested parties within five working days from the date of receipt of the corresponding request to the National Association of self-regulating organizations. (Part 13 is introduced by the Federal Law of 03.07.2016 N 372-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

### "" RFC RF Clause 55.21. All-Russian Congress of Self-Regulatory Organizations

1. The supreme body of the National Association of Self-Regulatory Organizations is the All-Russian Congress of the respective self-regulating organizations (hereinafter also referred to as the Congress). The congress is convened at least once every two years. The congress is considered valid if representatives of at least two thirds of the self-regulating organizations registered in the territory of the Russian Federation take part in its work.

(as amended by the Federal Law dated 10.22.2014 N 320-FZ)

(see the text in the previous "edition")

2. Self-regulated organizations have equal rights and equal representation at the Congress. Each self-regulatory organization, regardless of the number of its representatives, has one vote when making decisions.

"" 3. All-Russian Congress of Self-Regulatory Organizations:

1) adopts the charter of the National Association of Self-Regulatory Organizations and approves the introduction of amendments thereto;

2) forms the composition of the Council of the National Association of self-regulatory organizations, including electing new members and terminating the powers of the members of the council to be replaced, in accordance with the procedure for updating (rotating) the council, decides on early termination of the powers of the council members;

2.1) elects the President of the National Association of Self-Regulatory Organizations;

(Clause 2.1 as amended by the Federal Law of 22.10.2014 N 320-FZ)

(see the text in the previous "edition")

3) determine the amount of deductions of self-regulatory organizations for the needs of the National Association of self-regulatory organizations based on the number and type of self-regulatory organizations;

4) approves the cost estimate for the maintenance of the National Association of self-regulatory organizations;

5) approves the reports of the Council of the National Association of Self-Regulatory Organizations, including the execution of the cost estimate for the maintenance of the National Association of Self-Regulatory Organizations;

6) elects members of the Audit Commission of the National Association of self-regulating organizations for a period of two years and approves the report of this Auditing Commission on the results of financial and economic activities of the National Association of Self-Regulatory Organizations;

7) approves the regulations of the Congress;

8) determine the location of the Council of the National Association of Self-Regulatory Organizations;

9) carries out other functions stipulated by the charter of the National Association of self-regulatory organizations.

4. Decisions on the election of the president of the National Association of self-regulating organizations, determining the amount of deductions from self-regulating organizations to the needs of the National Association of self-regulating organizations are considered adopted if more than half of the self-regulating organizations registered in the Russian Federation vote for such a decision.

(Part 4 was introduced by Federal Law dated 07.27.2010 N 240-FZ)

5. The President of the National Association of Self-Regulatory Organizations is elected for a term of four years and is its sole executive body. At the same time, the same person may not

occupy the position of the President of the National Association of Self-Regulatory Organizations for more than two terms in a row.  
(Part 5 is introduced by the Federal Law dated 10.22.2014 N 320-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC RF Article 55.21-1. Powers of the President of the National Association of Self-Regulatory Organizations**

(introduced by Federal Law of November 24, 2014 N 359-FZ)

President of the National Association of Self-Regulatory Organizations:

- 1) represents the National Association of self-regulatory organizations in government bodies, local governments, public associations, other Russian organizations and outside the Russian Federation;
- 2) convenes the All-Russian Congress of self-regulating organizations in cases stipulated by the charter of the National Association of self-regulating organizations;
- 3) manage the property of the National Association of self-regulating organizations in accordance with the estimates and with the purpose of the property;
- 4) approves the staffing of the staff of the National Association of Self-Regulatory Organizations;
- 5) performs other functions stipulated by the charter of the National Association of self-regulatory organizations.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC RF Article 55.22. Council of the National Association of Self-Regulatory Organizations**

1. The Council of the National Association of Self-Regulatory Organizations is a collegial executive body of the National Association of Self-Regulatory Organizations.
2. The Council of the National Association of Self-Regulatory Organizations is elected in an amount not more than thirty by the All-Russian Congress of Self-Regulatory Organizations by secret ballot and is subject to renewal (rotation) once every two years by one third in the manner prescribed by the charter of the National Self-Regulatory Organizations.
- 2.1. The Council of the National Association of Self-Regulatory Organizations includes the President of the National Association of Self-Regulatory Organizations.  
(Part 2.1 was introduced by Federal Law dated 07.27.2010 N 240-FZ)

**"" 3. Council of the National Association of Self-Regulatory Organizations:**

- 1) elect from among its members, on the proposal of the President of the National Association of Self-Regulating Organizations, one or several Vice-Presidents for a term of two years, determine their powers;

(Clause 1 as amended by the Federal Law of 27.07.2010 N 240-FZ)  
(see the text in the previous "edition")

- 2) has expired. - Federal Law of November 24, 2014 No. 359-FZ;  
(see the text in the previous "edition")

- 3) organizes information support of self-regulatory organizations;
- 4) carries out methodological activities;

5) convenes at least once every two years the All-Russian Congress of self-regulating organizations, forms its agenda;

- 6) has expired. - Federal Law of November 24, 2014 No. 359-FZ;  
(see the text in the previous "edition")

- 7) approves the rate of representation from self-regulating organizations for the Congress;
- 8) approves the regulations of the Council of the National Association of self-regulatory organizations;

(as amended by the Federal Law of November 24, 2014 N 359-FZ)  
(see the text in the previous "edition")



9) determine the amount of remuneration of the president and vice-presidents, other members of the Council of the National Association of Self-Regulatory Organizations, members of the Audit Commission within the budget approved by the Congress for the maintenance of the National Association of Self-Regulatory Organizations;

9.1) on the basis of a court decision, makes a decision on making payments in connection with the occurrence of responsibility of a self-regulating organization, information about which is excluded from the state register of self-regulating organizations and of which the compensation fund (compensation funds) is credited to the account (s) of the corresponding National Association of Self-Regulatory Organizations obligations of members of such an organization arising from:

a) causing harm in the cases provided for in Article 60 of this Code;

b) non-fulfillment or improper fulfillment of obligations under the contract for engineering surveys, preparation of project documentation, construction contract, contract for demolition, concluded with the developer, technical customer, person responsible for the operation of the building, structure, regional operator with using competitive methods of concluding contracts, in cases provided for in Article 60.1 of this Code;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

(Clause 9.1 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

9.2) approves the conclusions provided for in clause 8 of article 55.20, clause 7;

(clause 9.2 was introduced by Federal Law dated 11.24.2014 N 359-FZ)

10) performs other functions stipulated by the charter of the National Association of self-regulatory organizations.

4. In the event that the Council of the National Association of self-regulating organizations fails to fulfill the requirements of this Code, the powers of the Council of the National Association of self-regulating organizations may be terminated early at the All-Russian Congress of the self-regulating organizations. The Extraordinary All-Russian Congress of Self-Regulatory Organizations is convened by the Council of the National Association of Self-Regulatory Organizations at the request of one-third of the self-regulatory organizations registered in the Russian Federation.

5. Meetings of the Council of the National Association of Self-Regulatory Organizations are convened by the President of the National Association of Self-Regulatory Organizations as necessary, but not less than once every three months. The meeting is considered valid if it is attended by at least two thirds of the members of the Council of the National Association of Self-Regulatory Organizations.

6. Decisions of the Council of the National Association of Self-Regulatory Organizations are made by a simple majority vote of the members of the Council of the National Association of Self-Regulatory Organizations participating in its meeting.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.23. State control over the activities of national associations of self-regulatory organizations**

(introduced by the Federal Law of 27.07.2010 N 240-FZ)

1. State control over the activities of national associations of self-regulatory organizations is exercised by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, urban planning, through scheduled and unscheduled inspections, as well as in other forms of control provided for federal law.

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

2. Routine inspection of the activities of the National Association of self-regulating organizations is carried out in accordance with the plan approved by the federal executive

body specified in part 1 of this article. This plan does not require coordination and is approved by the federal executive body specified in part 1 of this article independently.

(Part 2 as amended by the Federal Law of November 24, 2014 N 359-FZ)

(see the text in the previous "edition")

3. An unscheduled audit of the activities of the National Association of self-regulating organizations may be carried out in order to monitor the implementation of regulations on the elimination of violations identified during scheduled inspections of its activities. The decision to conduct an unscheduled audit is also taken by the federal executive body specified in paragraph 1 of this article on the basis of statements by legal entities, individuals, statements by state authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, other state bodies, local governments of a violation by the National the union of self-regulatory organizations of the requirements established by this Code.

4. The subject of state control over the activities of national associations of self-regulatory organizations is their compliance with the requirements established by this Code.

5. In case of a violation by the National Association of self-regulating organizations of the requirements established by this Code, the federal executive body specified in paragraph 1 of this article sends to the National Association of self-regulating organizations, simultaneously with the act of identified violations, an order to eliminate them within a reasonable time. This order may be appealed by the National Association of Self-Regulatory Organizations to an arbitration court.

6. A national association of self-regulating organizations is required to submit to the federal executive body, specified in paragraph 1 of this article, upon request, information necessary for the exercise of its functions on paper or in the form of an electronic document signed by the national association of self-regulating organizations using a reinforced qualified electronic signature.

(as amended by the Federal Law of 13.07.2015 N 263-FZ)

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

### **"" RFC RF Clause 55.24. Requirements of the legislation of the Russian Federation to the operation of buildings**

1. Operation of buildings, structures should be carried out in accordance with their permitted use (purpose).

"" 2. Operation of a constructed, reconstructed building, structure is allowed after the developer has received permission to commission the object (except for the cases specified in part 3 of this article), as well as an act authorizing the operation of the building structure, in cases provided for by federal laws.

3. In the event that the construction, reconstruction of capital construction objects do not require the issuance of a construction permit, the operation of such objects is allowed after the completion of their construction, reconstruction.

4. In the case of a major overhaul of buildings, structures, the operation of such buildings and structures is allowed after the completion of their major overhaul.

5. The operation of buildings, structures, including the maintenance of roads, must be carried out in accordance with the requirements of technical regulations, project documentation, regulatory legal acts of the Russian Federation, regulatory legal acts of the constituent entities of the Russian Federation and municipal legal acts. If construction, reconstruction of buildings, structures in accordance with this Code does not require preparation of project documentation and (or) the issuance of building permits, the operation of such buildings and structures must be carried out in accordance with the requirements of technical regulations and regulatory legal acts of the Russian Federation, regulatory legal acts of the constituent entities of the Russian Federation and municipal legal acts.

6. In order to ensure the safety of buildings and structures during their operation, maintenance of buildings, structures, operational control, and maintenance of buildings and

structures should be provided.

7. Operational monitoring of the technical condition of buildings, structures is carried out during the period of operation of such buildings, structures by conducting periodic inspections, inspections and (or) monitoring of the condition of bases, building structures, engineering systems and engineering networks in order to assess the state of structural and other characteristics of the reliability and safety of buildings, structures, engineering systems and engineering networks The treatment and compliance of these characteristics with the requirements of technical regulations, project documentation.

8. Maintenance of buildings, structures, maintenance of buildings, structures are carried out in order to ensure the proper technical condition of such buildings and structures. Under proper technical condition of buildings, structures are understood as maintaining the parameters of sustainability, reliability of buildings, structures, as well as the good condition of building structures, engineering systems, engineering networks, their elements in accordance with the requirements of technical regulations and project documentation.

9. Operational control is carried out by the person responsible for the operation of the building structure.

10. Features of the operation of certain types of buildings, structures may be established by federal "laws". Operation of apartment buildings is carried out taking into account the requirements of housing "legislation". The procedure for organizing the safe use and maintenance of elevators, lifting platforms for disabled people, passenger conveyors (moving walkways), escalators, with the exception of escalators in metros, is established by the Government of the Russian Federation.

(as amended by the Federal Law of 03.07.2016 N 371-FZ)

(see the text in the previous "edition")

11. In the event that a settlement or urban district arrives at a local government body at the location of buildings, structures, statements by individuals or legal entities about violation of the requirements of the legislation of the Russian Federation to the operation of buildings, structures, emergency situations in buildings, structures or the threat of destruction of buildings and structures local self-government, with the exception of cases if during the operation of buildings and structures state control (supervision) is exercised in accordance with the law deral laws, conduct inspections of buildings, structures in order to assess their technical condition and proper maintenance in accordance with the requirements of technical regulations for structural and other characteristics of reliability and safety of objects, the requirements of project documentation of these objects and send them to those responsible for the operation of buildings and structures, recommendations on measures to eliminate the violations found. The procedure for conducting this inspection is established by the representative body of the settlement, the urban district.

12. During the operation of buildings, structures, state control (supervision) is carried out in cases provided for by federal laws.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC RF Clause 55.25. Responsibilities of the person responsible for the operation of the building**

1. Unless otherwise provided by federal law, the person responsible for the operation of the building, structure is the owner of the building, structure or person who owns the building, structure on a different legal basis (on the basis of lease, economic management, operational management, etc.) if the relevant contract, decision of the state authority or local authority establishes the responsibility of such a person for the operation of the building, structure, or attracted by the owner or itsom in order to ensure safe operation of buildings, structures on the basis of a contract person or entity.

2. In the event that the number of owners of a building, the structure is two or more, decisions on the maintenance of the building, the structure in order to ensure the safe operation of the building, the structure shall be made by agreement of all such owners. If the number of

owners of a building, structure exceeds five, decisions on the maintenance of the building, structure in order to ensure the safe operation of the building, structure, including the involvement of an individual or legal entity on the basis of an agreement to ensure the safe operation of the building, structure, are made at the general meeting of such owners.

3. In the case of attracting for the purpose of ensuring the safe operation of a building, structure on the basis of an agreement of a natural or legal person, the owner of a building, structure or person owning a building or structure on a different legal basis must transfer to this person the results of engineering surveys, design documentation structures, engineering systems and engineering networks, buildings, structures, other necessary for the operation of the building, eniya documentation.

4. The frequency, composition of maintenance work to be carried out, maintaining the proper technical condition of buildings, structures (including necessary observations, inspections) should be determined in accordance with the project documentation, the results of monitoring the technical condition of buildings, structures for each building individually, based on from the conditions of their construction, reconstruction, overhaul and operation.

5. Unless otherwise provided by federal law, the person responsible for the operation of a building or structure must keep a log of the operation of the building or structure, which includes information on the dates and results of the inspections, inspections and / or monitoring of the foundations of the building, structure, building structures, engineering networks and engineering systems, their elements, on the work performed on the maintenance of the building, structure, on the maintenance of the building, weapons, the dates and the content of the instructions issued by the authorized executive bodies on the elimination of violations identified during the operation of the building, the structure, the information on the elimination of these violations.

6. The form of the magazine for the operation of the building, the structure and the requirements for maintaining such a journal are established by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, city planning, and other authorized federal executive bodies in accordance with their competence .

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

7. The person responsible for the operation of the building, structure, is obliged to notify during the operation of the building, structure of each case of emergency situations in the building, structure:

- 1) state control (supervision) bodies in the event that the state control (supervision) is exercised over the operation of a building or structure in accordance with federal laws;
- 2) local governments, with the exception of the cases specified in clause 1 of this part;
- 3) the owner of a building, structure, or a person who owns a building, structure on a different legal basis, if the person responsible for the operation of the building, structure is an individual or legal entity engaged on the basis of an agreement.

8. In case of a change of the person responsible for the operation of the building, structure, the person who was responsible for the operation of the building, the structure is obliged to transfer to the new person responsible for the operation of the building, the structure, within ten days, the log of the building, structure, issued by the authorized bodies the executive power of the order on the elimination of violations identified during the operation of the building, the construction of violations, acts of verification of compliance with the specified instructions by the authorized bodies of the executive power, komendatsii local authority made in accordance with paragraph 11 of Article 55.24 of this Code, other documents confirming the performance of maintenance, operational control, maintenance of buildings, structures.

9. The person responsible for the operation of the building, structure, structure (with the exception of owners and (or) other legal owners of premises in apartment buildings, land plots under which are not formed or formed on the borders of such houses), must take part, including financial , in the maintenance of adjacent territories in cases and in the manner determined by the rules for the improvement of the territory of the municipality.

(Part 9 was introduced by Federal Law of December 29, 2017 N 463-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**ГПК the Russian Federation Article 55.26. Suspension and termination of buildings**

1. Unless otherwise provided by federal law, in cases of violation during the operation of buildings, structures of the requirements of technical regulations, design documentation, the operation of buildings and structures may be suspended in the manner established by the "legislation" of the Russian Federation.
2. The operation of buildings and structures ceases after their decommissioning, if provided for by federal laws, as well as in the event of accidental death, demolition of buildings and structures.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**ГК РФ of the RF Article 55.27. Agreement on the development of the territory for the construction and operation of a socially hired house, an agreement on the development of the territory for the construction and operation of a commercially hired house**

1. An agreement on the development of a territory for the construction and operation of a social rental house or an agreement on the development of a territory for the construction and operation of a commercial rental house (hereinafter referred to as the agreement) provides for the construction and subsequent operation of a building (apartment building or residential building of a blocked building, or an individual housing construction facility), in respect of which the contract specified in accordance with the housing legislation establishes a price for use as a social rental house or a commercial use hired house, as well as the provision of residential premises in a social use hired house under contracts for renting residential premises for social use housing and under contracts for renting residential premises in accordance with housing legislation, civil law and established contract requirements or the provision of residential premises in a rented house of commercial use under contracts for the employment of residential premises scheny in accordance with civil law.
2. The contract is concluded by the executive state body or local government body authorized to provide land in state or municipal ownership for the development of the territory for the construction and operation of a socially rented house or for the development of a territory for the construction and operation of a commercially rented house, with the winner of the auction for the right to conclude a contract or with a person who has the right to conclude an agreement in accordance with sponds with the parts 26 - 29 article 55.28 of the Code (hereinafter - the person who has concluded a contract).
3. Under the contract, one party - the person who has entered into the contract, undertakes to fulfill, within the period established by the contract, on its own and at its own expense and (or) with the involvement of other persons and (or) funds of other persons, obligations specified in clauses 3, 5 - 7, part 4 of this article, and the other party - the executive body of state power or the local self-government body undertakes to fulfill the obligation provided for by clause 8 of part 4 of this article.
4. The contract contains:
  - 1) the purpose of using the building to be constructed and operated in accordance with the contract, as a social rental house or a commercial use rental house and the type of such a building (apartment building, or residential building of a blocked building, or individual housing construction);
  - 2) information about the land plot provided to the person who has entered into a contract for the development of the territory for the purpose of building and operating a socially rented house or for the development of a territory for the purpose of building and operating a commercially hired house;
  - 3) the obligation of the person who entered into the contract to ensure the construction on the land plot of the building specified in clause 1 of this part, and to put it into operation, the

maximum term for fulfilling this obligation, which may not exceed three years from the date of the conclusion of the contract;

4) the maximum proportion of the total area of non-residential premises in an apartment building, with the exception of common areas, in the total area of all residential and non-residential premises in such a house, if the contract provides for the construction and operation of an apartment building;

5) the obligation of the person who has entered into the contract to carry out the measures for the improvement of the land plot specified in paragraph 2 of this part, including landscaping, provided for by the contract within the period specified by the agreement in accordance with paragraph 3 of this part;

6) the obligation of the person who has entered into the contract to ensure operation during the term of the contract of the building constructed on the land plot with due regard for the requirements established by Chapter 6.2 of this Code;

7) the obligation of the person who has entered into an agreement on the development of the territory for the purpose of construction and operation of a socially hired house to ensure the provision of residential premises in such a house under rental contracts for residential premises of the socially used housing in accordance with housing legislation and established by the agreement in accordance with paragraph 5 6 of this article, the requirements and contracts for renting residential premises in accordance with civil law or the obligation of the person who entered into the contract on the development of land for the construction and exploitation of wage-commercial use at home, to ensure the provision of premises in such a house under a lease of premises in accordance with the civil law;

8) the obligation of the executive body of state power or the local self-government body that concluded the contract to ensure on their own and at their own expense and (or) with the involvement of other persons and (or) funds of other persons the implementation of measures necessary to connect (technological connection) to the engineering networks technical maintenance of a building constructed in accordance with clause 3 of this part, the maximum term for fulfilling this obligation, which may not exceed the period established in accordance with clause 3 n this part;

9) the grounds and procedure for changing the purpose of using the building constructed in accordance with the contract as a social rental house or a commercial use rental house and ceasing to use this building as a rental house;

10) the requirements for compensation and the conditions for compensation, including the form and amount of compensation, by the person who entered into the contract of losses in the form of lost profits from the provision of land for the development of the territory for the purposes of construction and operation a hired house of commercial use or for the purpose of construction and operation of a hired house of social use in the event of termination of the use of the building as a hired house before the expiration of the term ora, and also if the contract provides for the construction and operation of a social rental house, in case of a change in the purpose of using the building as a social rental house (a social use rental house becomes a commercial use rental house) before the contract expires;

11) the methods and amount of the enforcement of obligations arising from the contract;

12) the term of the contract, which can be set for not less than twenty and not more than forty-nine years;

13) the responsibility of the parties to the contract for its failure to perform or improper performance.

5. The contract for the development of the territory for the purpose of construction and operation of a socially hired house establishes that the amount of payment for hiring a dwelling in such a house under a contract for hiring a dwelling of a dwelling fund of social use per one square meter of total living space may not exceed:

1) the maximum amount of payment for renting a dwelling indicated in the notice of holding an auction for the right to conclude this contract, if the auction was conducted in accordance with clause 1 of part 6 of Article 55.28 of this Code, or the amount of payment for hiring a dwelling indicated in the results report auction for the right to conclude this contract, or in the cases provided for by Parts 26 to 28 of Article 55.28 of this Code, the starting price of the

auction, if the auction was conducted in accordance with paragraph 2 of Part 5 of Article 55.28 of this Code, the conclusion of a contract of renting housing for social use housing during the first year after the date of putting the social rental house into operation;

2) the amount of the rent for the dwelling specified in clause 1 of this part, taking into account its annual indexation in accordance with the procedure established by the Government of the Russian Federation for establishing, changing and annual indexing the rent for dwelling premises under the employment contracts of the dwellings of the social housing fund conclusion of a contract for renting residential premises for social use housing after one year after the date of putting the socially hired house into operation, if The rental rate for renting residential premises, taking into account annual indexation, does not exceed the maximum fee established for the use of residential premises in accordance with housing legislation under rental agreements for residential premises of social housing;

3) established in accordance with the housing legislation the maximum amount of payment for renting residential premises under contracts for renting residential premises for social use housing when concluding an agreement for renting residential premises for social use housing after one year from the date of commissioning of a social use home if specified in paragraph 2 of this part, the fee for renting residential premises, taking into account annual indexation, exceeds the amount established in accordance with the housing konodatelstvom maximum amount of rent for residential premises under a lease of premises of the housing stock for social use.

6. The contract for the development of the territory for the purpose of construction and operation of a socially hired house establishes the minimum share of dwellings to be provided under employment contracts for residential premises of social use housing in the total number of dwellings in such a house and the minimum share of the total area of such dwellings in the total area of all residential premises in such a house that cannot be set at less than fifty percent. An agreement on the development of a territory for the purpose of building and operating a hired social-use house may provide for the provision of all residential premises in such a house under contracts for the lease of residential premises of a social-use housing fund.

7. An agreement on the development of a territory for the purpose of construction and operation of a socially rented house may contain the forms, sizes, terms and conditions for providing state, municipal and / or other support for the creation, operation of such a house, established in accordance with housing legislation. If the contract for the development of a territory for the purpose of building and operating a socially hired house provides for the provision of state and (or) municipal support, the agreement should contain a condition for the reimbursement of this support in full if the purpose of using the building as a socially hired house is changed ( social use becomes a mercenary home for commercial use) or ceases to use the building as a mercenary home before the expiration term of the contract, the conditions for determining the amount of interest and (or) other payments in connection with the reimbursement of support and the form of reimbursement of this support.

8. Upon expiration of the contract, the obligations of the person who entered into the contract regarding the ownership, use and disposal of the premises in the rental house, which is the residential house and land plot on which the house is located, as well as changing the purpose of using the building as a rental house social use or commercial use of a hired house, the termination of the use of the building as a hired house is determined by the legislation of the Russian Federation.

9. The contract is terminated on the grounds provided for by civil law, as well as in the case specified in paragraph 10 of this article.

10. The contract is terminated in case of a change in the purpose of using the building constructed in accordance with the contract as a social rental house or a commercial use hired house or stopping the use of the building as a rental house in accordance with the housing legislation on the grounds and in the manner established by the contract.

11. In the event of termination of the contract due to a change in the purpose of using the building constructed in accordance with the contract as a hired social house, which becomes a hired commercial use home, or as a hired commercial use home that becomes a hired social use home, the parties to the specified agreement conclude an agreement on land development

for the construction and operation of a hired house, providing for a different purpose of using such a building.

12. In the event of termination of the contract in connection with the termination of the use of a building constructed in accordance with the contract as a hired house, possession, use and disposal of such a building, its premises and the land plot on which such a building is located, are determined by the legislation of the Russian Federation.

13. The transfer of rights and obligations under the agreement on the development of the territory for the purpose of construction and operation of a hired house of commercial use by a person who has entered into this agreement is allowed by agreement of the parties to this agreement to a person who meets the requirements established by paragraph 1 or 3 of Article 55.29 of this Code. The transfer of rights and obligations under an agreement on the development of a territory for the purpose of building and operating a socially hired house by a person who has entered into an agreement is allowed to a person who meets the requirements established by paragraph 2 or 4 of article 55.29 of this Code, if there is agreement in writing to the executive government body or local government that have entered into this agreement.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**GrK RF Article 55.28. Procedure for organizing and conducting auctions for the right to conclude an agreement on the development of a territory for the purpose of construction and operation of a hired house for commercial use, an agreement on the development of a territory for the purpose of construction and operation of a hired house for social use**

1. The decision to hold an auction for the right to conclude an agreement on the development of a territory for the purpose of construction and operation of a hired house of commercial use, an agreement on the development of a territory for the purpose of construction and operation of a hired house of social use (hereinafter also referred to as an auction) is taken by the executive body of state or local authority self-government authorized to enter into these contracts in accordance with this Code.

2. The auction organizer, along with those specified in paragraph 1 of this article, the executive body of state power, the body of local self-government may be a specialized organization acting on the basis of an agreement with these bodies.

3. Participants in the auction for the right to conclude an agreement on the development of a territory for the purpose of construction and operation of a commercially hired house may be persons who meet the requirements specified in paragraph 1 or 3 of Article 55.29 of this Code.

4. Participants in the auction for the right to conclude an agreement on the development of a territory for the purpose of building and operating a socially hired house may be legal entities that meet the requirements specified in Part 2 or 4 of Article 55.29 of this Code.

5. The auction for the right to conclude an agreement on the development of the territory for the purpose of building and operating a commercial rental house is carried out by increasing the initial price of the auction item (prices for the right to conclude this contract) indicated in the notice of the auction, by an "auction step".

6. The executive state authority or local government that made the decision to hold an auction for the right to conclude an agreement on the development of a territory for the purpose of building and operating a socially rented house uses one of the ways to conduct this auction:

1) by increasing the initial price of the subject of the auction (the price for the right to conclude this contract) indicated in the notice of the auction, by the "auction step";

2) by reducing the initial price of the subject of the auction (the amount of payment for renting residential premises in a social use hired house under rental agreements for residential premises of the social housing fund per one square meter of the total area of residential premises) specified in the notice of the auction, to " auction pitch ".

7. The initial price of the subject of the auction specified in Part 5 and Clause 1 of Part 6 of this Article is determined in the manner prescribed by the regulatory legal act of the subject of the Russian Federation. The initial price of the subject of the auction specified in clause 2 of part 6 of this article may not exceed the maximum fee for renting residential premises



established in accordance with housing legislation under rental agreements for residential premises of social use housing.

8. The executive body of state power, the local government body specified in paragraph 1 of this article, determine the initial price of the subject of the auction, the terms of the contract for the development of the territory for the construction and operation of a socially rented house or the agreement for the development of the territory for the construction and operation of the rented commercial use. These executive state bodies and local governments have the right to establish the requirement to secure an application for participation in an auction and to provide as a way of such security making a deposit for participation in the auction specified in Part 5 and Clause 1 of Part 6 of this Article, or depositing funds to ensure applications for participation in the auction specified in clause 2 of part 6 of this article, as well as the amount of this deposit or this security in cash.

9. The auction organizer shall set the time, place and procedure for holding the auction, the form and deadlines for submitting applications for participation in the auction, the amount of raising or lowering the initial price of the auction item ("auction step"). The "auction step" is set within three percent of the initial price of the auction item.

10. The notice of the auction should contain information:

1) about the subject of the auction;

2) on the method of holding an auction in accordance with paragraph 6 of this article in the event of an auction for the right to conclude an agreement on the development of a territory for the purpose of building and operating a socially rented house;

3) a land plot provided for the development of a territory for the purpose of building and operating a socially hired house or for developing a territory for the purpose of building and operating a hired commercial house;

4) on the executive body of state power or the body of local self-government that made the decision to hold an auction, and on the details of this decision;

5) about the organizer of the auction;

6) the place, date, time and order of the auction;

7) the type of building (apartment building or residential building of a blocked building, or individual housing construction) to be built and operated in accordance with the contract, the right to conclude which is subject to auction;

8) on the minimum share of residential premises to be provided under contracts for renting residential premises of social use housing, in the total number of residential premises in a social rental house and the minimum share of the total area of such residential premises in the total area of all residential premises in a given house or on the condition the provision of all residential premises in a social use hired house under rental agreements for residential premises of a social use housing fund in the event of an auction for the right to conclude eniya agreement on the development of land for the construction and exploitation of wage social use at home;

9) about the maximum amount of payment for renting residential premises in a social use hired house under a tenancy agreement for residential housing of social use per one square meter of the total area of residential premises, which may not exceed the maximum payment for rent established in accordance with housing legislation residential premises under rental agreements for residential premises of social use housing, in the event of an auction in accordance with clause 1 of part 6 of this article;

10) about the initial price of the subject of the auction;

11) about the "auction step";

12) on the form of the application for participation in the auction, the procedure for accepting applications, the address of the place of acceptance of applications, the dates and times of the beginning and end of receipt of applications for participation in the auction;

13) on the amount and procedure for depositing money as a deposit or providing money for an application for participation in the auction, bank details of the auction organizer's account for transferring said money, if the decision to hold an auction provides for a deposit or security for an application for participation in the auction in accordance with part 8 of this article;

14) on the requirements for the bidders in accordance with paragraph 3 or 4 of this article;

15) the amount of rent for the land;

16) on the existence of restrictions (encumbrances) established in respect of the land plot;

17) on the technical conditions of connection (technological connection) of the building, which will be built on the land plot, to the networks of engineering and technical support, the size of the connection charge (technological connection);

18) on the methods and amount of ensuring the fulfillment of obligations arising from the contract, the right to the conclusion of which is subject to auction.

11. The notice of the auction shall be posted by the organizer of the auction on the official website on the Internet at least thirty days before the day of the auction. This notice should be available for review to all interested parties without charge. The auction organizer also ensures the publication of the notice of the auction in the manner established for the official publication of municipal legal acts by the charter of the settlement, by the charter of the city okrug, at the location of the land plot specified in this notice at least thirty days before the day of the auction.

12. Mandatory attachments to the notice of the auction held on the official Internet site are:

1) a draft agreement on the development of a territory for the purpose of building and operating a socially rented house or an agreement on the development of a territory for the purpose of building and operating a hired commercial house;

2) a draft lease agreement for a land plot provided for the development of a territory for the purpose of building and operating a socially hired house or for developing a territory for the purpose of building and operating a hired commercial house;

3) the draft contract of connection (technological connection) constructed in accordance with the contract of the building to the networks of engineering and technical support.

13. The executive state body or local government body that made the decision to hold an auction has the right to decide to refuse to hold the auction no later than fifteen days before the day of the auction. Within three days from the date of this decision, the auction organizer places on the official website the Internet and publishes, in accordance with paragraph 11 of this article, a notice of refusal to hold an auction, and also notifies persons who have submitted applications for participation in the auction in the auction.

14. To participate in the auction, the applicants shall submit the following documents in the period specified in the notice of the auction:

1) an application for participation in the auction in the form specified in the notice of the auction. If there is a requirement to make a deposit to participate in the auction or to provide cash for the application for participation in the auction, the application must include the bank details of the account to return the money deposited as a deposit or cash security for the application for participation in the auction ;

2) documents confirming the payment of funds as a deposit or the provision of funds by the application for participation in the auction if the requirement is made to make a deposit for participation in the auction or to provide an application for participation in the auction with money;

3) the documents specified in paragraphs 7 and 8 of Article 55.29 of this Code.

15. The auction organizer is not entitled to require the submission of documents that are not listed in paragraph 14 of this article.

16. Accepting applications for participation in the auction ends no earlier than five days before the day of the auction. The application for participation in the auction, received after the deadline for receipt of applications, is returned to the applicant on the day of its receipt.

17. One applicant may submit only one application for participation in the auction.

18. The applicant has the right to withdraw the application for participation in the auction accepted by the auction organizer before the deadline for the receipt of applications, having notified the auction organizer in writing.

19. The applicant is not allowed to participate in the auction for the following reasons:

1) failure to provide the documents specified in accordance with paragraph 14 of this article, necessary for participation in the auction or the submission of false information;

2) non-receipt of funds as a deposit or provision of funds for the application for participation in the auction as of the date of consideration of applications for participation in the auction if the

requirement is made to make a deposit for participation in the auction or to provide cash for the application for participation in the auction;

3) filing an application for participation in the auction by a person who does not meet the requirements for the participants in the auction set forth in Article 55.29 of this Code.

20. Refusal of admission to participate in the auction on other grounds, except those specified in paragraph 19 of this article, is not allowed.

21. The auction organizer shall keep a record of consideration of applications for participation in the auction. The minutes of consideration of applications should contain information about the applicants admitted to the auction and recognized by the auction participants, the dates of submission of applications, cash made as deposit or cash back of applications for participation in the auction, if the decision to hold an auction established a deposit requirement or about the provision of cash in the application for participation in the auction, as well as information about the applicants who are not allowed to participate in the auction, indicating the reasons for refusal of admission to participate in it. An applicant, recognized as an auction participant, becomes an auction participant from the date of signing by the auction organizer of the application review protocol. The record of consideration of applications is signed by the auction organizer no later than one day from the date of their consideration and no later than the next day after the date of its signing is posted on the official website on the Internet.

22. Applicants recognized by the auction participants and applicants who are not allowed to participate in the auction are notified by the auction organizer about the decisions taken regarding them no later than the day following the date of signing the minutes of the consideration of applications for participation in the auction.

23. The auction winner is the auction participant who has proposed:

1) the highest price of the subject of the auction specified in paragraph 5 and clause 1 of part 6 of this article;

2) the lowest price of the subject of the auction specified in clause 2 of part 6 of this article.

24. The results of the auction are recorded in a protocol on the results of the auction, which is drawn up in the form of an electronic document. The protocol on the auction results, no later than one business day from the date of the auction, is signed by the auction organizer using the enhanced qualified electronic signature, sent to the auction winner and posted on the official Internet site. The protocol on the auction results shall include:

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

1) information about the place, date and time of the auction;

2) the subject of the auction;

3) information about the bidders, the initial price of the subject of the auction, the last and penultimate proposals on the price of the subject of the auction;

4) the name and location of the auction winner and the auction participant who made the penultimate offer on the price of the auction item.

25. The contract, the right to conclude of which was the subject of the auction, is concluded with the auction winner not earlier than ten days from the date of posting the protocol on the results of the auction on the official website on the Internet, but no later than thirty days from the date of its placement on conditions specified in the notice of the auction, at the price of the subject of the auction proposed by the auction winner.

26. In the event that at the end of the deadline for submission of applications for participation in an auction, only one application for participation in an auction is submitted or no applications for participation in an auction have been submitted, the auction is declared not held. If the only application for participation in the auction and the applicant who submitted such an application meet all the requirements and conditions of the auction specified in the notice of the auction, information about the compliance of the only application for participation in the auction and the applicant who submitted it to the conditions specified in the notice of the auction posted on the official website on the Internet within one working day from the date of its consideration. This applicant, no earlier than ten days from the date of posting this information on the official Internet site, but no later than thirty days from the date of its posting, has the right to conclude an agreement, the right to conclude of which was

subject to auction, and the executive body of state power or the local government that made the decision to hold an auction, are obliged to conclude this contract with this applicant on the conditions specified in the notice of the auction, at the initial price of the subject of the auction.

27. If, on the basis of the results of consideration of applications for participation in an auction, it has been decided to refuse admission of all applicants to the auction or to admit to participate in the auction and recognize only one applicant as an auction participant, the auction is deemed to have failed. If an auction is deemed to have failed and only one bidder is recognized as an auction participant, this auction participant no later than ten days from the date of posting on the official website on the Internet the application review protocol, but no later than thirty days from the date of its placement has the right the contract, the right to conclude of which was the subject of the auction, and the executive body of state power or the local government that made the decision to hold the auction, are obliged to conclude this contract with this by the auction on the conditions specified in the notice of the auction, at the initial price of the subject of the auction.

28. In the event that only one participant participated in the auction or none of the auction participants was present, or if after three times the proposal for the initial price of the auction item was announced, there was not a single offer for the price of the auction item, which provided the higher price of the subject of the auction specified in part 5 or clause 1 of part 6 of this article, or the lower price of the subject of the auction specified in clause 2 of part 6 of this article, the auction is declared not held. If an auction is declared not to have taken place due to the participation of a single participant in the auction, this participant is no earlier than ten days from the date of posting on the official website on the Internet of the protocol on the results of the auction, but no later than thirty days after the day of its placement has the right to conclude an agreement, the right to the conclusion of which was the subject of the auction, and the executive body of state power or the local government that made the decision to hold the auction, are obliged to conclude this an agreement with this auction participant on the conditions specified in the notice of the auction, at the initial price of the subject of the auction.

29. In case the auction winner declined to conclude a contract, the right to conclude of which was the subject of the auction, the executive body of state power or the local government that made the decision to hold the auction has the right to apply to the court with a claim for damages caused by the evasion of the auction winner from the conclusion of this contract, or to conclude this contract with the auction participant, who made the penultimate offer on the price of the auction item, not earlier than thirty days from d I am placing the report on results of the auction at the official site in a network "Internet", but not later than fifty days after its placement on the terms specified in the notice of the auction, the auction price of the object offered by this auction participant.

30. A contract for the development of a territory for the purpose of building and operating a commercial use hired house or a contract for developing a territory for the purpose of building and operating a socially hired house is concluded with the auction winner or another person entitled to conclude this contract in accordance with Parts 26-29. of this article, simultaneously with the conclusion of a lease agreement for a land plot that is in state or municipal ownership and specified in the notice of the auction on the right to conclude a relevant agreement.

31. Before concluding an agreement, the right to conclude which was the subject of the auction, the winner of the auction or the person entitled to conclude the agreement in accordance with paragraphs 26 to 29 of this article must provide security for the execution of the agreement in accordance with the requirement established in the notice of the auction.

32. When concluding a contract, the right to conclude of which was the subject of the auction, the amendment of the terms of the contract on the basis of the agreement of the parties to the contract or at the request of one of its parties is not allowed.

33. In the event that the decision to hold an auction provides for a requirement to make a deposit or to secure an application for participation in an auction in cash, the auction organizer is obliged to return the money contributed as a deposit or security in cash:

- 1) the applicant, not admitted to participate in the auction, within five working days from the date of posting the protocol for consideration of applications;
- 2) the applicant who has withdrawn his application for participation in the auction, within five working days from the date of registration of the withdrawal of the application. In this case, in the case of withdrawal of the application by the applicant later than the day of the deadline for receipt of applications, the specified funds are returned in the order established for the auction participants who did not win it;
- 3) to applicants within five working days from the date of the decision by the executive body of state power or the local government body to refuse to hold an auction;
- 4) auction participants who did not win it, within five working days from the date of signing the protocol on the results of the auction;
- 5) to persons entitled to conclude an agreement on the development of a territory for the purpose of construction and operation of a hired house of commercial use or an agreement on the development of a territory for the purpose of construction and operation of a hired house of social use in accordance with paragraphs 26-28 of this article, within five working days from the date of recognition of the auction failed.

34. In the event that the decision to hold an auction specified in Part 5 and Clause 1 of Part 6 of this Article provides for the requirement to pay a deposit, the deposit made by the winner of the auction shall be counted as payment of the price for the right to conclude an agreement, the right to conclude which subject of the specified auction. If the decision to hold an auction specified in clause 2 of part 6 of this article provides for a requirement to secure cash applications for participation in the auction, the auction organizer must return the funds deposited by the winner of the said auction as security for the bid the day of the signing of the agreement on the development of the territory for the construction and operation of a hired house for commercial use or a hired house for social use.

35. The winner of the auction, who declined to conclude an agreement on the development of the territory for the construction and operation of a hired commercial house or an agreement on the development of the territory for the construction and operation of a socially hired house and (or) a lease agreement for the relevant land plot, the funds contributed by him as a deposit or cash security, applications for participation in the auction shall not be returned.

36. In cases where the auction was declared unsuccessful due to the decision to refuse all applicants to participate in the auction, or if the contract for the development of the territory for the construction and operation of a rented house for commercial use or the agreement for the development of the territory for the construction and operation of the hired houses of social use, the right to the conclusion of which was the subject of the auction, was not concluded within the time frame stipulated by this article, the organizer of the auction has the right to announce the holding a single auction. This may change the conditions of the auction.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.29. Requirements to bidders for the right to conclude an agreement on the development of the territory for the construction and operation of a hired house of commercial use, an agreement on the development of the territory for the construction and operation of a hired house for social use**

1. A person who conforms to the following mandatory requirements may be recognized as an auction participant for the right to conclude an agreement on the development of a territory for the purpose of building and operating a hired commercial house:

- 1) the applicant's failure to participate in the auction has arrears in taxes, fees, debts on other obligatory payments to the budgets of the budget system of the Russian Federation (except for the amounts for which deferment, installment payments have been granted, an investment tax credit in accordance with the legislation of the Russian Federation on taxes and fees that are restructured in accordance with the legislation of the Russian Federation, for which there is an effective court decision recognizing the applicant's obligation to pay these su mm executed or recognized as hopeless for collection in accordance with Russian legislation on

taxes and fees) for the last calendar year, the amount of which exceeds twenty-five percent of the book value of the applicant's assets, according to the financial statements for the last reporting period. The applicant is deemed to comply with the said requirement if he has filed an application to appeal these deficiencies in the prescribed manner, the debt and the decision on such an application has not been made at the date of the application for participation in the auction;

2) the absence of the applicant's individual or the manager, members of the collegial executive body or the chief accountant of the legal entity's applicant's criminal record for crimes in the economic sphere (with the exception of persons whose convictions have been redeemed or canceled), as well as non-use in relation to these persons punishment in the form of deprivation of the right to hold certain positions or engage in certain activities in the field of construction, reconstruction or construction, reconstruction of capital construction objects elstva and administrative penalty of disqualification;

3) failure to liquidate the legal entity - applicant and the absence of a decision of the arbitration court to introduce or extend the term of external management, to recognize the legal entity - the applicant as insolvent (bankrupt) and to open competitive proceedings on the day of filing the application for participation in the auction;

4) non-suspension of the activity of the applicant in the manner prescribed by the Code of Administrative Offenses of the Russian Federation on the day of filing the application for participation in the auction.

2. A legal entity that meets the requirements specified in clauses 1 to 4 of part 1 of this article, as well as the following mandatory requirements may be recognized as an auction participant for the right to conclude an agreement on the development of a territory for the purpose of building and operating a socially hired house, as well as the following mandatory requirements:

1) the applicant's activity as a developer for at least three years, provided that the total amount of commissioning of apartment buildings, residential buildings of blocked construction, individual housing construction projects into operation over the past three years preceding the deadline for submission of applications for participation in auction, is not less than the minimum commissioning rate for multi-apartment buildings, residential buildings, flax housing construction in operation, provided for the notice of the auction;

2) the presence of compulsory membership in self-regulating organizations in the field of engineering surveys, architectural and construction design, construction, reconstruction, overhaul of capital construction facilities;

(clause 2 as amended by the Federal Law of 07/03/2016 N 372-FZ)

(see the text in the previous "edition")

3) the applicant's compliance with the requirements of the housing legislation for tenants of residential premises under contracts for renting residential premises of a housing fund for social use;

4) the absence of unscrupulous suppliers in the register, which is maintained in accordance with Federal Law No. 223-FZ of July 18, 2011 "On Procurement of Goods, Work, Services by Certain Types of Legal Entities", in the register of unscrupulous suppliers (contractors, performers), which is carried out in accordance with the Federal Law of April 5, 2013 N 44-FZ "On the contract system in the field of procurement of goods, works, services for state and municipal needs", and in the register of unscrupulous developers, which is carried out in accordance with the Federal Law of July 24, 2008 No. 161-FZ "On Assistance to the Development of Housing Construction", information about the applicant legal entity, including the founders, members of the collegial executive body, the person performing the functions of the sole executive the body of the legal entity - the applicant, in terms of the fulfillment of its obligations under the contracts or agreements, the subject of which is the performance of work, the provision of services in the field of construction, reconstruction and capital installation or organization of construction, reconstruction and overhaul of capital construction objects or the acquisition from a legal entity - the applicant of residential premises.

3. In the event that the applicant for participation in the auction for the right to conclude an

agreement on the development of a territory for the purpose of construction and operation of a commercial use hired house is a person acting as a party to a simple partnership agreement, the requirements provided for by clauses 1 through 4 of part 1 of this article are applied in respect of each person who is a party to a simple partnership agreement.

4. If the applicant for participation in the auction for the right to conclude an agreement on the development of the territory for the purpose of construction and operation of a social use hired house is a legal entity acting as a party to a simple partnership agreement, the requirements stipulated in paragraphs 1-4 of part 1 and paragraphs 1 - 4 parts 2 of this article are applied in the following order:

1) the requirements provided for by clauses 1 to 3 of part 2 of this article shall apply in aggregate to persons who are parties to a simple partnership agreement. In this case, each person who is a party to this contract must meet at least one of these requirements in full;  
2) the requirements provided for by clauses 1-4 of part 1 and clause 4 of part 2 of this article apply to each person who is a party to a simple partnership agreement.

5. The requirements stipulated in part 1 of this article are uniform for the participants in the auction for the right to conclude an agreement on the development of the territory for the purpose of building and operating a hired commercial house. The requirements stipulated in part 2 of this article are uniform for the participants in the auction for the right to conclude an agreement on the development of the territory for the purpose of building and operating a hired social house. The establishment of requirements for the participants of these auctions not provided for in Part 1 or 2 of this Article shall not be allowed.

6. The minimum amount of commissioning of apartment buildings, residential buildings of blocked construction, individual housing construction facilities into operation during the auction for the right to conclude an agreement on the development of the territory for the construction and operation of a socially rented house is determined as the maximum area of an apartment building or residential building of a blocked construction, or an individual housing project, which can be built on an auction based on the results of this on a plot in accordance with the maximum values of limit parameters permitted construction provided planning regulations.

7. In order to confirm the fulfillment of the requirements for bidders for the right to conclude an agreement on the development of the territory for the construction and operation of a socially rented house for social use provided for in paragraphs 1 - 3 of Part 2 of this article, the applicants must submit the following documents in accordance with the notice of auction:

1) copies of permits for putting capital construction objects into operation, copies of acts of acceptance of capital construction objects (except for the case when the developer is a person performing construction) for the last three years preceding the deadline for submitting applications for participation in the auction, copies of documents, confirming the commissioning of capital construction objects, according to N 282-FZ established in accordance with the Federal Law of November 29, 2007 "On Official Statistical Accounting and the State System arstvennoy statistics in the Russian Federation, "the form of federal statistical observation;

2) an extract from the register of members of the self-regulatory organization of which the applicant is a member;

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

3) documents confirming the applicant's right to act as the landlord under the tenancy agreements for social housing in accordance with the housing legislation and the list of which is approved by the Government of the Russian Federation.

8. Applicants declare in writing that they comply with the requirements provided for by clauses 1-4 of part 1 and clause 4 of part 2 of this article. At the same time, the applicant's compliance with the requirement stipulated by clause 3 of part 1 of this article is declared in part to confirm the absence of a court of arbitration decision on the introduction of external management or on extending its term, on recognizing a legal entity - the applicant as insolvent (bankrupt) and on opening competitive proceedings.

9. The auction organizer, in accordance with the procedure established by the legislation of the Russian Federation, requests information confirming the fact of entering information about a legal entity - applicant into the unified state register of legal entities or about an individual entrepreneur - applicant into the unified state register of individual entrepreneurs in the federal executive body that carries out state registration legal entities, individuals as individual entrepreneurs and peasant (farmer) ho yaystv, as well as the right to verify compliance with the requirements of the applicants referred to in paragraphs 1 - 4 of this Article.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**GrK RF Article 55.30. General provisions for the demolition of capital construction**  
(introduced by the Federal Law of 03.08.2018 N 340-FZ)

1. The demolition of a capital construction object is carried out on the basis of a decision of the owner of the capital construction object or the developer, or in cases provided for by this Code and other federal laws, on the basis of a court decision or a local government body.

ConsultantPlus: note.

The project for the organization of work on the demolition of a capital construction facility is not required if work on the demolition of such an object, not related to the reconstruction or construction of a new facility on the site of the demolished site, has been started until 04.08.2018 (FL of 03.08.2018 N 340-FZ).

2. For the purpose of demolishing a capital construction object, the developer or technical customer shall prepare a project for the organization of work on the demolition of a capital construction object as an independent document, except as provided for in subsections 3 and 8 of this article. Preparation of the project for the organization of work on the demolition of a capital construction object is carried out by a specialist in the organization of architectural and construction design, information on which is included in the national register of specialists in the field of architectural and construction design.

3. Preparation of the project for the organization of work on the demolition of a capital construction object is not required for the demolition of objects specified in clauses 1 to 3 of part 17 of article 51 of this Code. In this case, the developer, on his own initiative, has the right to ensure the preparation of a project for the organization of work for the demolition of such capital construction objects.

4. Preparation of the project for the organization of work on the demolition of a capital construction object is carried out on the basis of the results and materials of the survey of the capital construction object in accordance with the requirements of technical regulations, sanitary and epidemiological requirements, environmental protection requirements, safety requirements in the field of atomic energy use, requirements to implement activities in the field of industrial safety.

5. Requirements for the composition and content of the project for the organization of work on the demolition of a capital construction object shall be established by the Government of the Russian Federation.

6. In the event that the demolition of a capital construction object is planned to be carried out with the involvement of funds from the budgets of the budget system of the Russian Federation, the funds of the persons specified in paragraph 2 of Article 8.3 of this Code, the developer or technical customer provides preparation of estimates for the demolition of the capital construction object.

7. In the event that the demolition of a capital construction object located on a land plot that is in state or municipal ownership and not provided for use and (or) in the possession of citizens or legal entities, in accordance with this Code, other federal laws shall be provided by authorities or a local government body, the developer's functions are performed by the said authorities or persons with whom the said authorities have concluded an agreement on the demolition of the said facility of construction.

8. The provisions of this chapter do not apply to cases of demolition of a capital construction



object in order to build a new capital construction object, or to reconstruct a capital construction object. The demolition of a capital construction object shall be carried out in the manner established by Chapter 6 of this Code for the construction of capital construction objects.

“Urban Development Code of the Russian Federation” dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 55.31. Implementation of the demolition of a capital construction object**

(introduced by the Federal Law of 03.08.2018 N 340-FZ)

1. The demolition of a capital construction object is carried out in accordance with the project for the organization of work on the demolition of a capital construction object after disconnecting the capital construction object from the engineering networks in accordance with the conditions for disconnecting the capital construction object from the engineering networks issued by the organizations operating the networks engineering support, as well as after the decommissioning of the capital construction object in uchaе, if it is stipulated by federal laws.
  2. The conditions for disconnecting the capital construction object from the networks of engineering and technical support are issued by organizations operating the networks of engineering and technical support, without charging for not more than ten working days from the date of receipt of the application for issuing such conditions from the developer, the executive body of state power or local government. The disconnection of a capital construction object from the networks of engineering and technical support is confirmed by an act signed by an organization operating the corresponding networks of engineering and technical support. The order of disconnection of the capital construction object from the networks of engineering and technical support is established by the Government of the Russian Federation.
  3. In the process of demolishing a capital construction object, measures are taken to prevent harm to human life or health, property of individuals or legal entities, state or municipal property, the environment, provision is made for temporary fencing, access roads, measures are taken to dispose of construction debris.
  4. Works under contract for the implementation of demolition are performed only by individual entrepreneurs or legal entities that are members of self-regulatory organizations in the field of construction, unless otherwise provided for in this article. The demolition of capital construction projects under contract for the implementation of the demolition is provided by specialists in the organization of construction (chief project engineers). Works on demolition of capital construction projects concluded with persons who are not developers, technical customers, persons responsible for the operation of a building or structure may be performed by individual entrepreneurs or legal entities that are not members of such self-regulating organizations.
  5. An individual entrepreneur or a legal entity who are not members of self-regulating organizations in the field of construction may perform work under contract for demolition if the amount of obligations under each of such contracts does not exceed one million rubles.
- "" 6. Membership in the self-regulatory organizations in the field of construction is not required to carry out work on the demolition of capital construction objects:
- 1) state and municipal unitary enterprises, including state and municipal state-owned enterprises, state and municipal institutions in case of conclusion of contracts for the implementation of demolition with federal executive authorities, state corporations that carry out regulatory and legal regulation in the relevant field, state authorities of the constituent entities of the Russian Federation, local government bodies in charge of such enterprises, institutions, or in the case of such enterprises, performing the functions of a technical customer on behalf of specified federal executive bodies, state corporations, state bodies of the constituent entities of the Russian Federation, local governments;
  - 2) commercial organizations, in the authorized (share) capitals of which the share of state and municipal unitary enterprises, state and municipal autonomous institutions is more than fifty

percent, in case of such commercial organizations concluding contracts for the demolition of these enterprises, institutions, as well as federal executive authorities, state corporations, state authorities of the constituent entities of the Russian Federation, local authorities management, which are provided for by paragraph 1 of this part and which are responsible for the specified enterprises, institutions, or in the case of such commercial organizations performing the functions of a technical customer on behalf of the specified enterprises, institutions, federal executive bodies, state corporations, state bodies of the Russian Federation, local authorities;

3) legal entities created by public legal entities (with the exception of legal entities provided for by paragraph 1 of this part), in case of the said legal entities concluding contracts for the demolition in the established areas of activity (in areas for the purposes of which activities such legal entities), as well as commercial organizations, in the authorized (share) capitals of which the share of the said legal entities is more than fifty percent, in the case of the conclusion of such commercial by the organizations of the contract for the demolition of the said legal entities or in the case of such commercial organizations performing the functions of a technical customer on behalf of the said legal entities;

4) legal entities, in the authorized (share) capitals of which the share of public legal entities is more than fifty percent, in the case of the said legal entities concluding contracts for demolition with federal executive authorities, state authorities of the constituent entities of the Russian Federation, local governments, in the established areas of activity of which the said legal entities carry out the statutory activities, or in the case of the fulfillment of the said legal entities the functions of a technical customer on behalf of these federal executive authorities, state authorities of the constituent entities of the Russian Federation, local governments, and commercial organizations, in which (share) capitals the share of these legal entities is more than fifty percent, in case of conclusion of such commercial organizations construction contracts with the specified federal executive authorities, state authorities of the subjects of the Russian radio, local governments, legal persons or in the case of performing such business organizations functions of technical customer on behalf of these federal bodies of executive power, bodies of state power of subjects of the Russian Federation, local self-government bodies, legal entities;

5) persons carrying out the demolition of objects referred to in Clauses 1 to 3 of Part 17 of Article 51 of this Code.

7. The person carrying out the demolition of a capital construction object (hereinafter referred to as the person carrying out the demolition) may be a developer or an individual entrepreneur or a legal entity that has entered into a contract for the demolition. The person carrying out the demolition ensures compliance with the requirements of the project for the organization of work on the demolition of a capital construction object, technical regulations, safety engineering in the course of carrying out work on the demolition of a capital construction object and is responsible for the quality of the work performed.

8. The developer has the right to carry out the demolition of capital construction objects independently, provided that he is a member of a self-regulatory organization in the field of construction, unless otherwise provided by this article, or with the involvement of other persons under a contract for the demolition.

ConsultantPlus: note.

Notification of the commencement of demolition work is not required if work on demolishing a capital construction object not related to the construction or reconstruction of a capital construction object on the site of the demolished object is started before 04.08.2018 (FZ of 03.08.2018 N 340-FZ)

9. In order to demolish a capital construction object, the developer or technical customer submits on paper through personal contact to the local government body of the settlement, urban district at the location of the capital construction object or, if the capital construction object is located in inter-settlement territory, to the local government body municipal district, including through the multifunctional center, or sends it to the appropriate local government th departure or a single portal of public and municipal services notification of the planned demolition of the capital construction no later than seven working days before the start of the

demolition object of capital construction. This notification should contain the following information:

- 1) last name, first name, patronymic (if any), place of residence of the developer, details of an identity document (for an individual);
- 2) the name and location of the developer or technical customer (for a legal entity), as well as the state registration number of the record of state registration of a legal entity in the unified state register of legal entities and the taxpayer identification number, except if the applicant is a foreign legal entity;
- 3) cadastral number of the land plot (if available), address or description of the location of the land plot;
- 4) information on the right of the developer to the land plot, as well as information on the availability of rights of other persons to the land plot (if such persons are available);
- 5) information on the developer's right to a capital construction object to be demolished, as well as information on the availability of rights of other persons to the capital construction object to be demolished (if such persons are available);
- 6) information about the decision of the court or local government on the demolition of a capital construction object or on the existence of an obligation to demolish unauthorized construction in accordance with land legislation (if such a decision or obligation exists);
- 7) postal address and (or) e-mail address for communication with the developer or technical customer.

10. The following documents shall be attached to the notification of the planned demolition of the capital construction object, with the exception of the objects specified in clauses 1-3 of part 17 of article 51 of this Code:

- 1) the results and materials of the survey of the capital construction object;
- 2) the project of the organization of works for the demolition of a capital construction object.

11. Within seven working days from the date of receipt of this notice, the local government body, which received a notice of the planned demolition of the capital construction object, checks the availability of documents specified in paragraph 10 of this article, ensures that these notifications and documents are placed in the urban planning information system activities and notifies of such a placement body of regional state construction supervision. In case of failure to submit the documents specified in paragraph 10 of this article, this local government body shall request them from the applicant.

12. The developer or technical customer no later than seven working days after the completion of the demolition of the capital construction project shall submit on paper through personal contact with the local government authority of the settlement, city district at the location of the land plot where the demolished capital construction facility was located, or if such a land plot is located in the inter-settlement territory, to the local government body of the municipal district, including through the multifunctional center, of guides to the local authority by mailing or a single portal of public and municipal services completion notification of demolition of the capital construction.

13. Forms of notification of the planned demolition of a capital construction object, notification of completion of the demolition of a capital construction object are approved by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture and urban planning.

14. The local government body to which the notification of the completion of the demolition of the capital construction object was received, within seven working days from the date of receipt of this notification, ensures that this notification is placed in the information system for ensuring urban planning activity and notifies the regional state building supervision authority.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC RF Article 55.32. Features demolition of unauthorized buildings or bring them into line with established requirements**

(introduced by the Federal Law of 03.08.2018 N 340-FZ)

1. The demolition of capital construction objects that are unauthorized structures, or their alignment with established requirements, is compulsorily carried out on the basis of a decision of a court or local government adopted in accordance with article 222 of the Civil Code of the Russian Federation.

2. Local government of the settlement, urban district at the location of unauthorized construction or if unauthorized construction is located in the inter-settlement territory, the local government of the municipal district in a period not exceeding twenty working days from the date of receipt from the executive authorities authorized to implementation of state construction supervision, state land supervision, state supervision in the field of use and protection of water bodies, state shock supervision in the field of protection and use of specially protected natural territories, state supervision of the state, maintenance, preservation, use, promotion and state protection of cultural heritage objects from the executive bodies of state authority authorized to exercise federal state forest supervision (forest protection) State institutions, officials of state institutions that manage specially protected assets native territories of federal and regional significance, which are state inspectors in the field of environmental protection, or from local governments exercising municipal land control or municipal control in the field of protection and use of specially protected natural territories, notifications on the identification of unauthorized buildings and documents confirming the presence of signs unauthorized construction, provided for by paragraph 1 of Article 222 of the Civil Code of the Russian Federation, is obliged to consider et of the notification and the documents and the results of such a review to make one of the following:

- 1) to decide on the demolition of unauthorized construction or a decision on the demolition of unauthorized construction or its alignment with the established requirements in the cases provided for by paragraph 4 of article 222 of the Civil Code of the Russian Federation;
- 2) to appeal to the court with a claim for the demolition of an unauthorized construction or bringing it into compliance with the established requirements;
- 3) to send, including using a unified system of interdepartmental electronic interaction and regional systems of interdepartmental electronic interaction connected to it, a notification that there are no signs of unauthorized construction, to the executive body of state power, official, government agency or body local government, from which the notification of the identification of unauthorized construction.

3. The form of notification of the identification of unauthorized construction, as well as a list of documents confirming the presence of signs of unauthorized construction, is established by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, urban planning.

4. Within seven working days from the date of the decision to demolish the unauthorized construction or the decision to demolish the unauthorized construction or bring it into compliance with the established requirements, the local government that made the decision must send a copy of the relevant decision to the person who carried out the unauthorized construction. if the local authority does not have information about such a person to the copyright holder of the land on which the unauthorized construction was created or erected.

5. If the persons specified in paragraph 4 of this article were not identified, the local government body that made the decision to demolish the unauthorized construction or the decision to demolish the unauthorized construction or bring it into compliance with the established requirements within seven working days from the date of the decision is obliged to:

- 1) ensure publication in accordance with the procedure established by the charter of the municipality at the location of the land plot for the official publication (promulgation) of municipal legal acts, the message about the planned demolition of an unauthorized construction or bringing it into compliance with the established requirements;
- 2) to ensure the posting on its official website of the information and telecommunications network "Internet" reports of the planned demolition of unauthorized construction or its alignment with the established requirements;

3) to ensure placement on the information board within the boundaries of the land plot on which the unauthorized construction was created or erected, reports on the planned demolition of the unauthorized construction or its alignment with the established requirements.

6. The demolition of an unauthorized building or its alignment with the established requirements shall be carried out by the person who created or built the unauthorized building, and in the absence of information about such a person, the right holder of the land plot on which the unauthorized building was built or erected, in the period established by the relevant court decision or local government.

7. In case of carrying out the demolition of an unauthorized construction or bringing it in compliance with the established requirements by the person who created or erected the unauthorized construction, or a person with whom the local government authority of the settlement, the urban district at the location of the unauthorized construction or if the unauthorized construction is located in the inter-settlement territory, the local government body of the municipal district has concluded an agreement on the demolition of an unauthorized construction or its bringing into conformity with the established requirements anyami that are not owners of land on which formed or erected unauthorized construction, said persons operate builder function.

8. In the event that the persons specified in paragraph 6 of this article did not fulfill the obligations stipulated by part 11 of this article within the prescribed time limit, upon the transfer of the rights to the land plot, the obligation to demolish an unauthorized building or bring it in line with the established requirements in time, established in accordance with the Land Code of the Russian Federation, transferred to the new right holder of the land plot.

9. In the event that a decision has been made to demolish an unauthorized construction or bring it into compliance with the established requirements, the persons specified in part 6 of this article, and in the cases provided for in paragraphs 7 and 13 of this article, respectively, the new right holder of the land plot, the local authority Municipalities of their choice carry out the demolition of an unauthorized building or its alignment with established requirements

10. Demolition of unauthorized buildings is carried out in accordance with Articles 55.30 and 55.31 of this Code. The unauthorized construction is brought into line with the established requirements by reconstructing it in accordance with the procedure established by Chapter 6 of this Code.

11. The persons referred to in paragraph 6 of this article shall:

1) to carry out the demolition of unauthorized construction in the event that a decision is made to demolish an unauthorized construction, within the period established by the said decision;

2) carry out the demolition of unauthorized construction or submit to the local government body of the settlement, urban district at the location of the unauthorized construction or, if the unauthorized construction is located in the inter-settlement area, approved project documentation for the reconstruction of the unauthorized construction in order to bring its in accordance with the established requirements, provided that a decision has been made to demolish an unauthorized construction or to bring it in accordance with the established requirements, in the period established by the specified decision for the demolition of unauthorized construction

3) to carry out the unauthorized construction in accordance with the established requirements in case a decision is made to demolish the unauthorized construction or to bring it in compliance with the established requirements, within the period established by the said decision in order to bring the unauthorized construction in compliance with the established requirements. At the same time, it is necessary that in the time provided for by paragraph 2 of this part, such persons submit to the local government of the settlement, the city district at the location of the unauthorized construction or, if the unauthorized construction is located in the inter-settlement territory, approved project design documentation for the reconstruction of unauthorized buildings in order to bring it into line with the established requirements.

ConsultantPlus: note.

Part 12 of Art. 55.32 (as amended by the Federal Law of 03.08.2018 N 340-FZ) is also used in cases where the decision to demolish an unauthorized construction was made in accordance

with the Civil Code of the Russian Federation before 08/04/2018 and the unauthorized construction was not demolished in the period established by this decision .

12. If the persons specified in paragraph 6 of this article fail to fulfill the obligations stipulated by part 11 of this article within the established time limits, the local government authority of the settlement, city district at the location of the unauthorized construction or if the unauthorized construction is located in the inter-settlement territory, the local authority Municipality municipal district performs one of the following actions:

- 1) within seven working days from the date of expiration of the period provided for by paragraph 11 of this article for the performance of the relevant duty, a notice thereof to the executive state authority or local government body authorized to provide land plots in state or municipal ownership, with provided that the unauthorized building was created or erected on a land plot that is in state or municipal ownership;
- 2) apply within six months from the date of expiry of the period provided for in paragraph 11 of this article to fulfill the relevant duty, with the court requesting the withdrawal of the land plot and its sale at public auction, provided that an unauthorized building was created or erected on the land plot, privately owned, except for the case provided for by clause 3 of part 13 of this article;
- 3) apply within six months from the date of expiry of the period provided for by paragraph 11 of this article to fulfill the relevant duty, with the court requesting the withdrawal of the land plot and its transfer to state or municipal property, provided that an unauthorized building was erected or erected on the land private land plot and such land plot is located within the boundaries of the common use territory, except for the case provided for in clause 3 of part 13 of this article.

ConsultantPlus: note.

Part 13 of Art. 55.32 (as amended by the Federal Law of 03.08.2018 N 340-FZ) is also used in cases where the decision to demolish an unauthorized construction was made in accordance with the Civil Code of the Russian Federation before 08/04/2018 and the unauthorized construction was not demolished in the period established by this decision .

13. Demolition of unauthorized construction or its alignment with established requirements is carried out by the local government of the settlement, city district at the location of the unauthorized construction or if the unauthorized construction is located in inter settlement territory, by the local government of the municipal district in the following cases:

- 1) within two months from the date of posting on the official website of the local government in the information and telecommunications network "Internet" messages about the planned demolition of unauthorized buildings or bringing it into compliance with the established requirements of the person specified in paragraph 6 of this article, were not identified;
- 2) within six months from the date of expiration of the term established by a decision of the court or local government on the demolition of unauthorized construction or by a court or local government on the demolition of unauthorized construction or bringing it into compliance with the established requirements, the persons specified in paragraph 6 of this article , did not fulfill the corresponding duties stipulated by part 11 of this article, and the land plot on which the unauthorized construction was created or erected was not granted to another person for use and (or) ownership or by the results of public auction is not acquired by another person;
- 3) in the period established by the decision of the court or local government on the demolition of unauthorized construction or by a court or local government on the demolition of unauthorized construction or bringing it into compliance with the established requirements, the persons specified in paragraph 6 of this article did not fulfill the relevant duties, provided for by part 11 of this article, provided that the unauthorized building was created or erected on an indivisible piece of land on which capital construction objects are also located a, not being unauthorized buildings.

14. Within two months from the date of expiry of the periods specified respectively in paragraphs 1 to 3 of part 13 of this article, the local government of the settlement, city district at the location of the unauthorized construction or if the unauthorized construction is located in the inter-settlement territory, the local government municipal district is obliged to make a decision on the implementation of the demolition of unauthorized buildings or bring it into

compliance with the established requirements, indicating the timing of such demolition, bringing into compliance with established requirements.

15. In the cases provided for by clauses 2 and 3 of part 13 of this article, the local government body that carried out the demolition of an unauthorized construction or brought it into compliance with the established requirements has the right to demand reimbursement for the costs of carrying out work on the demolition of an unauthorized construction or its alignment requirements from the persons specified in part 6 of this article, except for the case if, in accordance with federal law, a local government body has the right to compensation at the expense of the treasury of Russia the Syan Federation of Local Budget Expenditures for the execution of works on the demolition of unauthorized construction or its alignment with the established requirements.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**GrK RF Article 55.33. Features of the demolition of capital construction facilities located in areas with special conditions of land use, or bringing such capital construction objects in line with restrictions on the use of land plots established within the boundaries of areas with special conditions of land use**

(introduced by the Federal Law of 03.08.2018 N 340-FZ)

1. A capital construction object located within the boundaries of the zone with special conditions for the use of the territory is subject to demolition or alignment with the restrictions on the use of land plots established within the boundaries of the zone with special conditions for the use of the territory, if the regime of the specified zone does not allow the placement of such an object capital construction and otherwise not provided for by federal law.

2. In the case provided for in part 1 of this article, the demolition of a capital construction object (with the exception of a capital construction object in respect of which a decision was made to demolish an unauthorized construction or a decision to demolish an unauthorized construction or bring it in compliance with the established requirements, unless the decision to demolish an unauthorized construction or to bring it into compliance with the established requirements was made solely in connection with the inconsistency of the said capital construction object the limited number of floors and / or maximum height of buildings, structures, structures, established by land use and development rules, territory planning documentation, this Code, other federal laws, building permit requirements) or its harmonization with land use restrictions established by within the zone with special conditions for the use of the territory, is carried out on the basis of a decision of the owner of the capital construction object or rooms in it independently or on the basis of an agreement on compensation for losses caused by the restriction of the rights of the owner of the capital construction or owners of premises in it in connection with the establishment of zones with special conditions of land use. The said agreement on damages is concluded by the owner of the capital construction object or the owners of the premises in it with the copyright holder of the building or structure, in connection with the placement of which a zone with special conditions for the use of the territory is established, in case of establishing a zone with special conditions for the use of the territory in relation to the planned construction or reconstruction or buildings with the developer, and in the absence of the specified right holder or developer, or in the case of establishing a zone with on the grounds not related to the placement of a building or structure, with the state authority or local government that made the decision to establish or change a zone with special conditions for the use of the territory or established boundaries of the zone with special conditions for the use of the territory arising due to federal of the law. In case of failure to reach an agreement on damages, the demolition of such an object of capital construction or its alignment is carried out exclusively on the basis of a court decision.

3. The indemnification agreement referred to in paragraph 2 of this article shall provide, inter alia, for the condition of demolishing a capital construction object or bringing the capital construction object and (or) its permitted use (purpose) in compliance with the restrictions on

the use of land plots established within the boundaries of the zone with special conditions of use of the territory. The conclusion of this agreement, compensation for damages caused by the restriction of the rights of the owner of the capital construction object, the owners of premises in it, employers under social employment contracts or rental contracts for residential premises of the state or municipal housing stock in an apartment building in connection with the establishment of a zone with special conditions for the use of the territory, are carried out in accordance with civil law and land laws.

4. In the event that the establishment of a zone with special conditions for the use of a territory results in the impossibility of using a capital construction object in accordance with its permitted use (purpose) (except for the capital construction object in relation to which the decision to demolish unauthorized construction was made or the decision to demolish unauthorized construction or its alignment with the established requirements, except in cases where the decision to demolish an unauthorized construction or its alignment with Requirements made exclusively in connection with the inconsistency of the said capital construction object with the maximum number of floors and (or) the maximum height of buildings, structures, structures established by land use and development rules, territory planning documentation, this Code, other federal laws, building permit requirements) , at the request of the owner of the capital construction object or the owners of the premises therein, the rights specified in paragraph 2 of this article adatedeli buildings, in connection with the placement area which is set with special conditions for land use, public authorities, local self-government bodies are obliged, in accordance with the land legislation of the republic is an object of capital construction.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

ConsultantPlus: note.

Information in the IS of support of urban planning activities in accordance with the requirements of this document (as amended before 01/01/2019) is placed in the GIS of support of urban planning activities for a period of not more than 3 years from 01/01/2019 (FL of 03.08.2018 N 342-FZ ).

### **RFC of the RF Article 56. State information systems to ensure urban development activities**

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

1. State "information systems" for ensuring urban development activities - information systems created and operated in accordance with the requirements of this Code, containing information, documents, materials on the development of territories, their construction, existing capital construction objects and plans to be deployed and other necessary for implementation of urban planning information.

(Part 1 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

2. State information systems to support urban development activities include information, documents and materials in text and graphic forms.

(part 2 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

If the information system for supporting urban planning is established before 01/01/2019, its operation can be carried out without taking into account Part 2.1 of Art. 56 to 01/01/2020 (Part 48 of Art. 26 FZ of 03.08.2018 N 342-FZ).

"" 2.1. The cartographic basis of state information systems for ensuring urban development is the cartographic basis of the Unified State Register of Real Estate.

(Part 2.1 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

3. The purpose of maintaining state information systems for ensuring urban development is to provide state authorities, local governments, individuals and legal entities with reliable



information necessary for the implementation of urban planning activities.

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

4. State information systems to support urban development activities include:

- 1) maps of the planned location of objects of federal significance and provisions on territorial planning in relation to the territory of a constituent entity of the Russian Federation provided for by the territorial planning schemes of the Russian Federation;
- 2) maps of the planned location of objects of regional significance and the provisions on territorial planning applicable to the territory of the constituent entity of the Russian Federation provided for by the territorial planning schemes of two or more constituent entities of the Russian Federation, territorial planning schemes of the constituent entities of the Russian Federation;
- 3) stipulated by the territorial planning schemes of municipal districts, the general plans of settlements, the general plans of urban districts of the map of the planned location of objects of local importance of the municipal district, local objects of settlement, local objects of the urban district, maps of functional zones, and provisions on territorial planning
- 4) regional standards for urban planning;
- 5) local standards of urban planning;
- 6) land use and development rules;
- 7) rules for landscaping;
- 8) the main part of the territory planning project;
- 9) the main part of the land survey project;
- 10) materials and results of engineering surveys;
- 11) information on the creation of an artificial land plot;
- 12) information on the boundaries of zones with special conditions for the use of territories and on their characteristics, including restrictions on the use of land plots within the boundaries of such zones;
- 13) the provision on a specially protected natural area, forestry regulations of forestry, forest park, located on the lands of the forest fund;
- 14) the ground and underground communications plan, which displays information about the location of existing and projected engineering networks, electrical networks, including on the basis of data contained in the Unified State Register of Real Estate, the Unified State Register of Conclusions;
- 15) decisions on the reservation of land or decisions on the withdrawal of land for state and municipal needs;
- 16) cases of built-up or subject to building land plots;
- 17) other information, documents, materials.

(part 4 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

5. The composition of a plot of land to be built up or subject to construction includes:

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

- 1) urban development plan of the land;
  - 1.1) information about the land plot (cadastral number of the land plot, its area, location);  
(clause 1.1 was introduced by Federal Law of 03.08.2018 N 342-FZ)
- 2) the results of engineering surveys;

ConsultantPlus: note.

Since July 1, 2019, Federal Law of 03.08.2018 N 342-FZ makes changes to clause 3 of part 5 of article 56. See future "revision".

3) information about the area, height and number of floors of the capital construction object, networks of engineering and technical support, sections of the project documentation provided for by clauses 2, 8-10 and 11.1 of part 12 of article 48 of this Code;

(as amended by Federal Law of 31.12.2005 N 210-FZ, of 23.11.2009 N 261-FZ, of 18.07.2011 N 215-FZ, of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

Since July 1, 2019, the Federal Law of 03.08.2018 N 342-FZ makes changes to clause 3.1 of part 5 of article 56. See future "revision".

3.1) the section for design documentation of a capital construction object provided for in clause 3 of article 48 of this Code in the event of construction or reconstruction of a capital construction object within the boundaries of the territory of a historic settlement, issued by the executive authority of the Russian Federation authorized in the field of protection of cultural heritage sites, on its compliance with the subject of protection of whom of the settlement and the requirements for architectural solutions of capital construction objects established by the town-planning regulations (except for the case if the construction or reconstruction of the capital construction object was carried out in accordance with the typical architectural solution of the capital construction object);

(clause 3.1 was introduced by the Federal Law of 30.12.2015 N 459-FZ; as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3.2) conclusion of the state historical and cultural expertise of the project documentation for the preservation of cultural heritage sites in the event that such expertise is provided for by federal law;

(clause 3.2 was introduced by Federal Law of 03.08.2018 N 342-FZ)

3.3) the conclusion of state environmental review of project documentation in the event that such an examination is provided for by federal law;

(clause 3.3 introduced by Federal Law of 03.08.2018 N 342-FZ)

4) has become invalid since January 1, 2019. - Federal Law of 03.08.2018 N 342-FZ;

(see the text in the previous "edition")

5) information about the placement of the conclusion of the examination of project documentation and (or) the results of engineering surveys, other documents and materials specified in Part 1 of Article 50.1 of this Code, the unified state register of conclusions, details of such conclusions, documents and materials;

(Clause 5 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

#### **6) building permit;**

6.1) the decision of the authorities authorized to issue permits for the construction of a federal executive body, an executive body of a constituent entity of the Russian Federation, a local government body, the State Atomic Energy Corporation Rosatom or the State Space Corporation Roscosmos to terminate the construction permit, making changes to the building permit;

(as amended by Federal Law of 07/13/2015 N 216-FZ, of 08/03/2018 N 342-FZ)

(see the text in the previous "edition")

7) the decision of the local government to grant permission to deviate from the limit parameters of the permitted construction, reconstruction of capital construction objects;

(Clause 7 as amended by the Federal Law of 31.12.2005 N 210-FZ)

(see the text in the previous "edition")

8) the decision of the local government to grant permission for the conditionally permitted type of use;

9) the act provided for by clause 6 of part 3 of article 55 of this Code;

(Clause 9 as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

9.1) the conclusion of the state construction supervision authority (if the state construction supervision is foreseen) on the compliance of the constructed, reconstructed capital construction object with the requirements of the project documentation, including the requirements of energy efficiency and the requirements of the equipment of the capital construction project with metering devices for the energy resources used, and The opinion of the federal state environmental supervision authority issued in the case of teas stipulated by part 7 of article 54 of this Code;

(Clause 9.1 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

9.2) an act of verification of compliance of an apartment building with energy efficiency requirements, indicating its class of energy efficiency at the time of the drafting of this act; (clause 9.2 was introduced by Federal Law of 23.11.2009 N 261-FZ)

10) has become invalid since January 1, 2019. - Federal Law of 03.08.2018 N 342-FZ; (see the text in the previous "edition")

11) permission to commission the facility, the technical plan of the capital construction object; (as amended by the Federal Law of 03.08.2018 N 342-FZ) (see the text in the previous "edition")

12) a diagram showing the location of the constructed, reconstructed capital construction object, the location of engineering and technical support networks within the boundaries of the land plot and the planning organization of the land plot; (as amended by the Federal Law of July 18, 2011 N 243-FZ) (see the text in the previous "edition")

12.1) notification of the planned construction, notification of changes in the parameters of the planned construction or reconstruction of the individual housing construction or garden house, notification of compliance with the parameters specified in the notification of the planned construction of individual housing construction or garden house and the admissibility of the placement of the individual housing construction or garden houses on the land plot, the notice of non-compliance specified in the notice and on the planned construction of the parameters of the object of individual housing construction or garden house, the established parameters and (or) the inadmissibility of locating the object of individual housing construction or garden house on the land plot, sent in accordance with Article 51.1 of this Code; (clause 12.1 was introduced by Federal Law of 03.08.2018 N 340-FZ)

"" 12.2) provided by clause 4 of part 3 of article 51.1 of this Code, the description of the external appearance of an individual housing construction or garden house in case of construction or reconstruction of an individual housing construction or garden home within the boundaries of a historical settlement of federal or regional significance received in respect of the said description notification of the executive authority of the subject of the Russian Federation authorized in the field of protection of cultural heritage objects, on compliance or non-compliance of the description of the external appearance of the object of individual housing construction or garden house with the subject of protection of a historic settlement and the requirements for architectural solutions of capital construction objects established by town planning regulations (except for the case when construction or reconstruction of an individual housing construction project or garden house was carried out in accordance with architectural design of the capital construction object); (clause 12.2 was introduced by Federal Law of 03.08.2018 N 340-FZ)

"" 12.3) notification of the completion of construction, notification of compliance or non-compliance of the constructed or reconstructed object of individual housing construction or garden house with the requirements of legislation on urban planning activities, sent in accordance with paragraphs 16 and 19 of Article 55 of this Code; (clause 12.3 was introduced by Federal Law of 03.08.2018 N 340-FZ)

12.4) a notice of the planned demolition of a capital construction object; (clause 12.4 was introduced by Federal Law of 03.08.2018 N 340-FZ)

12.5) the results and materials of the survey of the capital construction object to be demolished; (clause 12.5 is introduced by Federal Law of 03.08.2018 N 340-FZ)

12.6) the project of the organization of works for the demolition of a capital construction object; (clause 12.6 was introduced by Federal Law of 03.08.2018 N 340-FZ)

12.7) notice of completion of the demolition of a capital construction object; (clause 12.7 was introduced by Federal Law of 03.08.2018 N 340-FZ)

13) other documents and materials.

6. In the case of a built-up or subject to building land plot, technical data sheets issued for capital construction facilities located on this land plot issued prior to the entry into force of this Code.

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

7. Information, documents and materials contained in state information systems to support urban development activities are systematized in accordance with the cadastral division of the territory of the Russian Federation.

(as amended by Federal Law of 13.05.2008 N 66-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

7.1. The law of a constituent entity of the Russian Federation may establish the possibility of creating and maintaining a state information system for supporting urban planning with functions of automated information and analytical support for exercising authority in the field of urban planning, including, inter alia, preparing, coordinating, approving the following documents:

- 1) land use and development rules;
- 2) a territory planning project;
- 3) land survey project;
- 4) urban development plan of the land;
- 5) permission to deviate from the limit parameters of the permitted construction, reconstruction of capital construction objects;
- 6) permission for the conditionally permitted type of use of the land plot or capital construction object;
- 7) permission to build a capital construction facility;
- 8) the conclusion of the state construction supervision authority (if the state construction supervision is foreseen) on the compliance of the constructed, reconstructed capital construction object with the requirements of the project documentation, including the energy efficiency requirements and the requirements of the capital construction equipment with metering devices for the energy resources used;
- 9) permission to enter the capital construction facility into operation;
- 10) other documents, preparation, coordination, approval and (or) extradition of which are stipulated by this Code by the state authorities of the constituent entities of the Russian Federation, their subordinate state institutions, local governments.

(Part 7.1 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

8. Access of state authorities, local self-government bodies, individuals and legal entities to information, documents, materials contained in state information systems for supporting urban planning, including state information systems for supporting urban planning with functions of automated information and analytical support the field of urban planning, carried out using official sites on the network "And Internet ", defined by the authorities of the constituent entities of the Russian Federation authorized to create and operate such systems, or the state budget institutions under their jurisdiction The list of information, documents, materials that are accessed using official websites on the Internet is established by the Government of the Russian Federation. The specified information should be available for familiarization on such official websites on the Internet to all interested parties without charge.

(part 8 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RF Civil Code Article 57. Creation and operation of state information systems to support urban planning activities, maintain state information systems to support urban planning activities, and provide information, documents and materials from state information systems to ensure urban planning activities**

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

1. Creation and operation of state information systems for urban planning, including state

information systems for urban planning with the functions of automated information and analytical support for the exercise of powers in the field of urban planning, are provided by authorized executive bodies of the Russian Federation or state budget institutions. These bodies or institutions are the operators of such state information systems.

(Part 1 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

1.1. Maintaining state information systems for urban planning, including state information systems for urban planning with the functions of automated information and analytical support for the exercise of authority in the field of urban planning, is maintained by authorized executive bodies of the constituent entities of the Russian Federation (state budget institutions under their jurisdiction) urban districts, local governments of municipal districts within the competence of the specified executive authorities, local governments through the collection, documentation, updating, processing, systematization, accounting, storage and placement of information, documents and materials provided by part 4 of article 56 of this Code in state information systems ensuring urban development in accordance with parts 1.2 and 1.3 of this article, as well as the preparation, coordination, approval of documents, redusmotrennyh part 7.1 of Article 56 of this Code, the implementation of other powers in the field of urban development activities with state information systems for urban development, including the state information systems for urban development with the functions of automated information and analytical support to the exercise of authority in the field of town-planning activity.

(Part 1.1 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

1.2. Authorized bodies of executive power of the constituent entities of the Russian Federation shall place the following information, documents, and materials in state information systems to support urban planning activities:

- 1) information, documents, materials, provided for by clauses 1, 2 and 4 of part 4 of article 56 of this Code;
- 2) the main part of the territory planning project, the main part of the territory surveying project in case of approval of the territory planning documentation by an authorized federal executive body, the executive body of a constituent entity of the Russian Federation;
- 3) decisions on the reservation of land and decisions on the seizure of land for state needs;
- 4) information, documents, materials, provided for by clause 16 of part 4 of article 56 of this Code, in case of placing a capital construction object in the territories of two or more constituent entities of the Russian Federation, two or more municipal districts, and urban districts.

(Part 1.2 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

1.3. Information, documents, materials not specified in part 1.2 of this article shall be placed in state information systems for ensuring urban development activities by the authorized local government bodies of municipal districts in relation to the territories of such municipal districts, including their own settlements, or by local government bodies of urban districts in relation to the territories of such urban districts.

(Part 1.3 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

2. State authorities, local authorities, organizations that have adopted, approved, issued documents, materials that are subject to placement in state information systems for urban planning activities (with the exception of the examination of project documentation and (or) engineering survey results) in accordance with this Code, the conclusions of the state building supervision bodies on the compliance of the constructed, reconstructed capital construction object with project documentation, conclusions of the federal state environmental supervision authority) or information about which should be placed in state information systems to support urban planning activities, within five working days from the date of acceptance, approval, issuance of these documents, materials are sent (including using a single system inter-agency electronic interaction and regional inter-departmental electronic interaction systems connected to it) documents, materials, information about documents, materials to the executive authorities of the constituent entities of the Russian Federation authorized to be placed in state information systems for supporting urban development, local government

bodies of municipalities, for whose territories they accept, approve, issue these documents, materials, except cases provided for in paragraphs 2.1 and 3 of this article. The conclusions of the state construction supervision authorities on the compliance of the constructed and reconstructed capital construction facility with the requirements of the project documentation, the conclusions of the federal state environmental supervision authority are sent to the construction authorities by the federal executive authority, the executive authority of the Russian Federation, the local government body energy "Rosatom" or the State th Corporation for Space Activities "Roskosmos" in the authorized placement in state information systems for urban development executive bodies of subjects of the Russian Federation, bodies of local self-government of municipalities at the same time permit the facility to operate. State authorities, local authorities, individuals and legal entities that ensured the implementation of engineering surveys required for the preparation of the site planning documentation, the developer, the person who received permission to use land or a land plot that is in state or public domain in accordance with the Land Code of the Russian Federation. municipal property to carry out engineering surveys that ensured the implementation of engineering surveys for the preparation of project documentation capital construction projects, in a period of not more than one month from the date of execution of the specified engineering surveys, send materials and engineering survey results to the executive authorities of the constituent entities of the Russian Federation, local governments of municipal formations authorized to place in state information systems for urban planning which performed engineering surveys. The public authorities of the constituent entities of the Russian Federation, local governments of municipalities authorized to maintain state information systems for supporting urban planning activities, within five working days from the date of receipt of the relevant documents, materials, information about documents and materials, ensure their placement in state information systems for urban planning. activities.

(part 2 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

2.1. Information, documents, materials placed in federal state information systems are subject to direction (including using a unified system of interdepartmental electronic interaction and regional systems of interdepartmental electronic interaction connected to it) for placement in state information systems providing urban planning activity to the executive authorities of the subjects Of the Russian Federation, local governments of municipalities, the authority nnye to conduct public information systems for urban development, within five working days from the date of issue in the federal state of information systems. Within five working days from the date of receipt of such information, the specified executive authorities of the constituent entities of the Russian Federation, local governments of municipal formations place them in the state information systems for urban planning.

(Part 2.1 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

3. Approved, adopted, agreed upon or issued by the executive authority of a constituent entity of the Russian Federation, a local government body of a city district, a local government body of a municipal district, documents, materials that are subject to placement or information about which are to be placed in state information systems to support town-planning activity by the specified executive body the authorities of the subject of the Russian Federation, local authorities, are placed in the specified systems emah within ten working days from the date of approval, acceptance or issuance.

(part 3 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

4. Effective from January 1, 2019. - Federal Law of 03.08.2018 N 342-FZ.

(see the text in the previous "edition")

ConsultantPlus: note.

If the information system for ensuring urban planning activity is established before 01/01/2019, its operation can be carried out without taking into account Part 5 of Art. 57 to 01/01/2020 (Part 48 of Art. 26 FZ of 03.08.2018 N 342-FZ).

5. The procedure for maintaining state information systems to support urban development activities, including state information systems to support urban development activities with

automated information and analytical support functions for exercising authority in the field of urban planning activities, as well as in cases provided for in Article 63 of this Code -analytical support for the exercise of authority in the field of construction activities, requirements for technology, software, linguistic, legal, organizational and technical means to ensure the maintenance of these automated state information systems are established by the Government of the Russian Federation.

(Part 5 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

6. Local governments of urban districts, local governments of municipal districts are obliged to provide information, documents, materials contained in state information systems to support urban planning activities, including those placed in these information systems by an authorized state authority of the Russian Federation subject authorities, local governments, individuals and legal entities.

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

7. The provision of information, documents and materials contained in state information systems to support urban development activities is free of charge or for a fee. The procedure for providing information, documents and materials contained in state information systems for supporting urban planning, the amount of fees for providing them and the procedure for collecting such fees are established by the Government of the Russian Federation.

(part 7 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

8. The local government body of the city district, the local government body of the municipal district shall provide free of charge information, documents and materials contained in the state information system for ensuring the town-planning activity, about capital construction objects to the organization (body) for the registration of real estate objects and and municipal property in the required amount, as well as information on the compliance of capital construction objects with the requirements Energy Efficiency and requirements for equipping capital construction objects with energy consumption metering devices, information on the energy efficiency class of apartment buildings to government authorities who need such information in connection with the exercise of their authority, including the authority to exercise state control over compliance with requirements legislation on energy saving and energy efficiency.

(as amended by Federal Law of 23.11.2009 N 261-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

9. Local governments of urban districts, local governments of municipal districts free of charge provide information, documents and materials contained in the state information system to support urban planning, at the request of:

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

1) public authorities of the Russian Federation, public authorities of the constituent entities of the Russian Federation, local governments;

2) individuals and legal entities in cases provided for by federal laws.

9.1. According to the interdepartmental requests of the state authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, local governments, information, documents and materials contained in the state information system for ensuring urban development activities are provided no later than five working days from the date of receipt town planning activities by the local government Yona, the local government of the city district of the relevant interdepartmental request.

(Part 9.1 as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

If the information system for supporting urban planning is established before 01/01/2019, its operation can be carried out without taking into account Part 10 of Art. 57 to 01/01/2020 (Part 48 of Art. 26 FZ of 03.08.2018 N 342-FZ).

10. Creation and operation of state information systems for urban planning, including state information systems for urban planning with the functions of automated information and analytical support for the exercise of authority in the field of urban planning, the provision of information, documents and materials contained in such information systems is carried out using standard software for creating and maintaining state information systems to support urban development or to create and maintain state information systems for urban planning with the functions of automated information and analytical support for the exercise of authority in the field of urban planning and standard documentation for the creation and maintenance of these public information systems, if such typical software and standard documentation placed in the federal state information About the system for collecting, processing and storing algorithms and programs for electronic computers, preparatory (project), technical, accompanying and / or methodological documentation for programs for electronic computers created or acquired with the involvement of the federal budget and the budgets of state extra-budgetary funds , in order to provide them to state bodies, state extra-budgetary funds and local governments for reuse in the implementation of info technology in their activities - the national fund of algorithms and programs for electronic computers (hereinafter - the national fund of algorithms and programs for electronic computers). (Part 10 as amended by the Federal Law of 03.08.2018 N 342-FZ) (see the text in the previous "edition")

11. Standard software and standard documentation specified in part 10 of this article are placed in the national fund of algorithms and programs for electronic computers by authorized state bodies of the constituent entities of the Russian Federation in coordination with the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, urban planning, and with the federal body th power, carrying out functions for the formulation and implementation of public policy and legal regulation in the field of information technology. The subject of such coordination is the compliance of the software and documentation with the requirements specified in Part 5 of this article, as well as the criteria established by the federal authorities for placing algorithms and programs for electronic computers in the national fund as typical software and standard documentation used to create and maintain government information systems for urban planning, including state information systems those for urban development with the functions of automated information and analytical support to the exercise of authority in the field of urban development activities, and in the case provided for in Article 63 of this Code, to establish and maintain state information systems of automated information and analytical support to the exercise of authority in the field of town-planning activity. (Part 11 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

### **"" RFC RF Article 57.1. Federal State Territorial Planning Information System**

(introduced by Federal Law of 20.03.2011 N 41-FZ)

1. Federal State Information System for Territorial Planning - an information and analytical system that provides access to information contained in state information resources, state and municipal information systems, including state information systems to support urban planning, and is necessary to support the activities of government bodies and local governments in the field of spatial planning.

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"" 2. Through the information system of territorial planning using the official website on the Internet, defined by the federal executive body authorized to monitor compliance with the procedure for maintaining the information system of territorial planning (hereinafter referred to as the official website), public authorities should be provided with access , local authorities, individuals and legal entities to the next necessary for the preparation of documents Tory planning information:



- 1) development strategies (programs) of individual sectors of the economy, priority national projects, intergovernmental programs, programs for the socio-economic development of the constituent entities of the Russian Federation, plans and programs for the integrated socio-economic development of municipalities, programs adopted in the prescribed manner and implemented at the expense of federal funds budget, the budgets of the constituent entities of the Russian Federation, local budgets, decisions of state authorities, local governments, other chapters s managers of the respective budgets, providing for the establishment of federal significance, objects of regional significance, objects of local importance;
  - 2) draft territorial planning documents and materials for substantiating such projects;
  - 3) territorial planning documents;
    - 3.1) programs of integrated development of systems of municipal infrastructure of settlements, urban districts, programs of integrated development of transport infrastructure of settlements, urban districts, programs of integrated development of social infrastructure of settlements, urban districts;  
(clause 3.1 was introduced by the Federal Law of 30.12.2012 N 289-FZ, as amended by the Federal Law of 29.12.2014 N 456-FZ)  
(see the text in the previous "edition")
  - 4) has become invalid since January 1, 2019. - Federal Law of 03.08.2018 N 342-FZ;  
(see the text in the previous "edition")
  - 5) digital topographic maps that do not contain information classified as state secret;
    - 5.1) historical and cultural support plans for historical settlements of federal significance and historical and cultural support plans for historical settlements of regional importance;  
(clause 5.1 was introduced by Federal Law of 12.11.2012 N 179-FZ)
    - 5.2) town planning design standards;  
(clause 5.2 was introduced by Federal Law dated 05.05.2014 N 131-FZ)
  - "" 6) information:
    - a) about the borders of the constituent entities of the Russian Federation, municipalities, settlements;
    - b) on the location of objects of federal significance, objects of regional significance, objects of local significance;
    - c) on zones with special conditions of territory use;
    - d) on the territories of cultural heritage sites, historical settlements;  
(as amended by the Federal Law of 30.12.2015 N 459-FZ)  
(see the text in the previous "edition")
    - e) on specially protected natural territories;
    - e) on territories at risk of occurrence of emergency situations of natural and man-made character;
    - g) on special economic zones;
    - h) has become invalid since January 1, 2019. - Federal Law of 03.08.2018 N 342-FZ;  
(see the text in the previous "edition")
    - i) on deposits and occurrences of minerals;
    - k) on the boundaries of forestries, forest parks;  
(paragraphs "to" introduced by Federal Law of 29.07.2017 N 280-FZ)
    - k) on the boundaries of territories approved in accordance with Federal Law No. 73-FZ of June 25, 2002 "On Objects of Cultural Heritage (Historical and Cultural Monuments) of the Peoples of the Russian Federation", in respect of which the bodies protecting cultural heritage such territories of objects of archaeological heritage or objects possessing the attributes of an object of archaeological heritage;  
(paragraphs "l" introduced by Federal Law of 03.08.2018 N 342-FZ)
    - m) on land use and development rules, on making changes to them;  
(paragraphs "m" introduced by Federal Law of 03.08.2018 N 342-FZ)
  - 7) other information about the state, use, restrictions on the use of territories.
3. Federal executive authorities, state authorities of the constituent entities of the Russian Federation, local governments that create state information resources, create and maintain state and municipal information systems containing the information specified in paragraph 2

of this article must provide access to the official information on the official website subject to the legislation of the Russian Federation on state secrets in the amount and in the "order" established by the Government Russian Federation.

4. The operator of the territorial planning information system shall be determined by the Government of the Russian Federation. The operator of the territorial planning information system ensures its creation and operation.

5. The Government of the Russian Federation establishes the rules for maintaining the territorial planning information system, including:

- 1) requirements for software and technical means of maintaining the territorial planning information system taking into account the legislation of the Russian Federation on technical regulation;
- 2) information requirements (with the exception of information specified in clause 5 of part 2 of this article), access to which should be provided through the territorial planning information system, and how to display it;
- 3) the procedure for granting access to public authorities, local governments, individuals and legal entities to the information specified in paragraph 2 of this article, using the official website;
- 4) the procedure for ensuring access to the projects of territorial planning documents, materials for substantiating such projects, approved territorial planning documents in the territorial planning information system;
- 5) the procedure for providing, upon request of individuals or legal entities, information on the location of land belonging to such persons within the boundaries of the territories in respect of which the bodies of protection of cultural heritage objects have reason to assume the presence of archaeological heritage objects or objects with features of the archaeological heritage object in such territories.

(clause 5 was introduced by Federal Law of 03.08.2018 N 342-FZ)

6. Control over compliance with the procedure for maintaining the territorial planning information system, including compliance with the requirements of the legislation of the Russian Federation on information protection, is exercised by the federal executive body authorized to exercise control over compliance with the procedure for maintaining the territorial planning information system.

7. Access to information posted on the official website should be free of charge.

8. The operator of the territorial planning information system shall, within seven working days from the date of receipt of the request from a natural or legal person, provide him without charge information on the location of the land plot owned by such person within the boundaries of the territory for which the bodies of protection of cultural heritage objects have grounds to assume the presence on such a territory of objects of the archaeological heritage or objects with signs of the object of the archaeological heritage.

(Part 8 was introduced by the Federal Law of 03.08.2018 N 342-FZ)

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC of the RF Article 57.2. Federal State Information System for Pricing in Construction** (introduced by Federal Law of 03.07.2016 N 369-FZ)

1. The federal state information system of pricing in construction (hereinafter - the information system of pricing) is a state information system operating on the basis of software, hardware and information technology, providing for the collection, processing, storage, placement and use of information necessary to determine the estimated cost of construction .

2. The following information is subject to placement in the pricing information system:

- 1) approved estimated standards;
- 2) the federal register of estimated standards containing information on the approved estimated standards;
- 3) enlarged standards of construction prices;
- 4) methods for determining the estimated prices of construction resources;

5) estimated prices of construction resources;

6) a list of persons who are obliged to provide information specified in paragraph 7 of Article 8.3 of this Code;

7) other information, the need to include which in the pricing information system is established by the regulatory legal acts of the Russian Federation.

(part 2 as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

3. Persons who are obliged to provide information provided for in paragraph 7 of Article 8.3 of this Code shall receive authorized access to the pricing information system in order to place this information in it through the use of a uniform identification and authentication system by appropriate legal entities.

4. Access of government bodies, local authorities, individuals and legal entities to information placed in the pricing information system is carried out using the official website on the Internet, defined by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, urban planning (hereinafter referred to as the official website). The access of the specified persons to the information provided for by paragraph 7 of Article 8.3 of this Code is subject to the requirements of the legislation of the Russian Federation on state, commercial and other secrets protected by law.

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

5. The Government of the Russian Federation approves the regulation on the pricing information system, including:

1) requirements for software and hardware tools for maintaining a pricing information system, taking into account the legislation of the Russian Federation on technical regulation;

2) information requirements, access to which should be provided through the pricing information system, and how to display it;

3) the procedure for granting public authorities, local authorities, individuals and legal entities access to the information specified in paragraph 2 of this article, using the official website on the Internet, defined by the federal executive body that performs the functions of developing and implementing state policies and regulations in the field of construction, architecture, urban planning.

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

6. Creation, development and operation of the pricing information system is provided by the federal executive body that performs the functions of developing and implementing state policy and legal regulation in the field of construction, architecture, urban planning, or a state (budget or autonomous) institution subordinate to the specified body.

(as amended by Federal Law of 07/26/2017 N 191-FZ, of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

7. Access to information placed in the pricing information system is free of charge.

8. The rights of the owner of the information hosted in the pricing information system and the owner of the rights to the results of intellectual activity related to the creation of the pricing information system, including the software of the pricing information system, on behalf of the Russian Federation are exercised by the federal executive body responsible for the development and implementation of state policy and legal regulation in the sphere of construction, architecture, and city planning.

(as amended by the Federal Law of 26.07.2017 N 191-FZ)

(see the text in the previous "edition")

9. The information contained in the pricing information system is subject to protection in accordance with the legislation of the Russian Federation on information, information technologies and information protection, as well as the legislation of the Russian Federation on state, commercial and other secrets protected by law.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

ConsultantPlus: note.

On the timing of the use of information specified in the urban development plans of land, see article 9 of the Federal Law of 03.07.2016 N 373-FZ.

**"" RFC of the RF Article 57.3. Urban Development Plan**

(introduced by Federal Law of 03.07.2016 N 373-FZ)

1. The town-planning plan of the land plot is issued in order to provide the subjects of the town-planning activity with information necessary for architectural and construction design, construction, and reconstruction of capital construction objects within the boundaries of the land plot.
2. Sources of information for the preparation of a town-planning plan for the land plot are territorial planning and zoning documents, town-planning design standards, territory planning documentation, information contained in the Unified State Register of Real Estate, the federal state territorial planning information system, the state information system for supporting urban planning, as well as technical conditions of connection ( Technological joining) of capital construction to engineering and technical support.  
(as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")
3. The urban development plan of the land contains information:
  - 1) about the details of the territory planning project and (or) the land survey project if the land plot is located within the boundaries of the territory in respect of which the territory planning project and (or) the land survey project has been approved;
  - 2) on the boundaries of the land plot and on the cadastral number of the land plot (if available);
  - 3) on the boundaries of the zone of the planned location of the capital construction object in accordance with the approved territory planning project (if available);
  - 4) on the minimum distance from the boundaries of the land plot, within which the construction of capital construction objects is permitted;
  - 5) the main, conditionally permitted and auxiliary types of permitted use of the land plot established in accordance with this Code, other federal law;  
(as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")
  - 6) on the limiting parameters of the permitted construction, reconstruction of the capital construction object established by the town planning regulations for the territorial zone in which the land plot is located, except for cases of issuing a town planning plan for a land plot in respect of a land plot to which the town planning regulation does not apply or for which the regulations are not established;
  - 7) on the requirements for the purpose, parameters and location of the capital construction object on the specified land plot, established in accordance with paragraph 7 of Article 36 of this Code, in the case of issuing a town-planning plan of a land plot in respect of a land plot that is not covered by the town-planning regulations or which the town-planning regulations are not established, except for the case provided for by clause 7.1 of this part;  
(as amended by the Federal Law of 03.08.2018 N 342-FZ)  
(see the text in the previous "edition")
- 7.1) on the limiting parameters of the permitted construction, reconstruction of the capital construction object, established by the provision on specially protected natural territories, in case of issuing a city-planning plan of the land plot in relation to the land plot located within the boundaries of the specially protected natural territory;  
(clause 7.1 was introduced by Federal Law of 03.08.2018 N 342-FZ)
- 8) on estimated indicators of the minimum permissible level of provision of the territory with objects of communal, transport, social infrastructures and estimated indicators of the maximum permissible level of territorial accessibility of the said objects for the population if the land plot is located within the boundaries of the territory for which the implementation of

integrated and sustainable territory development;

9) on restrictions on the use of a land plot, including if the land plot is fully or partially located within the boundaries of zones with special conditions for the use of territories;

10) on the boundaries of zones with special conditions for the use of territories, if the land plot is fully or partially located within the boundaries of such zones;

11) on the boundaries of public servitudes;

(as amended by the Federal Law of 03.08.2018 N 341-FZ)

(see the text in the previous "edition")

12) the number and / or name of the element of the planning structure, within which the land plot is located;

13) on capital construction facilities located within the boundaries of the land plot, as well as engineering and technical support networks located within the boundaries of the land plot;

14) on the presence or absence within the boundaries of the land plot of cultural heritage objects, on the borders of the territories of such objects;

15) on the technical conditions of connection (technological connection) of capital construction projects to the networks of engineering and technical support, determined in view of the programs for the integrated development of the municipal infrastructure systems of a settlement, urban district;

16) on the details of the regulatory legal acts of the constituent entity of the Russian Federation, municipal legal acts establishing the requirements for the improvement of the territory;

17) about red lines.

3.1. Subjects of the Russian Federation have the right to establish by law a constituent entity of the Russian Federation a provision that the mandatory annex to the urban development plan of a land plot, if issued in electronic form, are materials and results of previously conducted engineering surveys contained in the information system for supporting urban development activities, provided that the materials and results do not contain information classified as restricted by federal laws.

(Part 3.1 was introduced by Federal Law of 03.08.2018 N 340-FZ)

4. If, in accordance with this Code, the placement of a capital construction object is not allowed in the absence of documentation on the territory planning, the town-planning plan for a land plot for architectural and construction design will be issued, permission for the construction of such a capital construction object is allowed only after the approval of such planning documentation.

5. In order to obtain a town-planning plan for a land plot, the right holder of a land plot applies to the local government at the location of the land plot. An application for issuance of a land development plan of a land plot may be submitted by the applicant through the multifunctional center.

"" 6. Within twenty working days after receiving the application specified in paragraph 5 of this article, the local government body shall prepare, register the town-planning plan of the land plot and issue it to the applicant. The urban development plan of the land plot is issued to the applicant free of charge.

"" 7. When preparing the urban development plan of a land plot, the local government within seven days from the date of receipt of the application for issuing such a document sends to organizations that operate the engineering and technical support networks a request for technical conditions for connection (technological connection) of the object planned for construction or reconstruction capital construction to engineering networks. The specified technical conditions are subject to submission to the local government within the period established by paragraph 7 of Article 48 of this Code.

8. If the application does not contain information on the purpose of using the land, the organization operating the engineering networks determines the maximum load at possible points of connection to the engineering networks based on the information contained in the land use and development rules.

""9. The form of the town-planning plan of the land plot, the procedure for filling it out shall be established by the federal executive body authorized by the Government of the Russian

Federation.

10. The information specified in the urban development plan of the land plot can be used for the preparation of project documentation, for obtaining a construction permit within three years from the date of its issuance. After this period, the use of information specified in the urban plan of the land plot for the purposes provided for in this part is not allowed.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RFC RF Article 58. Responsibility for violation of legislation on urban planning**

Persons found guilty of violating the laws on urban planning carry disciplinary, property, administrative, criminal liability in accordance with the legislation of the Russian Federation.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**Group of Companies of the Russian Federation Article 59. Compensation of Harm Caused to Life or Health of Individuals, Property of Individuals or Legal Entities in Territorial Planning, Urban Zoning and Territory Planning**

(as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

1. Compensation of damage caused to life or health of individuals, property of individuals or legal entities as a result of the approval of the territorial planning documents of the Russian Federation that do not meet the requirements of technical regulations, the territory planning documentation approved by federal executive bodies in accordance with this Code, is carried out by the Russian Federation in full.

2. Compensation of damage caused to life or health of individuals, property of individuals or legal entities as a result of approval of territorial planning documents of two or more constituent entities of the Russian Federation that do not meet the requirements of technical regulations, territorial planning documents of a constituent entity of the Russian Federation, territory planning documentation approved in accordance with with this Code, state authorities of the constituent entities of the Russian Federation, carried out by the subjects of Russia Federation in its entirety.

(part 2 as amended by the Federal Law of 31.12.2017 N 507-FZ)

(see the text in the previous "edition")

3. Compensation of damage caused to life or health of individuals, property of individuals or legal entities as a result of the approval of territorial planning documents of municipalities that do not meet the requirements of technical regulations, land use and development rules, territory planning documents approved by local authorities in accordance with this Code, carried out by municipalities in full.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

**"" RF CCR Article 60. Compensation of damage caused as a result of destruction, damage to a capital construction object, violation of safety requirements during construction, demolition of a capital construction object, requirements for ensuring the safe operation of a building or structure**

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

(as amended by the Federal Law of 28.11.2011 N 337-FZ)

(see the text in the previous "edition")

""one. In the event of damage to a person or property of a citizen, property of a legal entity as a result of destruction, damage to a building, structure or part of a building or structure, violation of requirements for ensuring safe operation of a building, structure, safety

requirements during the demolition of a building, structure, the owner of such a building, structure (except case provided for in part 2 of this article), unless persons or extraordinary and unavoidable under the given conditions (force majeure), compensate the damage in accordance with civil law, and pay compensation over and above compensation for damage: (as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

- 1) the relatives of the victim (parents, children, adoptive parents, adopted children), the spouse in the event of the death of the victim - in the amount of three million rubles;
- 2) to the victim in case of causing grievous harm to his health - in the amount of two million rubles;
- 3) to the victim in case of infliction of moderate bodily harm to his health - in the amount of one million rubles.

2. In the event of damage due to destruction, damage to a building, structure or part of a building or structure, violation of the requirements for ensuring the safe operation of a building during the period of the concession agreement, public-private partnership agreement, agreement on municipal-private partnership, the subject of which is construction or reconstruction and operation (use) of such a building, structure, compensation of harm and payment of compensation in excess of compensation of harm provided for by part 1 of this article are carried out by the concessionaire, the private partner, unless otherwise provided by the concession agreement, public-private partnership agreement, municipal-private partnership agreement or if they do not prove that the specified destruction, damage, violation arose due to the intent of the victim, third actions persons or force majeure.

(as amended by the Federal Law of 13.07.2015 N 224-FZ)

(see the text in the previous "edition")

3. In the event of damage due to destruction, damage to the facility under construction, violation of safety requirements during the construction of such an object, safety requirements for the demolition of such an object, compensation for harm and compensation in excess of compensation for harm provided for in paragraph 1 of this article shall be made by the developer, unless the developer, that the specified destruction, damage, violation arose due to the intent of the victim, the actions of third parties or force majeure.

(as amended by Federal Law of 07/03/2016 N 372-FZ, of 08/03/2018 N 340-FZ)

(see the text in the previous "edition")

4. If civil liability of persons specified in parts 1 to 3 of this article for causing harm as a result of destruction, damage to a capital construction object or part of a building or structure, violation of safety requirements during the construction of a capital construction object, requirements for ensuring safe operation buildings, structures, safety requirements in case of demolition of a building, structures insured in accordance with the legislation of the Russian Federation, these persons compensate damage in parts, e covered by insurance claims, and if provided by federal law, compensation payments to the professional association of insurers.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

5. The owner of the building, structure, concessionaire, private partner, developer, who reimbursed in accordance with civil law harm caused by the destruction, damage to a building, structure, or part of a building or structure, construction in progress, violation of safety requirements during the construction of capital construction, requirements to ensuring the safe operation of the building, structure, safety requirements during the demolition of the building, structure, and paid compensation in excess of I harm in accordance with paragraphs 1 - 3 of this Article shall have the right of recourse (regression) in the amount of compensation for damages and payment of excess compensation for damages to:

(as amended by Federal Law of 13.07.2015 N 224-FZ, of 03.07.2016 N 372-FZ, of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

- 1) to a person who has performed the relevant work on engineering surveys, preparation of project documentation, construction, reconstruction, overhaul, demolition of a capital construction object, due to the shortcomings of which damage has been caused;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

1.1) a technical customer who performed on behalf of the developer the relevant functions of the agreements concluded by the technical customer with other persons on the performance of engineering surveys, on the preparation of project documentation, on construction, reconstruction, major repairs, demolition of capital construction objects, which resulted in damage;

(clause 1.1 was introduced by the Federal Law of 03.07.2016 N 372-FZ; as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) a self-regulating organization within the limits of the compensation fund for compensation for harm in the event that the persons specified in clauses 1 and 1.1 of this part have completed engineering surveys, preparation of project documentation, construction, reconstruction, major repair, demolition of a capital construction object, or the person who performed the functions of a technical customer in respect of such an object was a member of such a self-regulatory organization;

(as amended by Federal Law of 07/03/2016 N 372-FZ, of 08/03/2018 N 340-FZ)

(see the text in the previous "edition")

2.1) to the relevant National Association of self-regulating organizations in case of exclusion of information about the self-regulating organization indicated in paragraph 2 of this part from the state register of self-regulating organizations within the limits of the compensation fund of the said self-regulating organization credited to the account of such National Association or to the self-regulating organization as a member which accepted the technical customer and (or) the person who performed the work on engineering surveys, preparing e project documentation for construction, reconstruction, overhaul, demolition of a capital construction object, due to the shortcomings of which caused harm, in the event that such a National Association of self-regulatory organizations listed in the manner prescribed by part 16 of article 55.16 of this Code, the compensation compensation fund the account of the specified self-regulatory organization;

(clause 2.1 was introduced by the Federal Law of 22.10.2014 N 320-FZ; as amended by the Federal Laws of 03.07.2016 N 372-FZ, of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3) an organization that has conducted a state examination of engineering survey results or a non-state expertise of engineering survey results, if the harm is caused as a result of non-compliance of the engineering survey results with technical regulations and there is a positive conclusion of the state expertise of the engineering survey results or a positive opinion of the non-governmental survey of the engineering survey results;

4) an organization that has conducted a state examination of project documentation or a non-state examination of project documentation, if the harm is caused as a result of non-compliance of the project documentation with the requirements specified in paragraph 1 of part 5 of article 49 of this Code, and (or) the results of engineering surveys and there is a positive conclusion of state expertise of the project documentation or the positive conclusion of the non-state examination of the project documentation, with the exception of the cases specified in paragraph 4.2. standing part;

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

4.1) is no longer valid. - Federal Law of 03.08.2018 N 342-FZ;

(see the text in the previous "edition")

4.2) an organization that has conducted an industrial safety review of the safety justification of a hazardous production facility, if the harm is caused as a result of applying the safety justification of the hazardous production facility and there is a positive conclusion of the industrial safety expertise of such a justification;

(clause 4.2 was introduced by Federal Law of 07.03.2017 N 31-FZ)

4.3) an organization that has examined the project documentation, subsequently recognized as cost-effective project documentation, if the harm is caused as a result of non-compliance of the



sections of the project documentation specified in paragraph 5.1 of Article 49 of this Code, prepared using such project documentation, with the requirements of technical regulations; (clause 4.3 was introduced by Federal Law of 03.08.2018 N 342-FZ)

5) the Russian Federation or a subject of the Russian Federation, if the damage is caused as a result of a mismatch of the constructed, reconstructed capital construction object and (or) work performed during construction, reconstruction of the capital construction object to the requirements of project documentation and there is a positive opinion of the state construction supervision authority.

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

6. The persons referred to in clauses 1-5 of part 5 of this article shall be jointly and severally liable to the owner of the building, structure, concessionaire, private partner, developer, technical customer, who, in accordance with civil legislation, compensated for damage caused by the destruction or damage to the building, structures or parts of a building or structure, an object under construction, violation of safety requirements during the construction of a capital construction object, safety requirements during demolition The object of capital construction, the requirements for the safe operation of buildings, structures, and compensation in accordance with paragraphs 1 - 3 of this Article.

(as amended by Federal Law of 13.07.2015 N 224-FZ, as of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

7. In case of insufficiency of the property of the state-owned state institution, which carried out the state examination of project documentation and (or) state examination of engineering survey results, subsidiary liability for damage caused as a result of destruction, damage to a building, structure or part of a building or structure, an object under construction, is Federation or subject of the Russian Federation.

8. The owner of the building, structure, concessionaire, private partner, who reimbursed in accordance with civil law harm caused by the destruction, damage to the building, structure or part of the building or structure, violation of the requirements for ensuring the safe operation of the building, structure, and paid compensation in accordance with parts 1 and 2 of this article, have the right of the return requirement (recourse) to the person who performed during the operation of the building, the structure on the basis of the contract concluded with the specified mi owner, concessionaire, private partner, the relevant work on the maintenance and (or) maintenance of the building, structure, due to the deficiencies that caused the damage, in the amount of compensation for damages and compensation.

(as amended by the Federal Law of 13.07.2015 N 224-FZ)

(see the text in the previous "edition")

9. If the number of owners of a building, a structure is two or more, they are jointly and severally liable for causing damage due to destruction, damage to a building, structure, or part of a building or structure, violation of requirements for ensuring safe operation of a building, structure, safety requirements during demolition of a building, structure . At the same time, if the damage was caused as a result of violation of the requirements for ensuring the safe operation of the building, structure, safety requirements during the demolition of the building, structure by one of the owners, other owners, who, in accordance with civil law, compensated for the damage caused by the destruction, damage to the building, structure parts of a building or structure, violation of requirements for ensuring the safe operation of a building, structure, safety requirements for the demolition of a building, structure, and or compensation in accordance with paragraph 1 of this Article shall have the right of recourse (recourse) to the specified owner.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

10. The provisions of paragraphs 1–9 of this article do not apply to cases of damage caused by destruction, damage to an apartment building, a part of such a home, or violation of the requirements for ensuring the safe operation of such a home.

11. Compensation for damage caused by the destruction or damage to an apartment building, its part, violation of the requirements for ensuring the safe operation of an apartment

building, is carried out in accordance with civil law. If the damage was caused as a result of deficiencies in engineering surveys, preparation of project documentation, construction, reconstruction, overhaul of a capital construction facility, jointly with the technical customer, the person who performed engineering surveys, preparation of project documentation, construction, reconstruction, the overhaul of a capital construction object, due to the shortcomings of which damage has been caused, shall be liable:

(as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1) a self-regulating organization within the limits of the compensation fund for compensation for harm in the event that the person who carried out engineering surveys, the preparation of project documentation, construction, reconstruction, overhaul of the capital construction object, or the person who performed the functions of a technical customer in relation to such an object, was a member of such a self-regulatory organization;

(Clause 1 as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

1.1) the relevant National Association of self-regulatory organizations in case of exclusion of information about the self-regulating organization specified in paragraph 1 of this part from the state register of self-regulating organizations within the limits of the compensation fund of the said self-regulating organization credited to the account of such National Association, or self-regulating organization of which they became technical customer and (or) the person who performed the work on engineering surveys, preparation of the project documentation for construction, reconstruction, overhaul of a capital construction object, due to the shortcomings of which caused harm, in the event that such a national association of self-regulatory organizations transferred, in the manner prescribed by paragraph 16 of article 55.16 of this Code, the compensation fund to the account of the specified self-regulating organizations;

(clause 1.1 was introduced by the Federal Law of 22.10.2014 N 320-FZ; as amended by the Federal Law of 03.07.2016 N 372-FZ)

(see the text in the previous "edition")

2) an organization that has conducted a state expert review of engineering survey results or a non-state expertise of engineering survey results, if the harm is caused as a result of non-compliance of the engineering survey results with technical regulations and there is a positive conclusion of the state expertise of the engineering survey results or a positive opinion of the non-governmental expertise of the engineering survey results;

3) an organization that has conducted a state examination of project documentation or a non-state examination of project documentation, if the harm is caused as a result of non-compliance of the project documentation with the requirements specified in paragraph 1 of part 5 of article 49 of this Code, and (or) the results of engineering surveys and there is a positive conclusion of state expertise project documentation or a positive conclusion of non-state examination of project documentation;

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

4) The Russian Federation or a subject of the Russian Federation, if the harm is caused as a result of a mismatch of the constructed, reconstructed capital construction object and (or) work performed during the construction process, reconstruction of the capital construction object, to the requirements of project documentation and there is a positive opinion of the state construction supervision authority.

(as amended by the Federal Law of 03.08.2018 N 342-FZ)

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

ConsultantPlus: note.

Art. 60.1 does not apply to legal relations related to ensuring the property liability of members of a self-regulating organization for obligations arising prior to the entry into force of the

Federal Law of July 3, 2016 N 372-FZ from the agreements listed in paragraph 3 of Article 8 of this law.

**"" RFC RF Article 60.1. Compensation of damage caused by non-fulfillment or improper fulfillment by a member of a self-regulating organization of obligations under a contract to carry out engineering surveys, prepare project documentation, construction contract, contract for demolition concluded using competitive methods to conclude a contract**

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

(introduced by the Federal Law of 03.07.2016 N 372-FZ)

""one. In case of non-fulfillment or improper fulfillment by a member of the self-regulatory organization of obligations under the contract for engineering surveys, preparation of project documentation, construction contract, demolition contract concluded with the developer, technical customer, person in charge of building, structure, regional operator using competitive methods of concluding an agreement, subsidiary liability is borne by:

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

1) a self-regulating organization within one-fourth of the funds of the compensation fund for securing contractual obligations, the amount of which is calculated in the manner prescribed by the internal documents of the self-regulating organization, depending on the number of its members at the date of the claim for compensation and established in accordance with parts 11 and 13 Article 55.16 of this Code, the size of the contribution to such a compensation fund adopted for each member, depending on the level of his responsibility Fruits that arose on the basis of such a contract, if the individual entrepreneur or legal entity at the time of the conclusion of the contract specified in this part of the contract were members of such a self-regulatory organization;

2) the relevant National Association of self-regulatory organizations in case of exclusion of information about the self-regulatory organization specified in paragraph 1 of this part from the state register of self-regulatory organizations within one fourth of the funds of the compensation fund for securing contractual obligations credited to the account of such National Association of self-regulatory organizations or self-regulating organization, a member of which has become a person who has not fulfilled or has improperly performed the appropriate stvuyuschie obligations under such contracts, if such a national association of self-regulatory organizations listed in the order specified in part 16 of Article 55.16 of this Code, the compensation fund providing a means of contractual obligations on account of this self-regulatory organization.

2. In case of non-fulfillment or improper fulfillment by a member of a self-regulating organization of the functions of a technical customer, subsidiary responsibility shall be borne by:

1) a self-regulating organization within one-fourth of the funds of the compensation fund for securing contractual obligations, the amount of which is calculated in the manner prescribed by the internal documents of the self-regulating organization, depending on the number of its members at the date of the claim for compensation and established in accordance with parts 11 and 13 Article 55.16 of this Code, the size of the contribution to such a compensation fund adopted for each such member, depending on the level of his responsibility for obligations arising on the basis of a contract for the performance of engineering surveys, preparation of project documentation, construction contract, contract for the demolition, if the individual entrepreneur or legal entity that performed the functions of a technical customer on behalf of the developer, at the time of concluding such an agreement members of such a self-regulatory organization;

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

2) the relevant National Association of self-regulatory organizations in case of exclusion of information about the self-regulatory organization specified in paragraph 1 of this part from the state register of self-regulatory organizations within one fourth of the funds of the

compensation fund for securing contractual obligations credited to the account of such National Association of self-regulatory organizations, or self-regulating organization, a member of which was a technical customer who has not performed or improperly used functions of technical customer in the construction, reconstruction, major repairs, demolition of capital construction, if a national association of self-regulatory organizations listed in the order specified in part 16 of Article 55.16 of this Code, the compensation indemnity fund harm on account of this self-regulatory organization.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

3. The size of the compensation payment from the compensation fund to secure contractual obligations under the said contracts on one claim for compensation for real damage due to non-fulfillment or improper fulfillment by a member of the self-regulating organization of obligations under the contract for the performance of engineering surveys, preparation of project documentation, construction contract, contract agreement the implementation of demolition, concluded with the use of competitive methods of contracting, or as a result of complete or inadequate execution by a member of a self-regulating organization of the functions of a technical customer during construction, reconstruction, overhaul, demolition of capital construction objects under such agreements concluded on behalf of the developer, as well as a penalty (fine) under such agreements cannot exceed one-fourth of the compensation fund funds contractual obligations, the amount of which is calculated in the manner prescribed by the internal documents of the self-regulating organization, depending on the number the quality of its members as of the date of the claim for compensation payment and established in accordance with Part 11 and 13 of Article 55.16 of this Code, the amount of the contribution to such compensation fund adopted for each such member depending on the level of responsibility for the respective obligations.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

4. If a member of a self-regulating organization is responsible for failure to fulfill or improper fulfillment of obligations under a contract to carry out engineering surveys, prepare project documentation, construction contract, contract for demolition concluded using competitive methods for entering into contracts, or for failure to perform or inadequate execution by a member of a self-regulating organization of the functions of a technical customer in the construction, reconstruction, and overhaul, the demolition of capital construction projects under such contracts concluded on behalf of the developer is insured in accordance with the legislation of the Russian Federation; the persons specified in paragraphs 1 and 2 of this article shall compensate actual damage, as well as a penalty (fine) under such contracts to the extent not covered insurance claims.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

5. Compensation of actual damage due to non-fulfillment or improper fulfillment by a member of a self-regulating organization of obligations under an engineering contract for the execution of engineering surveys, preparation of project documentation, a construction contract, a contract for demolition concluded using competitive methods for entering into contracts, or due to non-performance or improper performance a member of the self-regulating organization of technical customer functions in the construction, reconstruction, and in capital repair, demolition of capital construction objects under such agreements concluded on behalf of the developer, as well as penalties (fines) under such agreements are carried out by the persons specified in paragraphs 1 and 2 of this article, in accordance with the legislation of the Russian Federation.

(as amended by the Federal Law of 03.08.2018 N 340-FZ)

(see the text in the previous "edition")

6. In the event of liquidation of a legal entity - a member of a self-regulating organization, the performance of warranty obligations under a contract to perform engineering surveys, preparation of project documentation, a construction contract concluded by such a person using competitive methods for concluding contracts is carried out by a self-regulating

organization within one-fourth of compensation funds. security fund of contractual obligations, the amount of which is calculated in the manner prescribed by internal by the number of its members at the date of the claim for compensation and established in accordance with paragraphs 11 and 13 of Article 55.16 of this Code, the amount of the contribution to such compensation fund adopted for each of these members depending on the level of his responsibility commitments. The customer under such contracts has the right to demand from the self-regulating organization compensation for the actual damage suffered by it, as well as a penalty (fine) under the said contracts in a judicial proceeding in accordance with the legislation of the Russian Federation.

7. In case of exclusion of information about the self-regulating organization specified in paragraph 6 of this article from the state register of self-regulating organizations, performance of warranty obligations under the contract for engineering surveys, preparation of project documentation, the construction contract is carried out by the relevant National Association of self-regulating organizations within one fourth of the funds of the compensation fund for securing contractual obligations credited to the account of such National Association.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

#### **RFC RF Article 61. Compensation of Harm Caused to the Life, Health, or Property of Individuals**

1. When carrying out urban planning activities or operating capital construction facilities in the event of damage to life, health or property of individuals due to natural and man-made emergencies, the state authorities of the Russian Federation, the state authorities of the constituent entities of the Russian Federation, and local governments can make decisions on compensation certain categories of individuals caused them harm.

2. Compensation by public authorities of the Russian Federation, state authorities of the constituent entities of the Russian Federation, local governments of the harm caused to life, health or property of individuals does not exempt a person guilty of causing such harm from liability provided for by this Code and other federal laws.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

#### **"" RF CCR Article 62. Investigation of cases of harm to life or health of individuals, property of individuals or legal entities as a result of violation of legislation on urban planning**

1. In the event of harm to life or health of individuals, property of individuals or legal entities as a result of violation of legislation on urban planning activities, technical commissions shall be created within ten days from the date of such damage to determine the causes of such a violation and determine the persons who committed such a violation.

2. In the event of damage to life or health of individuals, property of individuals or legal entities as a result of violation of legislation on urban planning in relation to objects referred to in paragraph 5.1 of Article 6 of this Code, the causes of such violation are established in the manner established by the Government of the Russian Federation.

(as amended by the Federal Law of 12/18/2006 N 232-FZ)

(see the text in the previous "edition")

3. In the event of harm to life or health of individuals, property of individuals or legal entities as a result of violation of legislation on urban development in respect of objects of health care, education, culture, recreation, sports and other objects of social and household purposes, objects of transport infrastructure, trade, catering, business, administrative, financial, religious facilities, housing facilities (with the exception of individual housing facilities of construction) are not especially dangerous, technically complex and unique objects, establishing the causes of the violations carried out in the manner prescribed by the highest executive body of state authority of the Russian Federation.

4. In the event of harm to life or health of individuals, property of individuals or legal entities as a result of violation of legislation on urban development in relation to objects not specified in parts 2 and 3 of this article, or as a result of violation of legislation on urban planning, if harm to life or the health of individuals or significant damage to the property of individuals or legal entities is not caused, the determination of the causes of such a violation is carried out in the manner prescribed by the decision of the head local administration.

5. The maximum term for establishing the causes of violations of the law indicated in paragraphs 2-4 of this article shall not exceed five months, three months, two months respectively.

6. According to the results of establishing the causes of violation of the law, a conclusion is approved, containing the conclusions

1) on the causes of violation of the law, as a result of which harm was caused to the life or health of individuals, property of individuals or legal entities and its size;

2) about the circumstances indicating the guilt of persons;

3) the necessary measures to restore the favorable conditions of human life.

7. The conclusion specified in paragraph 6 of this article shall be published.

8. As observers in determining the causes of violation of the law, as a result of which damage was caused, interested persons may take part (developer, technical customer, person performing engineering surveys, person preparing project documentation, person carrying out construction, person carrying out demolition, or their representatives, representatives of a specialized expert organization in the field of design and construction) and representatives of citizens and their associations.

(as amended by Federal Laws dated November 28, 2011 No. 337-FZ, dated August 3, 2018 N 340-FZ)

(see the text in the previous "edition")

9. The persons referred to in paragraph 8 of this article, in case of disagreement with the conclusion, may challenge it in court.

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

"" GPK the Russian Federation Chapter 9. FEATURES OF IMPLEMENTATION OF URBAN PLANNING

ACTIVITIES IN RUSSIAN FEDERATION SUBJECTS - CITIES

FEDERAL VALUE OF MOSCOW, ST. PETERSBURG AND SEVASTOPOL

(as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

"Urban Development Code of the Russian Federation" dated December 29, 2004, N 190-FZ (edition of December 25, 2018)

"" RF CCR Article 63. Features of the implementation of urban planning activities in the constituent entities of the Russian Federation - federal cities of Moscow, St. Petersburg and Sevastopol

(as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

1. Urban planning activity in the constituent entities of the Russian Federation - cities of federal importance, Moscow, St. Petersburg and Sevastopol, is regulated by this Code, taking into account the features established by this article.

(as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

2. If the laws of the constituent entities of the Russian Federation - cities of federal significance of Moscow, St. Petersburg and Sevastopol - do not assign authority in the field of urban planning to the list of issues of local importance defined by the laws of the specified constituent entities of the Russian Federation in accordance with Article 79 of the Federal Law of October 6 2003 N 131-FZ "On the General Principles of the Organization of Local Self-

Government in the Russian Federation", the powers established by paragraph 3 of Article 8 of this Code are exercised by the r statehood of the Russian Federation - the federal cities of Moscow, St. Petersburg and Sevastopol.

(as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

3. The territorial planning documents of the constituent entities of the Russian Federation - cities of federal significance in Moscow, St. Petersburg and Sevastopol are master plans of cities of federal significance in Moscow, St. Petersburg and Sevastopol. The master plans for cities of federal significance in Moscow, St. Petersburg and Sevastopol include information provided for in Article 23 of this Code, as well as maps of the planned location of objects of regional significance in the city of federal significance of Moscow or St. Petersburg. The general plans of cities of federal importance in Moscow, St. Petersburg and Sevastopol are approved by legislative (representative) state authorities of cities of federal significance in Moscow, St. Petersburg and Sevastopol in accordance with the requirements established by this Code. Coordination of draft master plans for cities of federal significance in Moscow, St. Petersburg and Sevastopol with local government bodies of intracity municipalities of cities of federal importance in Moscow, St. Petersburg and Sevastopol is not carried out. Public discussions or public hearings on the draft master plans for cities of federal importance in Moscow, St. Petersburg and Sevastopol should be held in each intracity municipality of cities of federal importance in Moscow, St. Petersburg and Sevastopol.

(as amended by Federal Laws of 12/31/2005 N 210-FZ, of 20.03.2011 N 41-FZ, of 03.07.2016 N 373-FZ, of 12.29.2017 N 455-FZ)

(see the text in the previous "edition")

3.1. Preparation of draft master plans for cities of federal significance in Moscow, St. Petersburg and Sevastopol is carried out taking into account the standards for urban planning of cities of federal significance in Moscow, St. Petersburg and Sevastopol.

(Part 3.1 was introduced by the Federal Law of 05.05.2014 N 131-FZ; as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

4. The draft master plan for the city of Moscow is to be agreed with:

- 1) the Government of the Russian Federation in accordance with part 4.3 of this article;
- 2) the highest executive bodies of state power of the constituent entities of the Russian Federation that have a common border with a city of federal importance Moscow, in order to respect the interests of such constituent entities of the Russian Federation when zones with special conditions for the use of territories are established in their territories in connection with the planned location of facilities provided for in the draft master plan of the city of Moscow, as well as when placing objects provided for in the draft master plan of the city of Moscow, which may have a negative impact The action on the environment in the territories of the Russian Federation.

(part 4 as amended by the Federal Law of 31.12.2017 N 507-FZ)

(see the text in the previous "edition")

ConsultantPlus: note.

On the identification of constitutional and legal meaning of h. 4.1 Art. 63 cm. Resolution of the Constitutional Court of the Russian Federation of 28.03.2017 N 10-P.

4.1. The rules of land use and development of the constituent entities of the Russian Federation - cities of federal significance of Moscow, St. Petersburg and Sevastopol are approved by regulatory legal acts of the highest executive bodies of state power of the constituent entities of the Russian Federation - cities of federal significance of Moscow, St. Petersburg and Sevastopol.

(Part 4.1 was introduced by the Federal Law of 10/14/2014 N 307-FZ; as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

4.2. For approval of the master plan of the city of Moscow, other approvals, with the exception of those provided for in part 4 of this article, are not required.

(Part 4.2 was introduced by Federal Law of December 31, 2017 N 507-FZ)

4.3. The draft master plan for the city of Moscow is subject to approval by the Government of the Russian Federation in terms of:

- 1) the compliance of the draft general plan of the city of Moscow with the territorial planning schemes of the Russian Federation in terms of locating in the city of federal significance of Moscow such federal planning schemes as provided for by such territorial planning schemes;
- 2) the compliance of the draft general plan of the city of Moscow with the state programs of the Russian Federation in terms of locating objects of federal significance provided for by such state programs in the territory of a city of federal importance Moscow;
- 3) possible negative impact on specially protected natural territories of federal significance;
- 4) possible negative impact on water bodies that are in federal ownership.

(Part 4.3 was introduced by Federal Law of December 31, 2017 N 507-FZ)

4.4. The coordination of the draft general plan of the city of Moscow provided for in part 4 of this article is carried out in accordance with parts 5 to 12 of article 16 of this Code.

(Part 4.4 was introduced by Federal Law of December 31, 2017 N 507-FZ)

5. The empowerment of local governments of intracity municipalities of cities of federal importance in Moscow, St. Petersburg and Sevastopol with separate powers in the field of urban planning is carried out respectively by the laws of the constituent entities of the Russian Federation - cities of federal importance in Moscow, St. Petersburg and Sevastopol. (as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

6. The norms of urban planning of cities of federal significance in Moscow, St. Petersburg and Sevastopol establish a set of calculated indicators of the minimum acceptable level of provision with objects provided for in Parts 1, 3 and 4 of Article 29.2 of this Code, the population of cities of federal importance in Moscow, St. Petersburg and Sevastopol and settlement indicators of the maximum allowable level of territorial availability of such objects for the population of cities of federal significance of Moscow, St. Petersburg and Sevastopol.

(Part 6 was introduced by Federal Law dated 05.05.2014 N 131-FZ; as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

7. The content, the procedure for preparing and approving town planning standards for cities of federal significance in Moscow, St. Petersburg and Sevastopol are established by the regulatory legal acts of the executive bodies of state authority of cities of federal importance in Moscow, St. Petersburg and Sevastopol.

(Part 7 was introduced by the Federal Law of 05.05.2014 N 131-FZ; as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

8. Approved standards for urban planning of cities of federal importance in Moscow, St. Petersburg and Sevastopol are subject to placement in the federal state information system of territorial planning within a period not exceeding five days from the date of approval of these standards.

(Part 8 was introduced by Federal Law dated 05.05.2014 N 131-FZ; as amended by the Federal Law of 03.07.2016 N 373-FZ)

(see the text in the previous "edition")

9. Approval of the territory planning documentation prepared on the basis of territorial planning documents for cities of federal significance in Moscow, St. Petersburg and Sevastopol is carried out in the manner prescribed by this Code and the regulatory acts of the executive authorities of cities of federal significance in Moscow, St. Petersburg and Sevastopol.

(Part 9 was introduced by the Federal Law of 03.07.2016 N 373-FZ)

10. For projects specified in paragraph 1 of Article 5.1 of this Code, public discussions or public hearings are held in accordance with the regulatory legal acts of the constituent entities of the Russian Federation - cities of federal importance in Moscow, St. Petersburg and Sevastopol. Regulatory legal acts of the constituent entities of the Russian Federation - cities of federal significance of Moscow, St. Petersburg and Sevastopol - are adopted for the issues specified in paragraph 24 of Article 5.1 of this Code. Other powers of local governments specified in Article 5.1 of this Code shall be exercised by the executive bodies of state power of the constituent



entities of the Russian Federation - cities of federal importance Moscow, St. Petersburg and Sevastopol.

(Part 10 is introduced by the Federal Law of December 29, 2017 N 455-FZ)

11. In the case of preparing, in accordance with this Code, a territorial planning scheme of a federal city of Moscow and the Moscow Region, a territorial planning scheme of a federal city of St. Petersburg and the Leningrad Region, a territorial planning scheme of a federal city of Sevastopol and the Republic of Crimea into the specified territorial planning schemes may include provisions on territorial planning and maps of the planned location of objects of regional significance, including transport infrastructure facilities (including transportation hubs, metro facilities), with materials attached to them.

(Part 11 was introduced by Federal Law of December 31, 2017 N 507-FZ)

12. Preparation of drafts of a territorial planning scheme for a federal city of Moscow and the Moscow region, a territorial planning scheme for a federal city of St. Petersburg and the Leningrad region, a territorial planning scheme for a federal city of Sevastopol and the Republic of Crimea can only be carried out in accordance with article 13.2 of this Code executive authorities of the specified subjects of the Russian Federation.

(Part 12 is introduced by Federal Law of December 31, 2017 N 507-FZ)

13. The approval of the territorial planning scheme of a federal city of Moscow and the Moscow region, the territorial planning scheme of a federal city of St. Petersburg and the Leningrad region, the territorial planning scheme of a federal city of Sevastopol and the Republic of Crimea is carried out by legislative (representative) state authorities of the respective constituent entities of the Russian Federation. These schemes are considered approved from the day the regulatory legal acts adopted by the legislative (representative) state authorities of the constituent entities of the Russian Federation come into force, in relation to the territories or parts of the territories of which the draft schemes have been prepared.

(Part 13 was introduced by Federal Law of December 31, 2017 N 507-FZ)

14. In the constituent entities of the Russian Federation - cities of federal significance, Moscow, St. Petersburg and Sevastopol create and operate state information systems to support urban planning activities in accordance with Articles 56 and 57 of this Code, taking into account the features established by this article. The laws of the constituent entities of the Russian Federation - cities of federal significance of Moscow, St. Petersburg and Sevastopol may provide for the creation and operation of a state information system for supporting urban planning with functions of automated information and analytical support for exercising authority in the field of urban planning or individual state information systems for supporting urban planning and state information automated systems information and analytical support for the exercise of powers in the field of urban planning.

(Part 14 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

15. Creation and operation of the state information system for providing urban planning activities, including the state information system for providing urban planning activities with the functions of automated information and analytical support for the exercise of powers in the field of urban planning activities, the state information system for automated information and analytical support for the exercise of powers in urban planning activities subjects of the Russian Federations - cities of federal significance Moscow, St. Petersburg and Sevastopol, maintaining these information systems, including placing information, documents, materials, providing information, documents and materials into state information systems for ensuring urban planning provided by paragraphs 4 and 5 of article 56 of this Code. contained in these information systems are provided by the authorized executive authorities of the specified subjects of the Russian Federation or government budgetary institutions ennymi them. The operators of these information systems are the authorized executive authorities of the specified subjects of the Russian Federation or their subordinate state budget institutions. The laws of the constituent entities of the Russian Federation - cities of federal significance of Moscow, St. Petersburg and Sevastopol have the authority to place in these information systems information, documents, materials provided for in paragraphs 4 and 5 of article 56 of this Code, to prepare, coordinate and approve documents provided for in paragraph 7.1 of article 56 of this Code, can be attributed to the list of issues of local importance of intracity

municipalities of cities of federal importance Moscow, St. Petersburg and Sevastopol .  
(Part 15 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

16. For the creation and operation of state information systems for urban planning, including state information systems for urban planning with the functions of automated information and analytical support for the exercise of authority in the field of urban planning, state information systems for automated information and analytical support for the exercise of authority in urban planning in the subjects of the Russian Federation - cities of federal importance Moscow, St. Petersburg and Sevastopol, as well as to provide information, documents and materials contained in these information systems, the bodies and institutions referred to in paragraph 15 of this article may use standard software to create and maintain state information systems to support urban planning activities or to create and maintain state information systems to support urban planning activities with automatic machine functions. informational and analytical support for the exercise of powers in the field of urban planning and standard documentation for the creation and maintenance of state information systems; automated information and analytical support for the exercise of authority in the field of urban planning activities, if such typical software and standard documentation are developed taking into account the specifics of the administrative and territorial division of these constituent entities of the Russian Federation, implementation of local of self-government in these regions of Russia and placed in a national fund of algorithms and programs for computers. The placement of such standard software and standard documentation in the national fund of algorithms and programs for electronic computers is carried out by the authorized bodies of the constituent entities of the Russian Federation - cities of federal importance in Moscow, St. Petersburg and Sevastopol according to the rules provided for by part 11 of article 57 of this Code.

(Part 16 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

17. If the law of a constituent entity of the Russian Federation is a city of federal significance of Moscow, St. Petersburg or Sevastopol, it provides for the creation and operation of separate state information systems to support urban planning activities and the state information system of automated information and analytical support for the exercise of authority in urban planning activities, state information automated information and analytical support system Authorization in the field of urban planning is created and operated to ensure the fulfillment of the powers of the executive authorities of the constituent entities of the Russian Federation, cities of federal importance of Moscow, St. Petersburg and Sevastopol, stipulated by the legislation on city-planning activities in the manner prescribed by law of the constituent entity of the Russian Federation -Petersburg or Sevastopol and normative legal acts adopted in accordance with it its executive public authority, to meet the requirements stipulated 7.1 parts, articles 8 and 56 parts of 5 - 10 of article 57 of the present Code.

(Part 17 is introduced by the Federal Law of 03.08.2018 N 342-FZ)

The president  
Russian Federation  
V.PUTIN

Moscow Kremlin  
December 29, 2004  
N 190-FZ