

(“Official Gazette of Montenegro”, No. 044/18 of July 6, 2018)

Pursuant to Article 82, item 2 of the Constitution of Montenegro and Amendment IV, paragraph 1 to the Constitution of Montenegro, the Parliament of Montenegro of the 26th convocation, at the ninth session of the first regular (spring) session in 2018, on July 5, 2018, adopted the following

LAW

**ON AMENDMENTS OF LAW ON SPATIAL PLANNING AND
CONSTRUCTION OF STRUCTURES**

Article 1

In the Law on Spatial Planning and Construction of Structures (“Official Gazette of Montenegro”, No. 64/17), after Article 72, a new article shall be added to read as follows:

Prohibition of connection to the infrastructure

Article 72a

A building site or facility on which works are performed, i.e., which was built without submitting a construction application and documentation prescribed by this Law, or a complex engineering structure without a building permit and a revised main project cannot be connected to the infrastructure.

Article 2

In Article 156, after paragraph 2, two new paragraphs shall be added to read as follows:

Notwithstanding paragraph 2 of this Article, the request for legalization shall be accompanied by a certificate from the Cadaster that the applicant for legalization submitted to the Cadaster a request for certification of the as-built survey of the final design of the building.

In the case referred to in paragraph 3 of this Article, the legalization procedure shall be suspended for a period of 90 days from the date of submission of the request for legalization, i.e., until the day of submission of documentation referred to in paragraph 2 of this Article if it is submitted before the expiration of the specified period.

The previous para. 3 and 4 shall become para. 5 and 6.

Article 3

In Article 204, paragraph 1, item 7 and 13 shall be deleted.

In item 27 and 28 the words: “i.e., construction” shall be deleted.

Article 4

In Article 205, paragraph 1, item 4 shall be deleted.

Article 5

In Article 206, paragraph 1, item 2, after the words: "of this Law", the words: "except with regard to urban and technical conditions" shall be added.

Item 12 shall be deleted.

Item 17 shall be amended to read as follows:

17) fail to provide a written statement that the structure was built in accordance with the reviewed final design, i.e., constructed in accordance with the reviewed as built drawings, law and other regulations, or

fail to make a statement that the structure is suitable for use and that it may be used in accordance with its designated use (Article 103 para. 1);

Article 6

In Article 217, paragraph 1, the words: “within nine months from the date of entry into force of the present Law” shall be replaced by the words: “no later than October 1, 2018”.

Article 7

In Article 227, paragraph 1 shall be amended to read as follows:

For the structure being built or that was built on the basis of the building permit issued in accordance with the Law on Spatial Planning and Construction of Structures (“Official Gazette of Montenegro”, No. 51/08, 34/11, 35/13 and 33/14), i.e., the law which was in force at the time of construction of the structure, the provisions of those laws shall apply to the issuance of a use permit.

Article 8

This Law shall enter into force on the day of its publication in the “Official Gazette of Montenegro”.

Number: 27-1/18-1/10

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Podgorica, July 5, 2018

Parliament of Montenegro 26th Convocation

Speaker

Ivan Brajović, m.p.