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| CITY OFFICE OF KRAKOW | Service sheet / external procedure no. AU-4 |
| | CONSTRUCTION PERMIT. CHANGE OF CONSTRUCTION PERMIT. |
| <p>1. Handle the matter electronically Not applicable.</p> <p>2. Appendices Application form for a construction or demolition permit. Printing supplementary information to the application for a building or demolition permit; notifications of the construction or reconstruction of a single-family residential building and a declaration of the right to dispose of the property for construction purposes. Printing a statement on the right to dispose of the property for construction purposes. Printing a statement from the designer or person checking the construction project.</p> <p>3. Sign language version Not applicable.</p> <p>4. Matter handled by Architecture and Urban Planning Department - 41 Mogilska, 31-545 Krakow.</p> <p>5. Documents from the Applicant (client)</p> <p><u>The application for a building permit must be accompanied by:</u></p> <ol style="list-style-type: none"> 1. The statement, made under pain of criminal liability, about your right to dispose of the property for construction purposes, in accordance with the template contained in the Regulation of the Minister of Infrastructure and Construction of August 24, 2016 on models: application for building permit or demolition, construction notifications and reconstruction of a single-family residential building, a statement about the right to dispose of the property for construction purposes, and a decision on a building or demolition permit (Dz. Laws of 2016, item 1493). 2. A cadastral map with the investment scope - optional. 3. The construction design corresponding to the scope of the application together with the required opinions, reconciliations¹, permits and other documents required by specific provisions - made in accordance with art. 34 of the Construction Law and pursuant to the ordinance of the Minister of Transport, Construction and Maritime Economy of April 25, 2012 on the detailed scope and form of a construction project (Dz. Laws of 2012, item 462, as amended). - in 4 copies, together with the statement of the designer and the inspector about the construction project, in accordance with applicable regulations and principles of technical knowledge. | |

¹ This does not apply to the reconciliation and evaluation of the project carried out as part of the re-assessment of the project's environmental impact or the project's impact assessment on the Natura 2000 site.

4. **ID or SOS number or notification number - in the case of submitting an application for a building permit decision for approval of a significant deviation from the construction project submitted together with the notification of the construction referred to in art. 29 paragraph 1 point 1a, 2b and 19a, or reconstruction referred to in art. 29 paragraph 2 point 1b.**
5. Documents confirming that designers have the proper permissions, i.e. a decision to grant construction permits and a certificate of entry to the appropriate chamber of professional self-government (valid as at the date of the project).
6. Report on the impact of the project on the environment (in triplicate with an electronic record on IT data carriers) or an information card of the project together with an application for determining the scope of the report - in the event that the investor submits an additional
for re-conducting the procedure regarding the assessment of the project's impact on the environment, or when the need to carry out the assessment of the project's impact on the environment has been stated in the decision on environmental conditions.
7. In the case of acting by a proxy or an attorney - a power of attorney to represent the applicant or a document confirming the granting of a power of attorney / ***original or its officially certified copy*** - *A lawyer, legal advisor, patent attorney, and a tax advisor can themselves authenticate a copy of the power of attorney granted to them and copies of other documents showing their authorization.* A document confirming the granting of a commercial power of attorney can also be a current excerpt from the National Court Register (issued in court or downloaded independently in accordance with Article 4 (4aa) from the Act on the National Court Register).
8. If the application is submitted by an entity not subject to the obligation to enter in the National Court Register - documents confirming the manner of representing the applicant
/ ***original or certified copy of the original*** by a notary public or by the party's attorney who is a lawyer, legal advisor, patent attorney or tax advisor /.
9. Other documents resulting from the Act of 7 July 1994 Construction Law and separate provisions to be attached to the building permit application, for example:
 - a decision establishing the conditions for building and land development² with a last resort clause, i.e. a decision setting the building conditions or a decision determining the location of a public purpose investment - if it is required in accordance with the provisions of the Act on spatial planning and development,
 - decision on environmental conditions³ with a last resort clause.

NOTE: Documents submitted to the case file should be submitted in the original

If the document required in a given case is in the files of another administrative body or entities which by virtue of law or agreement is authorized to deal with individual cases resolved by administrative decisions or issuing certificates, it is sufficient for a party to provide f an extract or excerpt from this document officially certified by that body or entity (art. 76a § 1 of the Code of Administrative Procedure).

² Act of 27 March 2003 on spatial planning and development (consolidated text: Journal of Laws of 2017 1073).

Act of 3 October 2008 on sharing information on the environment and its protection, public participation in environmental protection and on environmental impact assessments (consolidated text: Journal of Laws of 2017, item 1405).

Regulation of the Council of Ministers of November 9, 2010 on projects that can have a significant impact on the environment (uniform text: Laws of 2016, item 71).

Notaries, as well as legal representatives of the party who are lawyers, attorneys-at-law, patent attorneys, tax advisors and an authorized employee of the body conducting the proceedings to whom the document was presented are authorized to certify copies of documents (art. 76a § 2 and 2b of the Code of Civil Procedure).

6. Fees

Stamp duty:

1. For submitting a document confirming the granting of a power of attorney or proxy - **PLN 17** (does not apply to powers of attorney granted to a spouse, ascendant, descendant or sibling or when the principal is an entity exempt from stamp duty).
 2. From approval of a construction project - 47 PLN
 3. From the permit issued pursuant to the provisions of the Construction Law - as appropriate to the scope of the application:
 - 1) for the construction of a building object and construction equipment related to the building object:
 - a) a building intended for conducting non-agricultural and forestry activities:
 - for each m² of usable floor space - PLN 1
 - no more than - 539 PLN
 - b) a building serving economic purposes on a farm - PLN 14
 - c) another building - PLN 48
 - d) wells and devices for removing solid waste and sewage - PLN 20
 - e) buildings related to agricultural production - 112 PLN
 - f) water supply, sewage, electricity, telecommunications, gas, heating and roads networks, with the exception of access roads, access to buildings and exits from the road, subject to point g
PLN 2,143
 - g) water supply, sewage, power, telecommunications, gas, heating and roads up to 1 kilometer long - PLN 105
 - h) other buildings - PLN 155
 - i) construction equipment related to the building - 91 PLN
- In the case of a building permit for a mixed-function building, the living space of that building shall not be taken into account when calculating the stamp duty.
- In the case of a building permit covering more than one building object referred to in this paragraph, the stamp duty shall be collected for each object separately.
- 2) for the reconstruction or renovation of a building object and for the resumption of construction works - 50% of the rates specified in point 1).

Stamp duty payments can be made to the bank account of the Krakow City Office (e.g. at the post office, bank transfer) or without additional fees at the branches of PKO Bank Polski SA in Krakow and at the Office's cash points. Original proof of payment of the stamp duty to be paid must be attached to the application.

ACCOUNT NUMBER - Stamp duty - 49 1020 2892 2276 3005 0000 0000

NOTE! - official tax is not subject to stamp duty,
issuing a certificate and permit in housing matters.

7. Form of consideration

Decision taken by the Mayor of the City of Krakow.

8. Time of consideration

Settlement of the case in accordance with Articles 35 and 36 of the Code of Administrative Procedure.

9. Documents obtained in the proceedings

1. Decision of the regional director for environmental protection - if an environmental impact assessment has been carried out as part of the procedure.
2. Opinion of the regional director for environmental protection and the opinion of the competent sanitary inspector on the determination of the scope of the report - in the event that the investor additionally requests to conduct the environmental impact assessment procedure and to determine the scope of the report.
3. Agreement of the Provincial Conservator of Monuments - in relation to building objects and areas not included in the register of monuments, and included in the municipal register of monuments.
4. Opinion of the Task Force for bicycle audits in the City of Krakow - in the event that the planned investment could have an impact on the bicycle communication system in the City of Krakow (in accordance with Service Order No. 2/2005 of the Mayor of Krakow of 26 January 2005).

10. Appeal procedure

The decision can be appealed against to the Local Government Appeal Board in Krakow through the Mayor of the City of Krakow - the Architecture and Urban Planning Department of the City Office of Krakow within 14 days from the date of delivery of the decision.

11. Legal basis

1. Art. 28, Art. 33 item 1 and 2, art. 34 section 4, art. 35 section 1-5 and art. 36 paragraph 1 and art. 36a section 1 and paragraph 2-5 of the Act of 7 July 1994 Construction Law (consolidated text from 2018, Journal item 1202 as amended).
2. Article 72 para. 3, art. 88 section 1 point 1 and par. 5 and art. 69 and 70 in connection with art. 88 section 2 of the Act of 3 October 2008 on sharing information about the environment and its protection, public participation in environmental protection and on environmental impact assessments (consolidated text: Journal of Laws of 2017, item 1405).
3. Act of June 14, 1960 Code of Administrative Procedure (unified text: Journal of Laws of 2017 item 1257)
4. Act of 16 November 2006 on Stamp Duty (unified text: Journal of Laws of 2016, item 1827, as amended).
5. Ordinance of the Minister of Infrastructure and Development of 24 August 2016 on models: application for building or demolition permission, notification of construction and reconstruction of a single-family residential building, a statement about the right to dispose of real estate for construction purposes, and a decision on a building permit or demolition (Dz. Laws of 2016, item 1493).
6. Ordinance of the Minister of Transport, Construction and Maritime Economy of 25 April 2012 on the detailed scope and form of a construction project (Dz. Laws of 2012, item 462, as amended).

12. Additional information for the client

- I. Mediation can be conducted during the proceedings, if the nature of the case so allows. Mediation is voluntary.
The purpose of mediation is to clarify and consider the factual and legal circumstances of the case and to make arrangements for settling it within the limits of applicable law, including by issuing a decision. Mediation participants can include:
 - 1) the authority conducting the proceedings and the party or parties to such proceedings, or
 - 2) parties to the proceedings.
- II. During the procedure, the authority may impose, by way of a resolution, an obligation to provide other evidence enabling the resolution of disputable issues raised by the parties during the administrative procedure or confirmed by the administrative authority ex officio, and aimed at securing the interests of third parties, e.g. additional expertise, such as:
 1. analysis of ensuring natural lighting of the rooms and the right time of sunlight,
 2. impact on the structures of neighboring objects,
 3. documentation regarding drainage of the plot or object being the subject of a decision or neighboring objects,
 4. other - based on separate provisions.
- I According to art. 29 paragraph 3 of the Construction Law, building permits require projects that require an environmental impact assessment, and projects that require an impact assessment on a Natura 2000 site, in accordance with art. 59 of the Act of 3 October 2008 on access to information on the environment and its protection, public participation in environmental protection and on environmental impact assessments.
- I An insignificant withdrawal from an approved construction project or other building permit conditions does not require a decision to change the building permit and is permissible, unless it applies to:
 1. the scope of the plot or area development project,
 2. characteristic parameters of the building object: cubature, building area, height, length, width and number of floors,
 3. ensuring the conditions necessary for the use of this facility by disabled persons,
 4. changes in the intended use of the building object or part thereof,
 5. arrangements of the local spatial development plan or decisions on building conditions and land development
 6. and changes that require obtaining or changing opinions, arrangements and permits that are required to obtain a building permit or to submit a notification:
 - a) construction referred to in art. 29 paragraph 1 point 1a, 2b and 19a, or
 - b) As referred to in art. 29 par. 2 of the Regulation.
- IV Significant withdrawal from the approved construction project or other conditions of the building permit is only allowed after obtaining the decision to change the building permit.
- V The designer shall qualify the intended withdrawal and shall be obliged to include in the construction design relevant information (drawing and description) regarding the withdrawal referred to in art. 36a section 5 of the Construction Law.

- VI. In connection with the amendment to the Regulation of the Minister of Transport, Construction and Maritime Economy of 25 April 2012 on the detailed scope and form of a construction project (Journal Of Laws of 2012, item 462, as amended d.), for the construction project, a designer for buildings listed in art. 20 clause 3 point 2 of the Construction Law should be attached
_energy performance.
- VII. In connection with the amendment to the Regulation of the Minister of Transport, Construction and Maritime Economy of April 25, 2012 on determining the geotechnical conditions for the foundation of buildings (Dz. Of Laws of 2012, item 463), the designer should attach to the construction design
_geotechnical opinion (§ 7 item 1 of the Regulation).

Developed by:
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Date: 15.12.2017

Opinion presented by: Legal
Advisor Tomasz Dyrdycki-
Borowy Date: 15.12.2017

Approved by: Director
Jadwiga Warat-Hapońska
Date: 15.12.2017