

Land Use and Building Decree

Issued in Helsinki, September 10, 1999

On the submission of the Minister of the Environment, the following is enacted under the Land Use and Building Act (132/1999) issued on February 5, 1999:

Chapter 1

General provisions

Section 1

Impact assessment in connection with planning

When a land use plan's impact as referred to in section 9 of the Land Use and Building Act (132/1999) is investigated, the purpose of the plan, earlier investigations and other factors affecting the need for investigation must be taken into account. Investigation must provide the data necessary for assessing the significant direct and indirect impact of the plan's implementation on the following:

- 1) people's living conditions and environment;
- 2) soil and bedrock, water, air and climate;
- 3) plants and animals, biodiversity and natural resources;
- 4) regional and community structure, community and energy economy and traffic;
- 5) townscape, landscape, cultural heritage and the built environment.

A municipality whose territory is affected by the material impact of a local master plan or a local detailed plan, as referred to in section 9 of the Land Use and Building Act, must be involved to a sufficient degree in investigating the impact of the plan. A regional council whose administrative area is affected by the material impact of a plan must be similarly involved.

Section 2

Monitoring land use

The Ministry of the Environment shall organize the monitoring of the state and development of land use and the built environment, and the maintenance of the necessary database.

Within its territory, the regional environment centre promotes and steers the organization of monitoring the state and development of land use and the built environment and also contributes to organizing the necessary monitoring.

Within their territories, regional councils shall see to monitoring of the state and development of land use, the regional and community structure, the built environment and the cultural and natural environment as required for regional planning and building.

Within their territories, local authorities shall see to monitoring of the state and development of land use, building and the built environment and the cultural and natural environment as required for planning and building.

Section 3

Planners' qualifications

A person drawing up a plan must have a university degree appropriate for the task and the experience that is called for by the difficulty of the task.

Section 4

Local building supervision authority

It is the function of the local building supervision authority to supervise compliance with plans, to process permits concerning building and other activities and to supervise maintenance of the built environment and buildings as laid down in the law.

Regulations on participation by other municipal authorities in the supervision of building and on arranging the townscaping and technical inspection of building plans may be issued by municipal ordinance.

Building inspectors shall have a construction-related university degree suited to their duties. They must also have sufficient experience in building design and in carrying out construction work. In carrying out duties based on the Land Use and Building Act, a building inspector works under the local building supervision authority.

When carrying out duties related to implementation of the Land Use and Building Act, a building inspector or another official supervising building and a market supervision official shall provide proof of identity and official status when requested.

Section 5

National Building Code of Finland

The provisions of the Decree on the Statute Book of Finland (696/1980) on decisions issued by ministries apply to the National Building Code of Finland.

Stipulations issued by other State authorities on building construction must conform with the general building regulations in the National Building Code of Finland. When regulations deviating from the National Building Code are prepared, the Ministry of the Environment shall be requested for an opinion on the matter.

Section 6

Drawing up building ordinances

Proposed building ordinances shall be made publicly available in the municipality for a period of at least 30 days. Members of the municipality and other interested parties are entitled to enter objections regarding the proposed ordinance. Objections shall be delivered to the local authority within the availability period of the ordinance.

Proposed ordinances and the right to enter objections shall be publicized in the same manner as municipal notices are publicized in the municipality, unless the significance of the matter requires wider publicity.

The regional environment centre, the regional council and the local authority the use and development of whose land the building ordinance would affect shall be asked for an opinion on the proposed ordinance.

The provisions of section 32 on making a plan proposal available to the public again are observed also when a proposal for a building ordinance is materially altered once it has been made publicly available.

Section 7

Preparation of national land use objectives

Preparation of national land-use objectives shall be organized so as to allow for public debate and interaction.

When national land use objectives are prepared, their environmental and other impact shall be adequately investigated and assessed.

An opinion on proposals concerning national land use objectives shall be requested from the following:

- 1) ministries, regional environment centres, regional councils and other authorities that the matter concerns;

- 2) the local authorities especially concerned; and
- 3) nationwide organizations that are important in terms of the proposal.

Chapter 2

Regional plan

Section 8

Cooperation in drawing up regional plans

When a regional council draws up a regional plan, it must cooperate to a sufficient degree with relevant local and State authorities and other parties essential to regional planning.

When preparing a decision to draw up a regional plan by sub-area as referred to in section 27, paragraph 2, of the Land Use and Building Act, any local authorities concerned shall be heard.

Section 9

Presentation of regional plans

Regional plans are presented on a map or maps of a scale that allows the principles of land use, necessary areas and other plan content to be indicated in an appropriate manner, taking into account the need to steer land use.

Regional plan regulations are presented on the regional plan map or in a separate document.

Section 10

Plan statements

A regional plan statement presents:

- 1) an account of circumstances in the area, its environmental features and changes in them, and other information on the area to be planned essential for investigating and assessing the plan's impact;
- 2) starting point of planning, aims and proposed options;
- 3) a summary of investigations carried out to assess the plan's impact;
- 4) the plan's impact on the structure of the area and community, the built environment, nature, landscape, arrangement of traffic and technical services, economy, health, social circumstances and culture, and any other significant impacts;
- 5) an account of the plan's relationship to national land use objectives, the regional scheme and development programmes, the current regional plan, regional planning of areas adjacent to the plan area and the local authorities' other planning;
- 6) stages of planning, including participation and interaction procedures and a summary of comments expressed at the various stages of the planning process;
- 7) the key content and principles of the selected planning option and an account of how the results of impact assessment and the comments expressed have been taken into account;
- 8) schedule for and monitoring of plan implementation; and
- 9) when needed, schemes steering plan implementation.

The plan statement shall present the issues referred to above in paragraph 1 in the manner and to the extent that the purpose of the plan requires and that allow for interaction in preparation of the plan.

Section 11

Negotiations between authorities

Negotiations between the authorities referred to in section 66, paragraph 1, of the Land Use and Building Act are set up

when planning begins and after a plan proposal has been available to the public and comments and opinions concerning it have been received.

The regional council shall agree with the Ministry of the Environment on setting up the negotiations, and provide the material needed for them.

The regional environment centre and other authorities whose sphere of activity the matter may concern are invited to the negotiations. A memo is drawn up of the negotiations, indicating the key issues handled and statements made.

Section 12

Making plan proposals available to the public

A regional-plan proposal shall be made available to the public in the municipalities of the plan area for a period of at least 30 days. Members of the municipalities and other interested parties are entitled to enter objections to the proposal. Objections shall be delivered to the regional council within the availability period.

The proposal and the right to enter objections shall be publicized in the same manner as municipal notices in the municipality, unless the significance of the matter requires wider publicity.

Section 13

Opinions regarding plan proposals

An opinion on a regional plan proposal shall be requested from:

- 1) the regional environment centre;
- 2) the local authorities concerned;

- 3) regional councils whose areas border on the plan area;
and
- 4) other authorities and organizations important in terms of
the regional plan, as necessary.

Section 14

Submitting plans for ratification

When an approved regional plan is submitted to the Ministry of the Environment for ratification, it must be provided in as many copies as ordered by the Ministry. Any objections entered and opinions received shall be appended to the documents, unless adequate account of their content is given in the plan statement.

The Ministry shall notify all authorities that have so requested in their opinion or separately about ratification decisions.

Section 15

Informing local authorities

The regional council shall inform the local authorities within its administrative area of council schemes and of other measures that have a bearing on the planning of land use, on the built environment and on steering of building in the municipalities.

Chapter 3

Local master plans

Section 16

Presentation of local master plans

Local master plans are presented on a map or maps of a scale that allows the principles of land use, necessary areas and other plan content to be indicated in an appropriate manner taking into account the need to steer land use and building, and the purpose of the local master plan.

A local master plan shall indicate whether it has been drawn up as a local master plan with no legal consequences as referred to in section 45 of the Land Use and Building Act.

Section 17

Plan statement

A local master plan statement presents:

- 1) an account of circumstances in the area, its environmental features and changes in them, and of other information on the area to be planned essential for investigating and assessing the plan's impact;
- 2) starting point for planning, aims and proposed options;
- 3) a summary of investigations carried out to assess the plan's impact;
- 4) the plan's impact on community structure, the built environment, nature, landscape, arrangement of traffic, especially public transportation, and technical services, economy, health, social circumstances and culture, and any other significant impacts;
- 5) an account of the plan's relationship to national land use objectives, the regional plan, the current local master plan and the local authority's other planning;
- 6) stages of planning, including participation and interaction procedures and a summary of comments expressed at the various stages of the planning process;
- 7) the key content and principles of the selected planning option and an account of how the results of impact assessment and the comments expressed have been taken into account;
- 8) schedule for and monitoring of plan implementation; and

9) when needed, schemes steering plan implementation.

The plan statement shall present the issues referred to above in paragraph 1 in the manner and to the extent that the purpose of the plan requires and that allow for interaction in preparation of the plan.

Section 18

Negotiations between authorities

Negotiations between the authorities referred to in section 66, paragraph 2, of the Land Use and Building Act are set up when planning begins and after a plan proposal has been available to the public and comments and opinions concerning it have been received.

The local authority shall agree with the regional environment centre on setting up the negotiations, and provide the material needed for them.

The authorities whose sphere of activity the matter may concern are invited to the negotiations. The Ministry of the Environment is invited to negotiations that concern key issues related to large urban areas.

A memo is drawn up of the negotiations, indicating the key issues handled and statements made.

Section 19

Making plan proposals available to the public

A local master plan proposal shall be made available to the public in the municipalities in the plan area for a period of at least 30 days. Members of the municipalities and other interested parties are entitled to enter objections to the

proposal. Objections shall be delivered to the local authority within the proposal's availability period.

The availability and the right to enter objections shall be publicized in the same manner as municipal notices in the municipality, unless the significance of the matter requires wider publicity.

If the local master plan is drawn up to steer building in the manner referred to in section 72, paragraphs 1 and 2, of the Land Use and Building Act or in an area referred to in section 137, paragraph 3, of said Act, owners of land within the area to be planned and titleholders known to the local authority whose domicile is in another locality entered in the population data system, or whose address is otherwise known to the local authority, shall be sent a written notification that the local master plan proposal is being made available to the public. The notification may be sent as an ordinary letter. However, if the party in question has accepted the local master plan proposal, no notification need be sent. The relevant parties are considered to have received the notification if it has been posted at least one week before the plan is made available to the public.

The notice referred to above in paragraph 2 must separately indicate whether the local master plan will be drawn up as a local master plan without legal consequences as referred to in section 45 of the Land Use and Building Act, and if so, in what respect.

Section 20

Opinions regarding plan proposals

An opinion on a local master plan proposal shall be requested from:

- 1) the regional council;
- 2) the local authority whose areas the plan affects; and

- 3) the regional environment centre and authorities and organizations important in terms of the regional plan, as necessary.

Chapter 4

Joint municipal master plans

Section 21

Plan statements

If a joint municipal master plan is drawn up as laid down in section 48, paragraph 2, of the Land Use and Building Act, the justified reasons referred to in the paragraph and an account of how the master plan fits in with the regional plan shall be presented in the plan statement. Otherwise the provisions of section 17 on the local master plan statement apply to the joint master plan statement.

Section 22

Submitting a plan for ratification

The provisions of section 14 on submitting a regional plan for ratification apply to submission of a joint municipal master plan for ratification.

Section 23

Applying provisions on local master plans

Unless otherwise laid down in this chapter, the provisions of this Decree on local master plans apply to joint municipal master plans.

Chapter 5

Local detailed plan

Section 24

Presentation of local detailed plans

Local detailed plans are presented on a base map at a scale of 1:2,000 or, if the purpose or content of the plan so require, at a larger scale.

A local detailed plan drawn up mainly to arrange holiday housing may be presented at a scale smaller than 1:2,000 unless this means that, taking the purpose and content of the plan into account, the demands set for presenting a plan are not met.

A local detailed plan also indicates the numbers of municipal districts and any names they may have, the numbers of building blocks and the names of streets and any other public areas.

Notwithstanding paragraph 1, a local detailed plan that contains only matters referred to in paragraph 3 may be presented on a scale that suits its content.

Section 25

Plan statements

A local detailed plan statement presents:

- 1) an account of circumstances and building stock in the area, the area's environmental features and changes in them, and of other information on the area to be planned essential for investigating and assessing the plan's impact;
- 2) starting point for planning, aims and proposed options;
- 3) a summary of investigations carried out to assess the plan's impact;

- 4) the plan's impact on the community structure, the built environment, nature, landscape, arrangement of traffic and technical services, economy, health and safety, different population groups' ability to function in the immediate surroundings, social circumstances and culture, and any other significant impacts;
- 5) an account of the plan's relationship to the local master plan, the current local detailed plan and the local authority's other planning;
- 6) stages of planning, including participation and interaction procedures and a summary of comments expressed at the various stages of the planning process;
- 7) the key content and principles of the selected planning option and an account of how the results of impact assessment and the comments expressed have been taken into account;
- 8) schedule for and monitoring of plan implementation; and
- 9) when needed, schemes steering or illustrating plan implementation.

The plan statement shall present the issues referred to above in paragraph 1 in the manner and to the extent that the purpose of the plan requires and that allow for interaction in preparation of the plan.

If a local detailed plan is drawn up for an area without a binding local master plan, its plan statement must also give an account of the plan's relationship to national land use objectives and the regional plan.

Section 26

Negotiations between authorities

Negotiations between the authorities referred to in section 66, paragraph 2, of the Land Use and Building Act are set up when planning begins and, if needed, after a plan proposal

has been available to the public and comments and opinions concerning it have been received.

The local authority shall agree with the regional environment centre on setting up the negotiations, and provide the material needed for them.

The authorities whose sphere of activity the matter may concern are invited to the negotiations. The Ministry of the Environment is invited to negotiations that concern key issues related to large urban areas.

A memo is drawn up of the negotiations, indicating the key issues handled and statements made.

Section 27

Presenting the plan proposal in public

A local detailed plan proposal shall be made available to the public in the municipality in the plan area for a period of at least 30 days. However, a proposal concerning an amendment of the local detailed plan whose impact is minor shall only be made available to the public for a period of at least 14 days.

Members of the municipality and other interested parties are entitled to enter objections to the proposal. Objections shall be delivered to the local authority within the proposal's availability period.

The availability and the right to enter objections shall be publicized in the same manner as municipal notices in the municipality, unless the significance of the matter requires wider publicity.

Local authorities which border on the local detailed plan area, owners and titleholders known to the local authority

of land within the area to be planned whose domicile is in another locality entered in the population data system, or whose address is otherwise known to the local authority, shall be sent a written notification that the local detailed plan proposal is being made available to the public. The notification may be sent as an ordinary letter. However, if the party in question has accepted the local detailed plan proposal, no notification need be sent. The relevant parties are considered to have received the notification if it has been posted at least one week before the plan is made available to the public.

The provisions of paragraph 4 do not, however, apply to local detailed plans that concern only matters referred to in section 24, paragraph 3.

Section 28

Opinions regarding plan proposals

An opinion on a local detailed plan proposal shall be requested from:

- 1) the regional council if the plan concerns issues addressed in the regional plan or which are otherwise regionally significant;
- 2) the regional environment centre if the plan concerns national land use objectives, an area or feature significant in terms of nature or building conservation, or an area reserved in the regional plan for recreation or conservation;
- 3) local authorities whose areas the plan affects; and
- 4) other authorities whose sphere of activities the plan concerns and organizations important in terms of the plan, as necessary.

Section 29

*Information on local detailed plans and whether they are
up-to-date*

Local authorities shall maintain a map or set of maps indicating their entire current local detailed plan.

In addition, local authorities shall maintain a list of decisions on the assessment referred to in section 60 of the Land Use and Building Act concerning whether the local detailed plan is up-to-date.

Chapter 6

Common provisions on interaction in planning

Section 30

Expressing an opinion when a plan is drawn up

Interested parties may be provided with an opportunity to express an opinion as referred to in section 62 of the Land Use and Building Act when a plan is drawn up by making the material used in preparation available and allowing opinion to be expressed in writing or orally within a specified period or at a special meeting on the plan, or in some other way considered suitable. Other members of the municipality may also express opinion in this context.

Provision of an opportunity to express an opinion is publicized in a manner laid down in the participation and assessment scheme that effectively provides interested parties with the information. If other publicity is not considered appropriate due to the nature of the matter, the matter shall be publicized like other municipal notices in the municipality. However, the notice shall always be published in at least one newspaper in general circulation in the area.

The provisions of paragraph 2 on publicity also apply to publicizing the initiation of planning as referred to in section 63 of the Land Use and Building Act, as appropriate, unless this is publicized at the same time as notice of a planning review.

Section 31

Negotiation on a participation and assessment scheme

When the regional environment centre has decided to set up the negotiations referred to in section 64, paragraph 2, of the Land Use and Building Act and has notified the local authority thereof, the local authority shall provide the environment centre with the information needed for the negotiations.

The regional environment centre draws up a memo on the negotiations indicating the participants' views on the need to supplement the participation and assessment scheme and the result of the negotiations. The memo shall be sent to the parties invited to the negotiations without delay.

Section 32

Making plan proposals available again

A plan proposal shall be made available to the public again if it is materially altered after it has first been made available. However, this is not necessary if the alterations concern only private interest and the interested parties are heard separately.

Special provisions concerning shore areas

Section 33

Applying provisions on local detailed plans

Unless otherwise laid down in this chapter, the provisions in chapters 5 and 6 on local detailed plans apply to the detailed shore plan referred to in section 73 of the Land Use and Building Act.

Section 34

Participation and assessment schemes for detailed shore plans

When landowners take charge of drawing up a proposal for detailed shore plans of shore areas they own, under section 74 of the Land Use and Building Act, they must provide the local authority with a participation and assessment scheme before initiating the procedures referred to in the scheme. The local authority may make objections to the landowner regarding the scheme and propose additions to it.

The local authority and landowner shall be invited to the negotiations referred to in section 64 of the Land Use and Building Act concerning the participation and assessment scheme of a detailed shore plan as referred to in paragraph 1.

Section 35

Official negotiations concerning detailed shore plans

If landowners take charge of drawing up a proposal for detailed shore plans of shore areas they own, both landowners and planners shall be invited to the official negotiations referred to in section 26 of the Land Use and Building Act. Landowners shall provide the regional

environment centre with the material needed for the negotiations.

Section 36

Submitting detailed shore plans for approval

Proposals for detailed shore plans drawn up by landowners must be submitted to the local authority for approval. The local authority shall be provided with the plan map and statement in four copies, an account of how the initiation of planning will be announced, how interaction during the planning process is being organized, and with any written comments and or entries of oral comments.

Chapter 8

Plot division

Section 37

Drawing up plot divisions

A plot division shall be drawn up so that:

- 1) each plot borders on a street area; if special cause exists a plot may also border on some other public area through which access suitable for vehicles can be arranged;
- 2) the shape and size of plots are appropriate for building, for use of plots and for technical services.

The provisions of paragraph 1, subparagraph 1, do not apply if access suitable for vehicles and technical services may be arranged by easement through a plot referred to in subparagraph 1 designated in the plot division, and established by partition for no more than two plots.

Separate plot divisions are drawn up by a municipal chartered surveyor or, under his orders, by another

municipal officeholder who must hold a university-level degree in land surveying or at least some other college-level surveying qualification.

Section 38

Plot division map

Separate plot divisions are laid down on a map (*plot division map*) indicating plot numbers, surface areas, length of each boundary, boundary markers and their coordinates, any buildings in the area and the properties and land parcels making up the plots, including their surface areas. In addition, the plot division map shall indicate, when needed, any subsurface conduits, easements and other rights-of-use.

If the plot division is included in the local detailed plan, the plan map shall indicate the plot numbers and boundaries. Other data referred to in paragraph 1 may be indicated on a separate map.

Section 39

Presenting proposals for separate plot divisions in public

Proposals for separate plot divisions shall be made available to the public in the municipality for a period of at least 14 days. Those who, under section 79, paragraph 2, of the Land Use and Building Act, must be heard when a plot division is drawn up are entitled to enter objections to the proposal. Objections shall be submitted to the local authority within the availability period.

Those entitled to enter objections as referred to in paragraph 1 shall be notified that the proposal will be made available and that they are entitled to object. The notification may be sent as an ordinary letter. However, if

the party in question has accepted the plot division proposal, no notification need be sent. The relevant party is considered to have received the notification if it has been posted at least one week before the proposal is made available to the public.

If all interested parties have accepted the plot division proposal in writing, it is not necessary to make the proposal available to the public.

Section 40

Publicizing approval of a separate plot division

Approval of a separate plot division shall be announced in the manner in which municipal notices are publicized by the local authority.

Chapter 9

Streets, parks and other public areas

Section 41

Street plans

If necessary because of the nature of the area or construction activities, a street plan shall indicate how the street area will be used for various purposes, how the street fits in with its surroundings and its impact on the environment.

Street plans shall indicate the principles of arranging traffic, drainage and removal of rainwater, the level of the street and its surfacing material, and, when needed, planting and structures and equipment of a permanent nature.

Section 42

Interaction when drawing up street plans

As appropriate, the provisions of section 30 are observed when drawing up street plans. However, an opportunity to contribute to the preparation of a street plan may also be arranged in connection with local detailed planning or other planning of a larger land entity.

Section 43

Presenting street plan proposals available in public

Street plan proposals shall be made available to the public in the municipality for a period of at least 14 days.

Interested parties are entitled to enter objections to the proposal. Objections shall be submitted to the local authority within the availability period.

Owners and titleholders of properties bordering on the planned area shall be notified that the proposal will be made available and that they are entitled to object. The notification may be sent as an ordinary letter. However, if the party in question has accepted the street plan proposal, no notification need be sent. The relevant party is considered to have received the notification if it has been posted at least one week before the proposal is made available to the public. If there are also other interested parties, the proposal and the right to enter objections shall be publicized in the manner in which municipal notices are publicized by the local authority.

Section 44

Announcing that street areas are being taken into possession

When a street area is taken into possession as referred to in section 95 of the Land Use and Building Act, the local

authority shall notify owners and titleholders of the area at least 14 days before the review and taking into possession, as laid down in sections 4 and 8 of the Act on Notice in Administrative Matters (232/1966). If an interested party cannot be reached, the fact that the land is being taken into possession shall be announced in the manner in which municipal notices are publicized by the local authority.

Section 45

Conduits and equipment in street areas

In order to arrange for street management and for service conduits, equipment and structures both above and below the street area, a local authority may maintain maps or files for which the owners and titleholders of service conduits, equipment and structures shall provide the necessary information.

Section 46

Plans for parks and other public areas

Plans for the parks or other public areas referred to in section 90, paragraph 4, of the Land Use and Building Act shall show the principles of construction and use of the area concerned.

If a plan for a park or other public area has special significance for the owners and titleholders of properties in bordering areas, for users of the area or for the surroundings, the same procedure shall be observed in preparing the plan as for street plans.

Section 47

Building in public areas

Only minor structures appropriate in view of the use of the area may be built in parks or other areas designated for recreation in a local detailed plan, unless otherwise indicated in the local detailed plan or the plan referred to in section 46.

Buildings that are not appropriate in view of the use of the area may not be built in public areas other than those referred to in paragraph 1.

Chapter 10

Planning and construction of buildings

Section 48

Qualifications of planners

Persons drawing up a building design or special design shall have a construction-related university degree appropriate for the planning functions in question, or an earlier construction-related higher-level vocational or other degree, and sufficient experience of working on the type of planning in question.

Buildings that are small or have ordinary technical properties may also be designed by persons with a college-level qualification in construction or in the relevant line of special study, or a corresponding earlier qualification if they are sufficiently experienced.

In addition, a person who does not possess one of the aforementioned qualifications but is deemed to have the skill required in view of the type and extent of the construction work or design task may also carry out minor design works.

The person in charge of the design in its entirety and of its quality (*principal designer*) and the person in charge of special design shall also possess solid professional ability to manage the design in its entirety.

When the qualifications of designers are assessed, the provisions of section 123, paragraphs 1 and 2, of the Land Use and Building Act are taken into account. More detailed provisions are issued in the National Building Code of Finland.

Section 49 *Building design*

The master drawings enclosed with a building permit application comprise a site plan and floorplan, section and elevation drawings. An extract from the base map covering the area or, when building in a local detailed plan area, from the local detailed plan, a Property Register extract and, when needed, a plot map shall also be enclosed with the application. Of these documents, those to which the local building supervision authority has access are not required, however.

The ground investigation report on the building site and, if needed, an account of the site's health effects and ground levels, and the type of foundation and any other measures required as a result shall be enclosed with the building permit application.

Any need to provide the local building supervision authority with special designs and reports is stated in the building permit, at the start-up meeting or, if special cause exists, during the construction work. This is not necessary if the building in question is smallish with basic structural and technical attributes.

More detailed regulations on building designs are issued in the National Building Code of Finland.

Section 50

Essential technical requirements of buildings

Buildings shall be designed and constructed so that their essential technical requirements are met and continue to be met with normal maintenance during their planned economic service life.

The essential technical requirements of a building are as follows:

- 1) *Structural strength and stability.* During construction and use, loads on the building may not cause collapse or deformations that endanger strength or stability. Also, loads may not damage other parts of the building or equipment or fixed utilities installed in the building. Structural damage caused by an external factor may not be disproportionate to the occurrence causing it.
- 2) *Fire safety.* In the case of a fire, the load-bearing structures of a building must withstand the fire for the minimum time set for them. Progress and spread of fire and smoke and their spread in the building must be restricted. Measures must also be taken to prevent the fire from spreading to nearby buildings. In the event of fire, any persons in the building must be able to leave it or it must be possible to rescue them in some other way. The safety of rescue personnel must also be taken into account in construction.
- 3) *Hygiene, health and the environment.* A building shall not endanger health or adversely affect hygiene, especially because of emissions containing toxic gases, dangerous air-borne particles or gases, dangerous radiation, pollution or contamination of water or ground, lack of means to process smoke or solid or liquid waste, or

moisture in parts of the building or its interior surfaces.

- 4) *Safety in use.* The use and maintenance of a building shall not entail unacceptable risk of an accident, such as risk of slipping, falling or colliding, or of fire, electrical accident or explosion.
- 5) *Noise abatement.* Noise to which persons in the building or in its vicinity are subjected shall be limited to a level which does not endanger health and provides acceptable conditions for sleeping, resting and working.
- 6) *Energy economy and heat insulation.* Taking the climate and the building's users into account, heating, cooling and ventilation equipment must allow for a low level of energy consumption when the building and the said equipment is being used.

The requirements laid down above in paragraph 2 concern generally predictable loads and impact. More detailed provisions on essential technical requirements for building construction are issued in the National Building Code of Finland.

Separate provisions apply to the environmental protection requirements for activities in the building.

Section 51

Residential building

It is specially important that the location of a residential building and the arrangement of its spaces and other planning of dwellings take environmental factors and natural circumstances into account. Sufficient natural light shall be provided for residential rooms.

Space intended for residential use shall be fit for the purpose, pleasant and comfortable. The design of dwellings shall promote the functionality and suitability of

residential space for different and changing residential needs.

More detailed provisions on the design of dwellings are issued in the National Building Code of Finland.

Section 52

Work space

Work space shall be designed so that it is fit for the purpose and safe. The requirements for dwelling design concerning residential rooms shall be observed in the design of work space, as appropriate. Sufficient light may also be provided in a work space by indirect natural light via another space. Also, lighting may be partly or fully artificial if this is justified by the nature of the activities.

The local detailed plan may allow the location of work space below ground level. In such cases, special attention shall be given to sufficient ventilation, safety and lighting of exits, fitness for purpose of required backup systems, and comfort and pleasantness.

The Occupational Safety Act (299/1958) also contains provisions on work spaces and their design.

Section 53

Ensuring accessibility in building

Administrative and service buildings, commercial and service premises in other buildings to which everyone must have access for reasons of equality, and their building sites shall also be suitable for use by persons with restricted ability to move around or function otherwise.

Taking into account its design and the number of storeys and other circumstances, a residential building and associated spaces shall meet the requirements for accessibility in building.

For purposes of equality, buildings with work space shall be designed and built so that they provide the persons referred to in paragraph 1 with sufficient opportunity to work, taking into account the nature of the work.

More detailed provisions on ensuring accessibility in building are laid down in the National Building Code of Finland.

Section 54

Places of assembly

Building or action permits concerning places of assembly confirm the maximum number of people allowed simultaneously in the place concerned. A notice indicating this number shall be fixed in the place of assembly in the place so that it is easily visible. If necessary for fire safety and personal safety, the local building supervision authority may also issue a decision on the matter and on measures required also elsewhere than in connection with a building or action permit.

The provisions on places of assembly also apply to spectator areas in places of assembly and to tents used for conferences, exhibitions and public gatherings, and to other corresponding structures, as appropriate.

The provisions of section 53, paragraph 1, also apply to places and areas of assembly.

Section 55

Ecological considerations in building

When the requirements set for a building are applied, the finished building's environmental impact shall be taken into account to ensure that its ecological properties will be sustainable when it is used for its intended purpose. When a building is designed, the environmental load caused by building materials and supplies during the building's life cycle shall be investigated as required. Special attention shall be paid to the repairability and replaceability of building elements and technical systems.

Permit applications and notifications concerning the construction or demolition of a building or part of a building shall include an account of the amount and type of construction waste and how it will be sorted, unless the amount of waste is minor. Applications and notifications shall report separately any construction and demolition waste that is harmful to health or the environment, and how it will be disposed of.

The planned service life of a building and of construction elements shall be taken into account in the use and maintenance instructions drawn up for the building.

Section 56

Providing facilities for waste management

As separately prescribed on the matter, the type of activities in a building and possible location of recovery receptacles must be taken into account when premises and structures are provided for the waste management of a property. If needed, such facilities and structures shall be enclosed or otherwise protected to prevent the risk of fire or environmental hazard.

Section 57

Distance from a building

The provision of sufficient safety distances to prevent the risk of major accidents from dangerous substances must be taken into account when the location of a building project and the suitability of building site are considered.

Buildings that pose a fire hazard may not be closer than 15 metres to land owned or held by another, or closer than 20 metres to a building on land owned or held by another.

Outside local detailed plan areas, buildings may not be constructed closer than five metres to land owned or held by another without the other party's consent, or, unless special cause exists, closer than ten metres to a building on land owned or held by another.

Section 58

Roof and height of buildings

When viewed from the street or yard, the roof of a building may rise at a slope of no more than 45 degrees from the upper edge of the face of the elevation. This may be deviated from if justified for reasons of townscaping or the appearance of the building.

The height of a building is calculated from the ground level to the point of intersection of the roof and the face of the elevation.

Section 59

Minor overhangs

Structures serving the intended use of a building, and minor gables and towers may be built higher than the building or

roof height stipulated in the local detailed plan, if they suit the building and the surroundings and do not cause any material inconvenience to neighbours.

Unless otherwise stipulated in the local detailed plan, the stairs, balconies, bay windows, eaves and corresponding overhanging parts of a building and parts of the exterior wall housing additional insulation may to a minor degree extend beyond the plot boundary into a street area or other public area, as stipulated in the municipal building ordinance.

Elements of construction that extend beyond the plot boundary shall not hinder the intended use of a public area.

Chapter 11

Permits required in building and the permit procedure

Section 60

Opinion of the regional environment centre

Under section 133, paragraph 3, of the Land Use and Building Act, the regional environment centre shall be asked for an opinion on a building permit application when the application concerns an area that is:

- 1) covered by a nature conservation programme approved by the Government;
- 2) located within the area of a biotype protected under the Nature Conservation Act (1096/1996), or an area where a specially protected species lives and where a prohibition referred to in section 29, paragraph 1, or section 47, paragraph 2, of the Nature Conservation Act is in force;
- 3) located in a landscape conservation area under the Nature Conservation Act; or
- 4) located in an area reserved for recreation or conservation in a regional plan based on the Land Use and Building Act or on the Building Act (370/1958).

An opinion is not required, however, when the construction work is based on a regional environment centre deviation decision or a local authority deviation decision on an application on which the regional environment centre has issued an opinion. Also, an opinion is not required under paragraph 1, subparagraph 4, if a legally binding local master plan or a local detailed plan is in force in the area.

The regional environment centre shall issue its opinion within three months.

Section 61

Construction of an outbuilding

The building ordinance may stipulate that, outside local detailed plan areas, a notification procedure rather than a permit procedure is applicable in the case of the construction of smallish outbuildings, excluding saunas, which are in connection with existing dwellings or are necessary for the purposes of agriculture.

The provisions of paragraph 1 also apply to the construction of a similar outbuilding indicated in the local detailed plan.

Section 62

Actions requiring a permit

Subject to preconditions and restrictions laid down in the Land Use and Building Act and below in this Decree, an action permit is required to erect or locate a structure or installation that cannot be considered a building, or to alter the outward appearance or layout of a building, as follows:

- 1) for the construction of a shelter, shed, kiosk, outhouse, performance stage or some other corresponding structure (*structure*);
- 2) to set up or construct a sports grounds or place of public assembly, an area for caravans other than that referred to in the Outdoor Recreation Act (606/1973) or a corresponding area, and a spectators' area, tent for the public or corresponding facility (*structure for the public*);
- 3) to store a caravan, houseboat or corresponding structure for a purpose that is not related to ordinary camping or boating (*movable equipment*);
- 4) for the construction of a mast, smokestack, storage tank, skilift, monument, largish antenna, wind power station or largish lighting column or corresponding structure (*separate equipment*);

- 5) for the construction of a largish pier or some other structure altering the waterline or having a material impact on it, or to build a canal, breakwater or corresponding structure (*waterline equipment*);
- 6) for the construction of a largish storage or parking area that is separated from the surroundings or for arranging a corresponding area (*storage area*);
- 7) to alter the elevation, roof shape, roofing or its colour, material or colour of exterior cladding, to install an awning that affects the streetscape, or to alter the fenestration (*elevation action*);
- 8) to place outdoors structures, texts or images other than those referred to in the Nature Conservation Act for advertising or other commercial purposes, or to place an advertisement permanently or for a long period in such a way that it covers a window (*advertising action*);
- 9) for the construction of a separating fixed fence or wall edging the street as part of the built environment (*fencing*);
- 10) for other arrangements and alterations that have a significant and long-term impact on the townscape or surroundings (*townscaping*); or
- 11) to combine or divide residential apartments (*arrangement of an apartment*).

The permit referred to above in paragraph 1, subparagraph 1-10, is not needed for action based on a legally binding plan.

Section 63

Exemption from permit requirement and notification procedure

The building ordinance may stipulate that action as referred to in section 62, paragraph 1-10, that shall be deemed minor in view of the circumstances in the municipality or part thereof, is exempt from any permit requirement in the municipality or part thereof.

The building ordinance may also stipulate that the notification procedure referred to in section 129 of the Land Use and Building Act applies to actions referred to in section 62 within the municipality or part thereof.

Section 64

Building masts or wind power stations

When a building or action permit application is filed for the building of masts, the application must include:

- 1) an account of the project's impact on landscape and neighbours;
- 2) an account of any other masts the applicant is planning to build in the close vicinity; and
- 3) an account of whether antenna space is available in existing masts that would serve the purpose of the intended mast and are already part of the general telecommunications network.

The provisions of paragraph 1, subparagraphs 1 and 2, apply to permit applications to build wind power stations, as appropriate.

Section 65

Hearing of neighbours

Subject to section 133, paragraph 1, of the Land Use and Building Act, the local building supervision authority shall notify neighbours of a building permit application and allow them at least seven days to enter objections. The notification may be posted as an ordinary letter.

If the neighbours are not known or cannot be reached without difficulty, or if there are more than ten neighbours who are entitled to be heard, they shall be considered notified when

the application has been publicized in the same manner as municipal notices are publicized in the municipality.

Applicants may enclose with their application a declaration that all or some of the neighbours are aware of the project, and an account of any position they have taken on the construction work. The hearing prescribed in paragraph 1 is not necessary where the applicant has provided such evidence of having heard the neighbours.

The party undertaking the building project is in charge of the notification needed on the building site that a permit issue is pending. When the need for and method of notification is considered, aspects of the project, such as size and location, are taken into account. The purpose of this notification is to make any material changes that will be caused in the surroundings by a building project or some other activity generally known.

Section 66

Instructions for use and maintenance of buildings

Subject to special causes, use and maintenance instructions shall be drawn up for a building used permanently as a residence or to work in. This also applies to repair and alteration work on such a building that is comparable to building construction, and, as appropriate, to repair and alteration work which otherwise requires a building permit.

The use and maintenance instructions should contain the information required for appropriate use of the building and for the performance of maintenance duties, taking into account the building's intended use and attributes and the planned service life of the building and its construction elements and equipment.

More detailed provisions on instructions for the use and maintenance of buildings are laid down in the National Building Code of Finland.

Section 67

Publicizing intention to demolish

If the demolition of a building or part thereof may degrade a historically or architecturally valuable townscape or built environment, the local building supervision authority shall notify the municipal board and the regional environment centre thereof within 14 days of receiving the demolition notification or a permit application for building that entails demolition.

Section 68

Postponing the processing of a building permit application to assess whether a plan is up-to-date

The local building supervision authority shall notify the municipal authority in charge of assessing whether a local detailed plan is up to date that a building permit application is pending if it is evident that an assessment of whether the local detailed plan is up-to-date as referred to in section 60, paragraph 2, of the Land Use and Building Act must be carried out before the permit can be granted. Processing of the building permit must in such cases be postponed until it is known whether the plan is up-to-date or confirmed that assessment is not necessary.

After receiving the notification referred to above in paragraph 1, the local authority shall without unnecessary delay assess whether the local detailed plan is up-to-date and notify the local building supervision authority of the result of the assessment.

Section 69

Notifying the regional environment centre

Local authorities notify the regional environment centre of a demolition or landscape work permit as soon as the permit has been granted. The notification shall include the permit decision and a map of the surroundings indicating the location of the area or building.

Chapter 12

Carrying out construction work

Section 70

Site managers' qualifications

The site manager of a construction works shall have a construction-related university degree or a degree required of a responsible foreman in sections 68, 132 and 137 of the Building Decree (266/1959), hereinafter *earlier decree*, that is appropriate for the task. In addition, the site manager shall have the construction experience required in view of the type and extent of the construction project.

When the building in question is smallish and structurally straightforward, the site manager may also be a person who does not possess one of the aforementioned qualifications but is otherwise deemed to meet the preconditions for the task.

When applying for approval as site manager, a site manager as referred to above shall prove that he has the qualifications required to carry out the duties. A written statement shall be enclosed with the application in which the applicant undertakes liability for managing the construction work.

A person approved as a site manager for similar construction work in the same municipality no more than five years earlier does not require new approval for confirmation of competence. In such cases a notification of intention to function as a site manager and the written statement referred to in paragraph 3 will suffice.

Section 71 *Specialist foremen*

Specialist foremen in charge of constructing water mains and sewage systems and ventilation equipment are required in construction work, as appropriate in view of the difficulty of the tasks. The building permit may also stipulate that specialist foremen must also be designated for other fields or, if special cause exists, an order may be issued to this effect during ongoing work. As appropriate, provisions on site managers apply to the approval of specialist foremen.

The provisions of section 123, paragraph 1 and 2, of the Land Use and Building Act are taken into account when the qualifications of a specialist construction work foreman are assessed. More detailed provisions on minimum qualifications are issued in the National Building Code of Finland.

Section 72 *Commencing construction work*

Construction work is considered to have commenced when the casting of foundations or installation of the foundation's construction elements begins.

In compliance with provisions on landscape work permits, excavating, quarrying, felling of trees and other corresponding preliminary work may be carried out before construction work begins.

The piling of a building's foundations may be carried out before construction work begins in accordance with the piling plans submitted to the local building supervision authority.

In the case of repair and alteration work on a building that is subject to permit, work is considered to have commenced when the demolition or construction of structures or construction elements is begun.

Section 73

Construction management

The duties and responsibilities of site managers begin as soon as they have been approved or after they have submitted a notification of taking on the responsibilities of a site manager. Site managers can be released from their duties and responsibilities only by submitting a written request or if they are replaced by another approved person.

Site managers shall see to it that:

- 1) the building supervision authority is notified of the commencement of construction work;
- 2) construction work is carried out in compliance with the permit granted for it and that the provisions and regulations on building are observed;
- 3) necessary measures are taken to remedy defects and mistakes observed in the course of construction work;
- 4) requests for reviews required under the building permit are made in good time, and that the inspections and measures stipulated at the start-up meeting or later are carried out at the appropriate stage of the construction work; and
- 5) approved drawings and necessary special drawings, an up-to-date building inspection report, any test results and

other necessary documents are available on the building site.

What is provided on site managers applies to specialist foremen, as appropriate.

Section 74 *Start-up meeting*

The building permit stipulates on the start-up meeting required in order to fulfil the statutory duty to take care in building. A party undertaking a building project shall agree with the local building supervision authority on the date and time of the start-up meeting and convene the meeting before construction work begins. The start-up meeting must be attended at least by the party undertaking the project or its representative, the principal designer of the building and the site manager.

The obligations of the party undertaking a building project, as defined in the permit documents, key parties to the design and construction work, persons responsible for the various stages of construction and persons who carry out inspections of work phases, as well as other reports and measures intended to guarantee the quality of construction, shall be noted and entered in a record.

On the basis of the start-up meeting the building supervision authority shall consider whether any separate investigations are required to guarantee the quality of construction (*quality control report*). Procedures defined at the start-up meeting or in a quality control report shall be observed in the construction process.

Section 75

Setting out

If the building permit so stipulates, the local building supervision authority shall see to it that the location of the building and its level are set out according to the approved drawings before construction work begins.

Once the foundations of a building have been laid or a corresponding construction stage has been completed, construction work may not continue until the location of the building and its level, as referred to in paragraph 1, have been confirmed in a review.

Section 76

Reviews and inspections

During construction, the following reviews may be required, as appropriate: foundation review, structural review and HEPAC review. The building permit may also require other reviews as well. When necessary, reviews may be combined or carried out in stages.

The party undertaking the building project, the site manager, the foreman for the special field covered by the review and, when necessary, the designers of the building shall be present at reviews. The review may, however, be carried out in the absence of one of the above.

The purpose of a review is to confirm whether the measures, inspections and necessary investigations related to a particular stage of construction work and any measures required because of defects and mistakes have been carried out.

In addition, other inspections and visits necessary to supervise the construction process may be made at a construction site. An entry is made in the construction

inspection document or permit documents that a review or inspection has been carried out. The provisions of this section also apply to the final review of a building.

Section 77

Construction inspection document

The persons designated in the building permit or agreed at the start-up meeting as responsible for a construction stage and the persons who inspect work phases shall record the inspections they carry out in the construction inspection document. The developer's, designer's, contractor's or an expert's justification for any deviation from the provisions on construction work is also recorded in the document.

The record made of the final review shall indicate that an inspection document has been maintained; a summary of the document shall be archived together with the permit documents concerning the building.

More detailed provisions on the supervision of construction work and on inspection documents are laid down in the National Building Code of Finland.

Section 78

Developer supervision

Developer supervision approved by the local building supervision authority releases the party undertaking a building project completely or partly from all official building supervision during the course of construction work. In the final building review, however, the authorities will check whether the developer has fulfilled its supervision duties and whether the building conforms to the permit and can be commissioned.

A supervision scheme (*supervision scheme*) drawn up for developer supervision shall comprise an account of the building project, the developer, the supervision organization and experts used by the developer, the parties carrying out the construction work and the responsible construction management, in so far as they are known to the party applying for developer supervision. When approval of developer supervision is considered, the developer's ability to supervise the building process in accordance with the scheme must be taken into account.

Information on the site managers and foremen and any other information required in the approval has to be added to the supervision scheme as soon as it becomes known to the party undertaking the building project.

Section 79

Deviation from the design

The building inspector may grant approval for deviation from the approved design during the course of construction unless the nature of the deviation and the provisions and regulations on permit consideration require substantial amendment of the plan and the deviation affects the interests of neighbours.

Any amendments approved during the course of construction and the approving official shall be indicated on the drawings. Inspected drawings shall be submitted to the local building supervision authority before the final review.

Chapter 13

Arrangements related to construction

Section 80

Building easements

A permanent or fixed-term building easement encumbering another property, as referred to in sections 158 and 159 of the Land Use and Building Act, may be established for a plot or building site, entitling the holder:

- 1) to use the foundation of a building or a retaining wall on the encumbered property to lay the foundations of a building or a retaining wall on the easement holder's property, and to extend the foundations of a building or retaining wall to the encumbered property (*foundation easement*);
- 2) to use the wall or structure of a building on the encumbered property to brace an intermediate floor or some other structure, or for some other corresponding purpose, and to build so that buildings located on the property boundary have a party wall (*structural easement*);
- 3) to place service conduits and related equipment in a building on the encumbered property and to use the necessary spaces (*equipment easement*);
- 4) to use an accessway, emergency shelter or parking place in a building on the encumbered property (*usage easement*);
- 5) to use heating plants or heat transfer equipment, facilities for waste management or other community infrastructure equipment and spaces reserved for such purposes located on the encumbered property (*maintenance easement*);
- 6) to use premises intended for common use and other facilities serving residential, work or property management purposes and spaces reserved for such purposes located in a building on the encumbered property (*joint easement*);
- 7) to make a door or other opening in a wall on the boundary of the encumbered property or to not build a fire wall (*wall easement*); and
- 8) to extend the roof of a building or part of the external wall containing additional insulation so that it

overhangs the encumbered property or to construct the roof so that water drains onto and is conducted via the encumbered property (*tolerance easement*).

Section 81

Property Register entries

After gaining legal force, the establishment or removal of a building easement shall be entered in the Property Register under the easement holder and the encumbered property. An easement entered in the Property Register remains in force even if ownership of the property changes.

When plot divisions or property boundaries are altered, the surveyor or, if the matter concerns the combining of properties, the keeper of the Property Register shall at the same time issue a decision adjusting the easement so that it conforms to the change, and remove any easement that the change in partition has made unnecessary. In the case of a changed block or plot number, the matter shall be resolved by the keeper of the Property Register after hearing the interested parties.

The provisions laid down above also apply to decisions referred to in sections 161–164 of the Land Use and Building Act, as appropriate.

Section 82

Erecting a fence

Unless otherwise stipulated in the local detailed plan or the building ordinance, or decided by the local building supervision authority, property owners are entitled to erect a fence on the boundary of their property. When necessary, the building supervision authority shall require a fence to

be erected and determine the type and location of the fence and the distribution of costs between neighbours.

Section 83

Avoiding harmful effects in building

Parties engaging in building projects shall protect street areas and other public areas, community infrastructure and other such equipment against damage, and repair any damage that has occurred. The measures needed to avoid harmful effects may be specified in the building permit or during the course of construction.

In addition, regulations on fencing construction sites, protective structures preventing damage to persons or goods, measures to prevent disturbance to traffic and other disturbance and on arranging construction work so that the construction site does not cause unreasonable nuisance to neighbours and passers-by may be specified in the building permit or during the course of construction.

Section 84

Indication of address

The owner of a building shall identify the building and its staircases by a number or letter that is visible from the street, another traffic way and a traffic area on the same plot, in accordance with the local authority decision on the matter. Such indications of address shall also provide directions for emergency and maintenance vehicles and other traffic to the property.

Chapter 14

Deviation

Section 85

Applying for deviation

The following documents shall be included with applications for deviation as referred to in section 171 of the Land Use and Building Act:

- 1) a map of the surroundings that indicates the location of the area, and a site plan that indicates existing and planned building and any construction activity on the construction site;
- 2) documents showing that the applicant holds the title to the construction site or is otherwise entitled to apply; and
- 3) an account of any hearings carried out by the applicant as laid down in section 86, paragraph 2.

Applications must provide an estimate of the principal impact of the project involving the deviation and the grounds for the application.

Deviation applications are submitted to the local authority. If it is the regional environment centre's responsibility to process the application under section 171 of the Land Use and Building Act, the local authority shall send the application to the environment centre together with its opinion on the matter.

Section 86

Hearings based on deviation applications

Neighbours of a construction site shall be notified that deviation has been applied for and given at least seven days to enter objections. The notification may be sent as an ordinary letter. For the purpose of hearing other interested parties as referred to in section 173, paragraph 1, of the Land Use and Building Act, when such wider hearing is needed, the application shall be announced on the municipal

notice board and advertised in at least one newspaper in general circulation in the area affected by the application; the interested parties shall also be provided with a corresponding period to enter objections. The period in such cases is calculated as of the date of the announcement's publication in a newspaper.

Applicants may enclose with their application a declaration that all or some of the neighbours are aware of the project, and an account of any position they have taken on the construction work. The hearing organized by the local authority and prescribed in paragraph 1 is not necessary where the applicant has provided such evidence of having heard the neighbours.

The local authority pays the costs of hearings organized by it and may charge them to the applicant under section 173 of the Land Use and Building Act.

Section 87

Validity of deviation decisions

Deviation decisions shall determine the period within which a building permit in accordance with the decision must be applied for. The period may not exceed two years.

Section 88

Informing other authorities of deviation decisions

A local authority must send a deviation decision to the regional environment centre without delay after the decision has been issued. A site plan and a map of the surroundings indicating the area affected by the decision, or some other map which provides sufficient information on development in the area, shall be enclosed with the decision.

Section 89

Deviation decisions that lack legal force

Building permits may be granted on the basis of deviation decisions that lack legal force. In such cases, the building permit must stipulate that construction work may not commence before the decision has gained legal force.

Section 90

Applying procedures in areas requiring planning

The provisions of this chapter apply when matters concerning the special preconditions for building permits referred to in section 137 of the Land Use and Building Act in areas requiring planning are resolved.

Chapter 15

Appeal

Section 91

Issuing rectification reminders on land use plans

Rectification reminders as referred to in section 195 of the Land Use and Building Act shall indicate in what respect national land use objectives have not been taken into account when a plan was drawn up or in what respect a plan is otherwise considered to contravene the law.

Section 92

Demonstrating right of appeal

In addition to what is otherwise prescribed on appeal, registered organizations as referred to in section 191,

paragraph 2, of the Land Use and Building Act shall explain their sphere and area of activities.

Chapter 16

Miscellaneous provisions

Section 93

Entry into force of plans and certain decisions

Regional plans come into force when the ratifying decision has been publicized in the municipalities of the region in the same manner as municipal notices are publicized in them. What is laid down on the entry into force of regional plans also applies to legally binding joint municipal master plans.

Local master plans, local detailed plans and building ordinances come into force when the decision to approve them has been publicized in the same manner as municipal notices are publicized in the municipality. Plot divisions come into force when the decisions approving them gain legal force.

Building prohibitions issued by the authorities and the building restriction referred to in section 33, paragraph 3, the restriction on action referred to in section 128, paragraph 1, subparagraph 3, and the building prohibition and restriction on action referred to in section 177, paragraph 5, of the Land Use and Building Act come into force when they have been publicized in the same manner as municipal notices are publicized in the municipality.

Building prohibitions based on section 53, paragraph 3, and related restrictions on action referred to in section 128 of the Land Use and Building Act deriving from the approval of a local detailed plan are brought into effect by the relevant approval decision.

Section 94

Publicizing approval decisions

Local authorities shall send decisions approving local master plans, local detailed plans and building ordinances, plan maps and statements and the building ordinance to the regional environment centre without delay. Local authorities shall also send copies of opinions issued and objections entered, unless they are sufficiently explained in the approval decision.

Also, the authorities, municipal members and those who have entered objections shall be notified without delay of decisions approving plans and building ordinances if they have so requested while the plan or building ordinance was available to the public.

Section 95

Providing plans and building ordinances for information

Regional councils shall send ratified regional plans to the ministries concerned, the regional environment centre, the District Survey Office, the regional councils whose areas border on the regional plan area, the local authorities and local building supervision authorities in the regional plan area and, as appropriate, to other authorities.

Local authorities shall send local master plans, local detailed plans and building ordinances that have come into force to the District Survey Office, regional council, local building supervision authority, any neighbouring local authority adjacent to the plan area, and, as appropriate, to other authorities. The regional environment centre shall be notified when a plan or building ordinance comes into force.

Section 96

The authorities' right to receive information

The information referred to in section 205 of the Land Use and Building Act which the Ministry of the Environment and regional environment centres are entitled to receive includes information on land use and the state and development the built environment, the status of planning and permits, and the organization of administration and administrative action that are needed for monitoring land use and the built environment, and any documents needed for supervision or other official functions under consideration. Separate provisions apply to fees charged for Property Register data and for National Land Survey of Finland aerial photograph and map material.

Section 97

Issuing decisions after publication

In the case of decisions to be issued after their issue has been made public under sections 142 and 198 of the Land Use and Building Act, the decision-making authority shall announce the issuance of the decision before the issue date on its notice board. The announcement shall indicate the authority, the matter concerned and the decision's date of issue. The announcement shall be kept on the notice board of the authority that issued the decision for at least the period reserved for making claims for rectification or filing appeals.

Decisions shall be available to interested parties on the date of issue indicated in the announcement.

Section 98

Amendment and repeal of land use plans, building ordinances, plot divisions and street plans

What is laid down in this Decree on drawing up land use plans, building ordinances, plot divisions and street plans also applies to their amendment and repeal.

Section 99
Cross-border environmental impact

If a plan that is being drawn up is likely to call for procedures as referred to in section 199 of the Land Use and Building Act, the regional council or local authority drawing up the plan shall notify the regional environment centre that planning is under way. The notification shall include the participation and assessment scheme related to the plan and other information needed to estimate whether cooperation with another state is called for.

The regional environment centre shall send the participation and assessment scheme, its own opinion on the matter and other necessary information without delay to the Ministry of the Environment so that it can notify the other state. The Ministry of the Environment supplies the Ministry of Foreign Affairs with the notification sent to the other state for its information.

The Ministry of the Environment or a regional environment centre designated by the Ministry shall provide authorities, natural persons and organizations of a state that is party to a treaty referred to in section 199 of the Land Use and Building Act with an opportunity to take part in participation and interaction procedures related to compilation of the plan. To this end, the regional council or local authority drawing up the plan shall provide the Ministry of the Environment or the regional environment

centre designated by the Ministry with the necessary information on assessments of the plan's impact.

Section 100

Publication of building reminders

Owners and titleholders of relevant plots or construction sites shall be notified of decisions concerning the reminder referred to in section 97, paragraph 1, of the Land Use and Building Act as laid down in section 8 of the Act on Notice in Administrative Matters.

Section 101

Building reminder register

The building reminder register referred to in section 97, paragraph 5, of the Land Use and Building Act must include at least the following concerning each plot and construction site whose owner or titleholder has been issued with a reminder to build:

- 1) the date of the decision to issue a reminder to build and the provision on which the reminder is based;
- 2) an account of those notified of the reminder and when;
- 3) an entry on reversed and lapsed reminders and that the obligation has been fulfilled; and
- 4) an entry on notifications sent to the office of a district court under section 97, paragraph 5, of the Land Use and Building Act.

An entry shall also be made in the register when a reminder becomes legally valid or is repealed on the basis of an appeal.

Section 102

Record of compensations not yet paid

If an agreement has been reached on compensation as referred to in section 109 of the Land Use and Building Act, the local authority shall keep a record of compensations not yet paid.

Section 103

Application of building permit provisions to other permits

The provisions of chapters 10–13 on building permits and on carrying out construction work also apply to action, demolition and landscape-work permits and to measures based on them, as appropriate.

Section 104

Type approval

Applications for type approval should be filed with the Ministry of the Environment. They should indicate the purpose of the construction product and the attributes for which type approval is sought. Type approval decisions are issued for a maximum period of five years. Type-approved products shall be marked in a manner approved by the Ministry.

Chapter 17

Entry into force and transitional provisions

Section 105

Entry into force

This Decree comes into force on January 1, 2000.

Measures required to implement this Decree may be taken before it comes into force.

Section 106

General transitional provisions

When this Decree has come into force, references to an earlier decree in other legislation shall instead refer to this Decree.

Instead of section 62 of this Decree, the provisions of sections 50, 121 and 137 of the earlier decree and regulations issued under them in a municipal building ordinance shall be applied until the said building ordinance is amended and the amendment has come into force. However, taking into account the provisions of section 63, the provisions of section 62 of this Decree are applicable as of January 1, 2002 at the latest.

Provisions in force when this Decree comes into force apply to issues being processed by administrative authorities or courts at that time.

Section 107

Transitional provision on the qualifications of planners

Notwithstanding the provisions of section 3 on planners' qualifications, persons deemed to meet the requirements for a planning task on the basis of planning experience gained before this Decree comes into force may carry out planning tasks appropriate in view of their experience.

Section 108

*Transitional provisions on the qualifications of building
inspectors*

Notwithstanding the provisions of section 4, paragraph 3, persons appointed to the post of a building inspector before this Decree comes into force and persons who fulfil the qualifications required of building inspectors under section 158a of the earlier decree may function as building inspectors.

Helsinki, September 10, 1999

President of the Republic

MARTTI AHTISAARI

Minister of the Environment *Satu Hassi*