

General measure – master plane

Abstract

This thesis wals to characterized the general measure as a form of public service activities and to assess their place in the legal system as an institute which was stabilized by the Administrative Code with effect from 1th January, 2006. The general measure is a mixed administrative act on the boundary between individual and normative act. The process of preparing and issuing the measure regulates the sixth part of the Administrative Code. It has no „participants“; the administrative authority negotiates with involved persons. It is not an enforceable title, The legal definitions of measure are not consistent: measure is used where there should typically be used normative legal act. Based on the assessment above, the considering of measures resulted into two spheres of recommendations: to erase the measures from the legal code or to let the measure remain in ithe legal code, provided that it will be precisely defined the conception of measure.

It interprets the concept and taxonomy of planning tools, the process of taking a master plan, tasks of the planning office and of the municipal council. The thesis compares them with the adjustment of the Administrative Code, describes the repair and supervisory resources. It analyzes the problems in order to find solutions and streamline of the procurement process, to identify procurement process in relation to the administrative rules, to change the view of the master plan (normative administrative act or individual administrative act) and to strengthen the role of municipal authorites, and to address regulatory changes, such as changes in the Institute of objections and decisions about them, deadlines and review its limits, the position of the parties concerned and centralization the procurement process activities.

The result of the analysis of the whole process of creating a spatial plan and discussion of issues that are important in terms of spatial planning and administrative practice was to summarize the findings and try to signal to the relevant authorities to reflect on the fact that over time planning as a creative field of human activity is gradually disappearing at the expense of rampant "self-executing" and "self-living" bureaucracy.

Klíčová slova:

Individual administrative act	Supreme Administrative Court	Normative administrative act
General measure	Urbanism	Planning office
Constitutional Court decision	Master plan	Municipal council
	Public service	