

New Legal Framework for Spatial Planning, Urban Planning and Construction in Romania – Key Principles

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In August 2026, the Spatial Planning, Urban Planning and Construction Code (*Codul amenajării teritoriului, urbanismului și construcțiilor*) entered into force.

The public discussion surrounding it has in part been shaped by oversimplified accounts; therefore, a number of clarifications are useful.

The following laws are replaced:

- Law 350/2001 on spatial planning and urban planning;
- Law 50/1991 on the authorization of construction works
- Parts of Law 10/1995 on construction quality
- the corresponding implementing regulations.

This brings about significant practical changes for clients commissioning construction works, property owners, project developers and municipal authorities.

Law No. 7/1996 on Cadastre and Real Estate Publicity remains unaffected.

Key changes at a glance:

➤ Simplified procedures for houses and ancillary buildings in rural areas

For individual single-family houses of up to 150 m² (ground floor or basement and ground floor, without a cellar), located within built-up areas in rural areas and outside protected areas, a conventional building permit will no longer be issued – the works may be carried out in accordance with the following requirements and on the basis of a notification submitted to the municipality:

- A construction plan (*proiect tehnic de execuție cu conținut simplificat*) must be submitted, either in the form of a standard construction plan provided by the authorities or an individual plan prepared by an architect or planning engineer;
- This construction plan must be approved by the county's chief architect;
- The competent authority examines whether the local planning regulations permit the construction of the project in the area concerned.

Ancillary structures serving residential buildings up to 50m², such as garages, covered terraces, pergolas, summer kitchens or sanitary facilities, as well as swimming pools, can also be constructed in rural areas under this notification procedure.

➤ **Subsequent approval of unauthorized structures**

The new law contains provisions on subsequent procedures for structures that were built without a building permit or in breach of its terms.

The scope of application generally includes

- Single-family houses with a ground floor only or with a ground and upper floor and a maximum area of 150 m²;
- Ancillary buildings of residential houses or agricultural holdings with a maximum area of 150 m²;
- Balcony glazing that does not protrude into public space.

The requirements for any simplified or subsequent approval procedure must be examined on a case-by-case basis.

For historic monuments and buildings in protected areas, the possibility of obtaining subsequent approval under the relevant provisions is generally not available.

For other types of buildings, subsequent approval may also be possible, but only upon payment of a fee for the urban planning certificate (planning certificate) and the approval, as well as the corresponding contributions to the state building supervisory authority, which are ten times higher than those for a construction that was lawful from the outset.

➤ **Consequences of failing to obtain or comply with permits**

For unauthorized or subsequently approved buildings, the building tax increases by 100 % from the time the municipal administration establishes the circumstances until the time of subsequent approval or demolition.

The payment of taxes does not, of course, automatically cure the illegality of the structure – it must also comply with urban planning regulations and quality standards (structural strength, fire protection, etc.), which must be demonstrated by a technical assessment.

If a required building-law clarification is not carried out, the competent authorities may, within the framework of the applicable regulations, take measures to eliminate illegal structures or apply to the courts for their demolition. The scope of the provisions on subsequent procedures and the relevant requirements must be assessed on a case-by-case basis in light of the applicable provisions and transitional rules of the new Code.

➤ **Faster and digitalized permitting procedures**

As part of the new code, a “one stop shop” is envisaged through which a building permit application can be submitted online and its processing status tracked. In addition, integrated approvals are intended to ensure faster procedures, shorter deadlines, easier traceability, and more precise tracking of the flow of documents.

Conclusion

The new building code can facilitate construction from a procedural perspective.

Likewise, in some cases it can serve to subsequently bring unlawful structures into compliance with the law after the fact. unlawful structures into compliance with the law. However, it does

not permit “unregulated construction”; the procedure provides for a building plan and a review of compliance with the statutory requirements. An individual case-by-case assessment is always required.

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