



Law No. 169/2026 on the Code of Territorial Planning, Urbanism and Construction (the “Urbanism Code” or the “Code”) was published in the Official Gazette of Romania, Part I, No. 661 of 10 August 2026 and entered into force on 25 August 2026. Its application is not contingent upon the adoption of secondary or tertiary legislation.

The Code goes well beyond a simple legislative consolidation: it fundamentally changes the legal framework governing real estate development in Romania, replacing the key pieces of legislation that have governed building authorization and urban planning for the past three decades. The existing framework, centred primarily around Law No. 50/1991 on the authorization of construction works and Law No. 350/2001 on urban planning, is now replaced by a single, integrated regulatory framework. To this end, the Code repeals:

- Law No. 50/1991 on the authorization of construction works, together with its Methodological Norms;
- Law No. 350/2001 on territorial planning and urbanism, together with its Methodological Norms (except for Annexes 4 to 6 to the Methodological Norms); and
- Articles 1 to 9, Articles 11 to 40, and Articles 42 to 44 of Law No. 10/1995 on quality in construction.

We have summarised below the main changes with practical impact for investors and developers, what changes in terms of urbanism, authorization and project implementation, as well as the key issues that may raise practical or legal concerns.

1. New classification of urbanism documentation
Urbanism documentation is divided into (i) planning documentation, which includes the general urban plan for the metropolitan area (“PUGZM”), the general urban plan (“PUG”), mandatory for all urban or rural U.A.T.s, except for those that have opted for planning through the PUGZM, and the zonal urban plan (“PUZ”); and (ii) design documentation, specifically the detailed urban design plan (“PUD”), formerly referred to as the detailed urban plan. The Code also expressly regulates a unified PUZ for investments carried out within the territory of two or more U.A.T.s, approved by each of the local councils concerned.

2. PUGZM: a new metropolitan planning tool
As a new feature, the Code regulates the general urban plan for the metropolitan area (PUGZM), an optional documentation that may replace the individual general urban plans (PUGs) of the U.A.T.s within a metropolitan area. The PUGZM is approved by each local council individually and enters into force progressively, as it is approved by the polarizing U.A.T. and by at least 50% plus 1 of the member U.A.T.s.

3. Amendments concerning the PUZ
The PUZ is prepared in three situations: (i) to further detail the regulations in complex areas, where the PUG has not established the minimum conditions for authorization; (ii) for urbanism operations (plot subdivision, reconfiguration, regeneration or urban restructuring); and (iii) to amend approved regulations, only in situations that are duly justified from the perspective of the general interest and, for private initiatives, after obtaining the initiation endorsement (the functional equivalent of the former opportunity endorsement).

An important change: for areas where the former law directly required a PUZ (central areas, leisure and tourism areas, industrial, technological and service areas, etc.), the requirement no longer derives automatically from the law, but may instead be established through the PUG. Where the PUG/PUGZM or a higher ranking territorial planning documentation requires the preparation of a PUZ for a particular area, the local authority is required to initiate it, without an initiation endorsement.

Endorsement and approval: the PUZ is endorsed by the Local Integrated Endorsement Commission (and, for areas containing monuments listed as world heritage sites, also by the national commission); the chief architect’s technical endorsement is issued within a maximum of 15 working days; approval is granted by decision of the local council/of the General Council of Bucharest Municipality, by absolute majority, and local councilors may not amend the technical content of the endorsed documentation.

Validity: the term may be set out in the approval decision; in the absence of such term, the PUZ remains applicable until it is amended, updated or repealed by a documentation of the same or higher rank.

4. Amendments concerning the PUD
Role and scope of application: as a rule, the PUD is prepared only (i) to further detail the provisions established by the PUG or PUZ and/or (ii) for the development of renewable energy investments within the intra muros area of the U.A.T., provided that the function established by the higher ranking urbanism documentation is observed. The Urbanism Code thus extends the scope of the PUD

to renewable energy investments.

Possibility of amending regulations approved through higher ranking documentation: unlike the former regulation, under which the PUD had only a detailing role and could not amend higher ranking documentation (PUG, PUZ), the Urbanism Code allows, by way of exception, the amendment through the PUD of regulations approved through such documentation, but only under the following conditions:

- (i) the cases expressly provided by the Code for initiating such an amendment (e.g., plots with an irregular shape that cannot accommodate regularly shaped surfaces; the need to cover party walls and/or align with existing cornices, etc.); and
- (ii) the elements expressly provided by the Code (e.g., the positioning of buildings relative to the building line and to the side/rear boundaries of the plots; the urban planning indicators; the building regime, etc.).

Preparation, endorsement and approval

The PUD:

- is prepared as a specialized study during the building permit stage, in at least two preliminary versions reviewed by the Technical Commission for Territorial Planning and Urbanism, with the final version reflecting its observations;
- is endorsed by the Local Single Approval Commission, by the endorsing entities that issue endorsements independently of it, and by the chief architect's technical endorsement;
- is approved, as a rule, by decision of the mayor (unlike the former regulation, under which approval required a decision of the local council), and, in the cases expressly provided by the Code, by the president of the county council, with the prior endorsement of the mayors of the localities concerned.

Endorsement and approval rely on the same endorsements and approvals required for building authorization, except for those issued strictly for authorization purposes.

Validity of the PUD: an approved PUD becomes an integral part of the PUG or the PUZ, as the case may be, and remains valid until the approval of a new urbanism documentation or of a new PUD.

5. Integrated endorsement of territorial planning and urbanism documentation

Territorial planning and urbanism documentation is endorsed through integrated endorsements, issued at central and local level, and requesting any other endorsements or approvals is prohibited, except for the strategic environmental assessment and the endorsements of institutions within the National Defence, Public Order and National Security System ("SNAOPSN"), which are obtained separately. The list of endorsements required for each type of documentation is to be approved by order of the minister responsible for territorial planning, urbanism and construction.

Integrated endorsement is carried out through two commissions, with differentiated powers depending on the type of documentation:

- the National Integrated Endorsement Commission (at central level); and
- the Local Integrated Endorsement Commission (at county, metropolitan area, municipality and city level).

The procedure will be carried out through the National Platform for Urban and Territorial Planning and for Building Authorization; until it becomes operational, the documentation is sent by email to the members of the commission.

Approval of the documentation is based on the integrated endorsement (central and/or local), the public consultation report, the outcome of the strategic environmental assessment and, where applicable, the SNAOPSN endorsements.

Tacit endorsement: if the members of the commission or the endorsing bodies outside it fail to take part or respond, do not request clarifications, additions or amendments, and do not issue an endorsement or a refusal within the terms set by the Code, the endorsement is deemed to have been tacitly issued; an endorsement sent afterwards produces no legal effects. Exceptions: the SNAOPSN institutions, the initiation endorsement and the chief architect's technical endorsement.

6. Regulation of the right to carry out construction/demolition works

Under the Urbanism Code, the execution of construction/demolition works is permitted:

- As a rule: to holders of ownership rights, as well as to holders of other real rights corresponding to public ownership, subject to the constitutive legal document or with the owner's consent.
- As an exception: on the basis of a right of claim (in Romanian "drept de creanță", for: construction/demolition works involving temporary structures, repairs to permanent constructions and non structural, demountable interior partitioning, with the owner's consent; authorizable works carried out under specific contracts in the oil and natural gas sector (geological exploration/prospecting and extraction, other than temporary constructions) or concerning the extension/maintenance of water and wastewater systems, in both cases with the express consent of the owner/holder of the right; and other works expressly provided by law, in the cases and under the conditions established.

Please note: The Code appears

to limit the right to apply for a building permit to the owner and to holders of real rights corresponding to public ownership, without expressly including holders of other real rights specific to private ownership, such as the superficies right, which is frequently used in renewable energy projects.
 Such a limitation runs counter to the very purpose of the superficies right, which by definition includes the right to build on land owned by another person. It is possible that the limitation to public ownership is a mere drafting error, given that the version adopted by the Senate did not contain such a limitation; if that is the case, the remedy would simply require a correction, rather than a substantive legislative intervention.</p>

<p>7.
 The Code changes the urban planning certificate regime under four aspects.
 (i)
 Types: for information purposes; for cadastral operations; for the construction/demolition of buildings and structures; for the construction/demolition of engineering works; and for special constructions. The urban planning certificate is an administrative act, except when issued for information purposes, and may be issued simultaneously for several purposes or properties.
 (ii)
 Issuance deadlines: reduced and differentiated, between 5 and 15 working days (compared to 30, respectively 15 working days, previously).
 (iii)
 Validity: 12 to 36 months as a general rule; up to 60 months for public investments; for the entire implementation period, for transport infrastructure of national interest.
 (iv)
 Nullity: certificates issued for cadastral operations, construction/demolition of buildings and structures, or engineering works, in breach of the legally required content, are subject to nullity, as established by the administrative litigation court; cadastral operations and legal acts carried out without an urbanism certificate, or in breach of the conditions imposed by it, are subject to absolute nullity.</p>

<p>8.
 Simplification and differentiation of the authorization procedure
 The building permit remains the rule, but the Code differentiates the authorization procedures for buildings, engineering works and structures, and introduces two simplified alternatives: prior notification (Article 294) and the site approval (Article 300).
 The works listed exhaustively under Article 299 may be carried out without a permit and without notification, but the applicable urbanism rules, technical quality requirements, environmental and heritage protection legislation, and other applicable sectoral legislation continue to be required; for some categories of works, specific notifications or endorsements remain required.</p>

<p>9.
 Procedure for issuing the endorsements/approvals required for a building permit
 The Urbanism Code simplifies the process of obtaining the endorsements and approvals required for a building permit, through the integrated endorsement mechanism, and establishes a tacit endorsement mechanism as a remedy against the endorsing authorities exceeding the statutory deadlines.
 Integrated endorsement: the applicant may opt for integrated endorsement, whereby the endorsements are issued by the Single Approval Commission, in the form of a single approval.</p><p>However, the following remain outside this procedure and are issued separately: (i) the opinion of the environmental protection authority, for investments not subject to environmental impact assessment and/or appropriate assessment; (ii) the environmental approval or the Natura 2000 endorsement; (iii) the water management endorsement; (iv) the endorsement of the Ministry of Culture or of its decentralized services; and (v) the consent of neighbors/homeowners' associations. An analysis of Article 269 of the Code indicates that other sectoral approvals could be added to this list (e.g., the endorsement of the Romanian Civil Aeronautical Authority).</p>

<p>The procedure will be carried out through the National Platform for Urban and Territorial Planning and for Building Authorization, which will notify each endorsing authority indicated in the urban planning certificate; until it becomes operational, the documentation is sent by email to all members of the Single Approval Commission.</p><p>Tacit endorsement: if the competent entities do not issue the endorsement, do not request clarifications, additional information or amendments, and do not justifiably reject the application within the statutory term, the documentation is deemed complete and the endorsement is deemed issued. By way of exception, this mechanism does not apply to documentation submitted to the SNAOPSN institutions.</p><p>The authorization procedure may continue without the endorsements deemed tacitly issued, on the basis of (a) evidence of the beneficiary's response to the request for clarification/completion/amendment, accompanied, as applicable, by the corrected documentation; and (b) a statement on the beneficiary's own responsibility confirming the absence of any such request, the absence of the endorsement (whether conditional or not) and the absence of a rejection notice within the statutory term.</p>

<p>10.
 Validity of permits
 Building/demolition permits are

valid for 3 years from issuance date. Their validity may be suspended, via notification, only once, on a reasoned basis, for a maximum period of 12 months; the execution period may be extended only once, for a maximum period of 12 months (subject to a fee of 30% of the initial value). The permit loses its validity if the works do not start on time, are not completed within the established execution period, or are suspended for more than 24 months, except where the suspension is caused by disputes concerning the ownership right/legality of the permit, force majeure or circumstances likely to affect the execution of the works.

If the works are started on time and the start of works is notified to the issuing authority, the validity of the permit is extended for the execution period set out in the permit; in the absence of such notification, the execution period is calculated from the date of issuance.

11. New types of permits

The Code expressly regulates the amendment permit and the regularization permit.

The amendment permit: for changes made during execution, on the basis of an updated project for authorising construction (PAC), provided that the proposed amendments fall within the limits of the opinion or of the administrative act issued by the competent public environmental protection authority (if applicable), of the endorsements and approvals already obtained for the initial building permit, and of the applicable urbanism regulations; once issued, it terminates the validity of the initial permit for the amended elements, and the related works must still be carried out within the validity period of the initial permit. Minor local changes remain possible without an amendment permit, on the basis of a site order.

The regularization permit (regularization of unauthorised construction works): for works carried out without a permit or in breach of one. It is issued only for: single family homes of ground floor plus one floor (P/P+E) of a maximum of 150 sqm, which are not historical monuments and are not located in monument protection areas or protected built-up areas; ancillary buildings (of dwellings, farm buildings or agricultural holdings) of a maximum of 150 sqm; and the enclosure of balconies without any extension over public land, and only where the environmental requirements, the fundamental technical requirements (verified through a technical expert report), the applicable urbanism regulations and other specific requirements are cumulatively met. Failure to meet these requirements results in the demolition of the works or, if remediable through technical solutions, the obligation to obtain a partial building/demolition permit.

Transitional regime (1 year from the entry into force of the Code): the regularization permit may also be requested for other categories of constructions, provided that the works comply with the urbanism regulations in force on the date of issuance, that the fundamental quality requirements are met, that the environmental requirements are satisfied, that tax obligations are paid and that administrative sanction measures are applied, but subject to inspection fees and charges 10 times higher than the normal ones. After this term, local authorities may demolish unauthorized works, recovering the related costs, or, as the case may be, are required to apply to the court for the demolition of constructions for which a regularization permit was not obtained.

12. Sanctioning regime

The Code restructures and expands the sanctioning regime in the field of territorial planning, urbanism and construction, including by broadening the scope of administrative offences and increasing the amount of fines. For example: failure to observe the simplified notification procedure constitutes an administrative offence; a specific sanction is established for exceeding the approved height regime, namely a fine ranging from RON 50,000 to RON 500,000 for each unauthorized floor, separate from the general sanction for failure to observe the terms of the permit.

On the other hand, the Code reintroduces the warning as a possible administrative sanction, applicable only once, upon the first offence, for certain acts expressly provided by the Code.

13. Other new provisions and amendments

- Integration of quality in construction. The Code takes over the fundamental quality requirements previously regulated by Law No. 10/1995, which now become an integral part of the new framework.

- Consequence classes (CC1 to CC4). They replace the former importance categories and differentiate verification/authorization requirements according to risk; wind and photovoltaic power plants are classified in CC1 (reduced importance).

- Digitalization. The Code establishes the National Platform for Urban and Territorial Planning and for Building Authorization, the National Register of Constructions and the National Register of Buildings; the technical book of the construction becomes mandatorily electronic.

- Single permit. For investments involving several categories of works, only a single building permit is required, with each authorized category clearly identified.

- Time limit for the demolition/regularization action. The Code provides for a term of 10 years for the demolition/regularization

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