



Legal nature of the municipal agreement with owner in order to implement development projects (case study of Germe)

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ABSTRACT

Germe city is one of the northern cities of Ardebil province which has been located in 120km of the province center. According to the laws and provisions, municipality is a public and non-governmental institute, but in practice, on one hand due to the lack of financial independency of municipalities and their dependency on the governmental aids and on the other hand due to the concentrated management system of the country (except the short-term periods), although Iran's municipalities aren't governmental, anyway they haven't been also public and they are semi-governmental. According to the governing laws, municipality at first with acquisition of the possessor satisfaction, takes the possession of the property, in the event of lack of acquiring the mutual agreement, municipality according to the article 8 of bill related to the manner of buying and taking the possession of lands and properties for execution of public, reconstructive and military plans of government approved in 1980, takes the authority and possession of intended property. There are four kinds of land possession in Germe city that cognition of them has an important role in planning and urban design. These four kinds of possession consist of: A-public possession, B-governmental possession, C-endowed possession, D-private possession. In such conditions, municipality not only undertakes the responsibility of satisfying the physical needs of city, but also it undertakes the manager, controller and compiler role of laws and provisions.

Keyword:

Municipality, urban laws, taking the possession, public laws, Germe city.

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