

#### አዲስ አበባ ከተማ አስተዳደር አዲስ *ነጋሪ ጋ*ዜጣ

## ADDIS NEGARI GAZETA OF THE CITY GOVERNMENT OF ADDIS ABABA

**፭**ኛ ዓመት ቁጥር **፲**፫ አዲስ አበባ ሐምሌ ፯ ቀን **፪**ሺ፱ ዓ.ም.

በአዲስ አበባ ከተማ ምክር ቤት ጠባቂነት የወጣ 20<sup>th</sup> Year No. 53 Addis Ababa Jul<u>yl 1</u>2 ,2017

ማውጫ አዋጅ ቁጥር <sup>ባ፫/</sup>፪ሺ*፱ ዓ.ም ገ*ጽ CONTENTS
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#### <u>የአዲስ አበባ ከተማ አስተዳደር የመሠረተ ልማት</u> <u>ቅንጅትና የማንባታ ፊቃድና ቁጥጥር ባለስልጣን</u> ማቋቋሚያ አዋጅ ቁጥር <u>፲</u>፫/፪ሺ፱

የከተማውን ነዋሪዎችና የባለድርሻ አካላትን ፍላጎት መሰረት ያደረገ ዘመናዊ፣ ቀልጣፋና የተቀናጀ የመሠረተ ልጣትና የግንባታ ፈቃድ አሰጣዋና ቁዋዋር አባልግሎቶችን በመስጠት የሚከናወኑ የመሰረተ ልማትና የሕንፃ ግንባታ ሥራዎች ከተማው የሀገሪቱና የከተማ ፕላን እንዲከተሉ ማድረግ የአፍሪካ መዲና፣ የአለም አቀፍ ዲፕሎማሲና そりつるホ ትራንስፎርሜሽን ማሪከል በመሆን የሚጫወተውን ሚና በዓለም አቀፍ ደረጃ ተወዳዳሪና መስህባዊ በማድረግ ረገድ አይነተኛ ድርሻ እንዳለውና ለከተማውም ሆን ለሀገሪቱ እድባትና የመልካም ገፅታ ግንባታ የሚያግዝ ሆኖ በመገኘቱ፤

የከተማው አስተዳደር ያለውን የመካከለኛና የረጅም ጊዜ ገፀ ምድራዊ የከተማ ፕላንም ሆነ ማህበረ ምጣኔ ሀብታዊ ልማት ፕላን በማሳካት ከዚህ ግብ ላይ ለመድረስ እንዲቻል፤ በከተማው በሚንቀሳቀሱ የልማት ሃይሎች መካከል የሚታየውን አለመቀናጀት እና በልማቱ ላይ እየመጡ ያሉትን ሴሎች ችግሮች ለመፍታት የሚያስችል አደረጃጀት ማበጀት አስፈላጊ ሆኖ

ይህንንም ለማሳካት በከተማው ውስጥ የመሰረተ ልማት እና የሕንፃ ግንባታ ልማት የሚያካሔዱ አካላት የግንባታ ልማት የድርጊት መርሀ ግብሮች ዝግጅትና አፈጻጸማቸውን የሚያቀናጅ፤ ግንባታ ፌቃድ የሚሰጥና የግንባታ ቁጥጥር የሚያደርግ እንዲሁም የመጠቀሚያ ፌቃድ የሚሰጥና ቀጣይ አፈጻጸሙን የሚቆጣጠር የከተማው አስተዳደር ተቋም እንደገና ማደራጀት በማስፈስጉ፤

የአዲስ አበባ ምክር ቤት በተሻሻለው የአዲስ አበባ ከተማ አስተዳደር ቻርቸር አዋጅ ቁጥር ፫፻፷፮/፲፱፻፺፰ አንቀጽ ፩፱(፩) (ሀ) መሠረት ይህን አዋጅ አውጥቷል፡፡

> አዲስ ነጋሪ ጋዜጣ ፖ.ግ.ቁ ፪ሺ፬፻፵፫ Addis Negari Gazeta P.O.Box 2445

#### ADDIS ABABA CITY GOVERNMENT INFRA-STRUCTURE DEVELOPMENT COORDINATION AND CONSTRUCTION PERMIT AND CONTROL AUTHORITY ESTABLISHMEN PROCLAMA-TION No. 53/2017

WHEREAS, it is found necessary to ensure the compliance of the works of infrastructures and building constructions with urban plan to be carried out through the delivery of services of construction development, permit and control, which is modernized, efficient and synergized, does have a typical share in making the city to play internationally competitive and attractive role as the capital of the country and Africa as well as a centre of international diplomacy and nationwide transformation, and further contributes to the growth and the building of the positive image of the city and the country at large;

WHEREAS, it is found necessary to put in place an organizational structure that enables to solve the ill coordination that has been existing within the development actors operating in the city and other problems tampering with the development of the city with a view to reaching this goal by realizing the medium term and long-term spatial urban plan and socio-economic development plan of the city government;

WHEREAS, it is found necessary to achieve this by reorganizing the institution of the city government that coordinates the preparation and implementation of the construction development programs of bodies that undertake to carry out works of construction of infrastructure and building, issues their construction permits and regulates the accordingly as well as issues occupancy permits and regulates the compliance accordingly in the city;

**NOW, THEREFORE,** the Addis Ababa City council has hereby promulgated this Proclamation in accordance with Art. 14 (1) (a) of the Addis Ababa City Government Revised Charter Proclamation No. 361/2003 (as amended).

ያንዱ ዋጋ —	
<b>Unit Price</b>	

#### <u>ክፍል አንድ</u> ጠቅሳሳ ድ*ንጋጌዎች*

#### *ጅ አጭር ርዕ*ስ

ይህ አዋጅ "የአዲስ አበባ ከተማ አስተዳደር የመሠረተ ልማት ቅንጅትና ግንባታ ፌቃድና ቁጥጥር ባለስልጣን ማቋቋሚያ አዋጅ ቁጥር ፲፫/፪ሺ፱ ዓ.ም ተብሎ ሊጠቀስ ይችላል።"

#### g. ትርጓሜ

በዚህ አዋጅ ውስጥ፣የቃሉ አ*ገ*ባብ ሴላ *ትርጉም* የሚያስጠው ካልሆነ በስተቀር፡-

- ፩) "ከተማ" ማለት የአዲስ አበባ ከተማ ነው፤
- ፪) "ከንቲባ" ማለት የአዲስ አበባ ከተማ ከንቲባ ነው፤
- ፫) "የከተማ ካቢኔ" ማለት የአዲስ አበባ ከተማ ካቢኔ ነው፤
- ፬) "የከተማ ምክር ቤት" ማለት የአዲስ አበባ ከተማ ምክር ቤት ነው፤
- ጅ) "የከተማ አስተዳደር" ማለት የአዲስ አበባ ከተማ አስተዳደር ነው፤
- ፮) "ባለስልጣን" ማለት በዚህ አዋጅ አንቀጽ ፫ የተቋቋመው የአዲስ አበባ ከተማ አስተዳደር የመሠረተ ልማት ቅንጅትና የግንባታ ፌቃድና ቁጥጥር ባለስልጣን ነው፤
- ፯) "የምክክር መድረክ" ማለት የባለስልጣኑ የምክክር መድረክ ነው፤
- ፰) "ቢሮ" ማለት የከተማው አስተዳደር ኮንስትራሽን ቢሮ ነው፤
- <u>፱</u>) "ኮሚሽን" ማለት የአስተዳደሩ ፕላን ኮሚሽን ነው፤
- ፤) "ፕላን/ የከተጣ ፕላን" ጣለት መዋቅራዊ ፕላንና የአካባቢ ልጣት ፕላን እንዲሁም በሕግ የተደነገጉ ሴሎች ፕላኖችን ያጠቃልላል፤

## PART ONE GENERAL PROVISIONS

#### 1. Short Title

This Proclamation may be cited as "the Addis Ababa City Government Infrastructure Development Coordination and Construction Permit and Control Authority Establishment Proclamation No. 53/2017."

#### 2. <u>Definitions</u>

Unless the context requires otherwise, in this Proclamation:

- 1) "City" means the Addis Ababa City;
- 2) "Mayor" means the Addis Ababa City Mayor;
- 3)"City Cabinet" means the Addis Ababa City cabinet;
- 4) "City Council" means the Addis Ababa City council;
- 5) "City Government" means the Addis Ababa City government;
- 6)"Authority" means the Addis Ababa City Government Infrastructure Development Coordination and Construction Permit and Control Authority established by Art. 3 of this Proclamation;
- 7) "Consultation Forum" means the consultation forum of the Authority;
- 8) "Bureau" means the City Government Construction Bureau;
- 9)"Commission" means the City Government Plan Commission;
- 10)"Plan/Urban Plan" means that which includes the Addis Ababa City structural plan and local development plan as well as other plans provided for by law;

- ፲፩) "ግንባታ" ማለት የመሬትን ገጽታ በመወለጥ ወይም በማሻሻል በመሬት ውስጥ፣ በመሬት ላይ ሕና/ ወይም ከመሬት በላይ የተገነባ ወይም የሚገነባ ሕንፃ፣ መሰረተ ልማት፣ አረንጓዴ መናፈሻ ሕና ማንኛውንም ሴላ መዋቅር ነው፤
- ፲፪) "ሕንፃ" ማስት በኢትዮጵያ የሕንፃ አዋጅ ቁጥር ፯፳፬/፪ሺ፩ አንቀጽ ፪ በተደነገገው መሰረት ስመኖሪያ፣ሰቢሮ፣ ሰፋብሪካ ወይም ስማናቸውም ሴሳ አገልግሎት የሚውል ቋሚ ወይም ጊዜያዊ ግንባታ ነው፤
- "መሰረተ ልማት" ማለት ĩĈ) በከተማ ውስጥ መሬትን ለሴሳ *ማ*ናቸውም **ግን**ባታ ዝግጁ ለማድረግ በመሬት ሳይና ውስጥ ሕንዲሁም ከመሬት በሳይ ክፍ ብሎ የሚካሄድ የመንገድ፣የባቡር መስመር፣የቧንቧ ውሃ፣ የፍሳሽ እና የወራጅ ውሀ፣ የመብራት የስልክ ልማት ወይም ማናቸውም ሴሳ የመሰረተ *መስመር ግን*ባታ ነው፤
- ፲፬) "የግንባታ ሹም" ማስት እንደየአግባቡ በከተማ ደረጃ እና/ ወይም በታችኛው የከተማው አግባብ ባለው የአስተዳደር እርከን ይህን አዋጅና የሕንፃ አዋጁን እንዲያስፈፅም በባለስልጣኑ የሚሰየም ወይም የሚመደብ የባለስልጣኑ አግባብ ያለው ኃላፊ ወይም ባለሙያ ነው፤
- ፲፭) "የሕንባ አዋጅ" ማስት የኢትዮጵያ የሕንባ አዋጅ ቁጥር ፯፰፬/፪ሺ፩ ሲሆን፣ እንደየአያግባቡ አዋጁን ስማስፊጸም የወጣ/የሚወጣ ደንብ ወይም መመሪያ ያካትታል፤
- <u>፲፮</u>) "ሰው" ማለት ማንኛውም የተ**ልጥሮ ሰው** ወይም በሕግ የሰውነት መብት የተሰጠው አካል ነው።
- ፲፮) "በወንድ ፆታ የተገለፀው ሁሉ ሴትንም ያጠቃልሳል።

- 11) "Construction" means the construction of a building, infrastructure, green park or any other structure that is built inside, on and/or above a land site;
- 12)"Building" means a permanent or temporary construction committed for residence, office, factory or any other service defined by Art. 2 of the Ethiopian Building Proclamation No. 624/2008;
- 13) "Infrastructure" means a street, railway, pipeline, sewerage and running water lines, electric light, telephone and any other infrastructural lines that are constructed or to be constructed on and inside the earth or high above it in order to prepare land in the city for the purpose of undertaking to carry out any other construction;
- 14) "Building/Construction Officer" means an appropriate head or expert of the Authority appointed or assigned to execute this Proclamation and the building Proclamation at the level of the city centre and/or at the relevant lower stratum of the city;
- 15) "Building Proclamation" means the Ethiopian Building Proclamation No. 624/2008 and includes regulations or directives that are issued or to be issued as appropriate in order to ensure the implementation of the Proclamation;
- "Person" means any natural person or a juridical body;
- 17) Any provision of this Proclamation rendered in the masculine gender shall also include the feminine gender.

#### ክፍል ሁለት

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#### ፫.<u>መቋቋም እና ተጠሪነት</u>

- §) የአዲስ አበባ ከተማ አስተዳደር የመሠረተ ልማት ቅንጅትና የግንባታ ፌቃድና ቁጥጥር ባለስልጣን ሕጋዊ ሰውነት ያለው የከተማው አስተዳደር የመንግስት መስሪያ ቤት ሆኖ በዚህ አዋጅ ተቋቁሚል።
- ፪) ባለስልጣት ተጠሪነቱ ለቢሮው ይሆናል።

#### ፬. አሳማ

ባለስልጣት የሚከተሉት አሳማዎች ይኖሩታል፡-

- ፩) የፌደራል ሕና የከተማው አስተዳደር አካላትን ጨምሮ ማናቸውም የመሰረተ ልማት ገንቢ ሰው በሚጸድቅስት ፕላንና ዲዛይን መሰረት ሕንዲገነባ ማድረግ የሚያስችል ዘመናዊ፣ቀልጣፋና የተቀናጀ የግንባታ ልማት አተገባበር ስርዓት ቀጣይነት ባለው መልኩ ሕንዲሰፍን የማድረግ፤
- ፪) በከተማው ውስጥ የፌደራል እና የከተማው አስተዳደር አካላትን ጨምሮ በማናቸውም ሰው የሚካሄድ ማናቸውም ማንባታ በፌደራል መንግስት እና በከተማው አስተዳደር የማንባታ ፈቃድ ሕግ መሰረት መካሄዱን የማረጋገጥ፤
- ፫) የመሠረተ ልጣት ቅንጅትና የግንባታ ፈቃድ አሰጣጥና ቁጥጥር ስራዎችን የሚመለከት ተደራሽና ዘመናዊ የስነዳና የመረጃ ቋት ስራ ላይ ሕንዲውል በጣድረግ ግልፅ፣ፍትሐዊና ተጠያቂነት ያለበት የአስራር ስርዓት ሕንዲረጋገጥ የጣድረግ።

#### **PART TWO**

# ESTABLISHENT, ACCOUNTABILITY, PURPOSE, POWERS and FUNCTIONS of the AUTHORITY

#### 3. Establishment and Accountability

- The Addis Ababa City Government Infrastructure Development Coordination and Construction Permit and Control Authority is hereby established by this Proclamation as a public office of the city government having legal personality.
- 2) The Authority shall be accountable to the Bureau.

#### 4. Purposes

The Authority shall have the following purposes:

- 1) To continuously put in place a modernized, efficient and integrated construction development implementation system that enables any person, including federal and city government organs undertaking to construct an infrastructure to execute same as per the plan and design approved for it;
- 2) To ensure that any construction to be undertaken by any person, including Federal and City Government organs in the city comply with the construction permit law of the Federal and City Governments;
- 3) To ensure the existence of an equitable, transparent and accountable operational system by putting into action modernized and accessible documentation and information pool pertaining to works of infrastructure development integration, and construction permit issuance and control.

#### **፫. ስልጣንና ተግባር**

ባለስልጣኑ በስራው መስክ የሚከተሉት ስልጣንና ተግባሮች ይኖሩታል፡-

- ፩) አማባብ ባለው የፌደራል ሕግ የተደነገገው ሕንደተጠበቀ ሆኖ፣የመሠረተ ልማት ግንባታ ስራዎችን በቅንጅት ለመስራት፣ ዲዛይን ለማዘጋጀት፣ የግንባታ ፊቃድ እና የመጠቀሚያ ፊቃድ ለመስጠት ሕንዲሁም የግንባታ ስራ ቁጥጥር ለማድረግ የሚያስችል፡-
  - ሀ) ደንብ፣ደረጃና መመሪያ በማዘ*ጋ*ጀት ወይም ሕንዲዘ*ጋ*ጅ በማድረግ ሰቢሮ ያቀርባል፣ ሲጸድቅም ተግባራዊ ያደር*ጋ*ል፤
  - ለ) የግንባታ ዕቅድና የዲዛይን ማቅረቢያ ቅጽ ያዘ*ጋ*ጃል፣ ያሰራጫል፤ ስለአጠቃቀሙም ስልጠና ይሰጣል፤
  - ሐ) የግንባታ ቅንጅት ለማጎልበት የሚያስችል ጥናት ያካሂዳል፤
  - ፪) በጸደቀ የከተማ ፕላን መሰረት የፕላን ስምምነት መረጃ በጽሑፍ ይሰጣል፤ የማይሰጥበት ሕጋዊ ምክንያት በሚኖርበት ጊዜ ፣በሕግ መሠረት ውሳኔውን ሰባለጉዳዩ በጽሁፍ ያሳውቃል፤
  - ፫) የሕንፃ ወይም የመሰረተ ልጣት አዲስ ማንባታ፣ የማንባታ ማሻሻያ ወይም እድሳት ፌቃድ፣ለሕዝብ ግል ጋሎት ለሚውል የተጠናቀቀ የማንባታ መጠቀሚያ ፌቃድ ሕንዲሁም ማንባታ የማፍረስ ፌቃድ በሕግ መሰረት ይሰጣል፤
  - ፬) የግንባታ ዲዛይን በከተማ ፕላን፣ በሕግና በሕንፃ ደረጃ መሠረት ያጸድቃል፤ዲዛይን በሚመረምርበትም ሆነ ግንባታ ፌቃድ በሚስጥበት ጊዜ የሚከተሉት መሟላታቸውን ያረጋግጣል፡-

#### 5. Powers and Functions

The Authority shall have the following powers and functions in its purview of engagement:

- 1) Without prejudice to the provisions of the relevant law of the federal government and with a view to undertaking to carry out works of infrastructural development in integration, prepare designs, issue construction permit or occupancy permit, as well as to conduct construction works control, the Authority shall:
  - a) prepare or ensure the preparation of regulations, standards and directive, submit same to the Bureau and implement it upon its approval;
  - b) Prepare and distribute construction plan and design presentation formats, and deliver trainings on the application thereof;
  - c) Conduct studies that will enable to foster infrastructure construction synergies;
- 2) The Authority shall issue written plan conformity information based on approved urban plan, and notify to the applicant in writing to the contrary where there is a legal reason that precludes the issuance thereof;
- 3) The Authority shall Issue, according to law, permits for a new construction of building or infrastructure, renovation or renewal of construction, or occupancy of a finalized construction committed for public use as well as permit for the demolition of a construction;
- 4) The Authority shall approve a construction design as per urban plan, law and construction standard, and ensure that the following are met during its examination of design as well as during the issuance of construction permit:

- ሀ) ለጸደቀ የመሰረተ ልጣት ቅንጅት መሪ ዕቅድ ዝርዝር ዲዛይን፣ የአጭር ጊዜ ዕቅድ፣ መርሀ ግብር እና/ወይም ፕሮጄክት እንደየአግባቡ ተዘ*ጋ*ጅቶ መቅረቡን፤
- ለ) በከተማው ውስጥ በአንድ አካባቢ ወይም የልማት ቀጣና የሚከናወኑ አዳዲስ የግንባታ ልማቶች፣ማሻሻያዎች ወይም ዕድሳቶች ያሏቸው ዲዛይኖችና የድርጊት መርሀ ግብሮቻቸው ተጣጥመኑ፣ተደጋግፌውና ልማት በሚያፋጥን መልኩ እንደየአግባቡ ተቀናጅተው መዘጋጀታቸውን፤
- ሐ) ከአንድ ሕንፃ በላይ ያሳቸው ስፋፊ የግንባታ ልጣት ሥራዎች ዝርዝር ዲዛይን ተዘጋጅቶሳቸው መቅረቡን፤
- መ) የመንገድ፣የድልድይ ወይም የሴሳ መስረተ ልማት አገልግሎት መስመር ዲዛይን ተቀናጅቶ መዘ*ጋ*ጀቱንና ሕንደየአግባቡ በተፋሰስ ሳይ መከናወን ስሳሰበት ማሻሻያ ስራ ጥናትና ዲዛይን ተዘ*ጋ*ጅቶ መቅረቡን፤ ሕና
- ው) ማናቸውም የግንባታ ዲዛይን የማህበረሰብ ደህንነት፣ የድንንተኛ አደጋዎች፣ የአካባቢ ጥበቃና ሌሎች ሕግጋትን እንደየአማባቡ ተከትሎ መዘጋጀቱን፤
- ጅ) ከቴክኒካዊ አቅሙ በላይ የሆነ ዲዛይን ሲቀርብስት፣ በሚወጣ የአሰራር መመሪያ መሰረት ከሀገር ውስጥና ውጪ ሙያተኞች ሕንዲሁም የሙያ ተቋማት አግባብ ያሳቸው ባለሙያዎች የተውጣጣ ቡድን በመሰየም ወይም ሴላ አግባብ ያለው ስልት በመጠቀም ዲዛይን መርምሮ የቀረበለትን የግንባታ ፊቃድ ጥያቄ በሚመለከት ይወስናል።
- ፮) የመኖሪያ ግንባታን ከመኖሪያ ውጪ ወደ ሆነ ሴላ አንልግሎት መቀየር የሚፈልግ ሰው በጽሑፍ ሲጠይቅ እና የግንባታው ዲዛይን ስተስወጠው አገልግሎት መዋል የሚችል ሆኖ ሲገኝ፣ ንግድ *ሌቃ*ድ ከመሰጠቱ በፊት የመጠቀሚያ *ፌቃ*ድ ይሰጣል፤ እንዲሁም የመጠቀሚያ ፍቃድ ሳይሰጠው በመኖሪያ ግንባታ *ን*ግድ ፌቃድ አውፕቶ የሚሰራ ማናቸውም ሰው በሚወጣ በሚወሰነው መሰረት የመጠቀሚያ መመሪያ *ሌቃድ ማውጣቱን ያፈጋግጣ*ል፤

- a) the preparation and submission of detailed design, short-term plan, action plan and/or project as appropriate for an approved infrastructure integration plan;
- b) the integrated preparation of the designs and action plans of new construction developments, renovations or renewals situated within a site or a development corridor in the city are performed as appropriate in a manner that mutually reinforces and interdependence them, and expedites growth;
- c) the preparation and submission of detailed designs for large-scale construction development works having more than a building;
- d) the integrated preparation of the design of a street, bridge or an infrastructural service line as well as the preparation and submission of a design and study pertaining to the modification to be undertaken on a river basin where appropriate; and
- e) the preparation of any construction design as per the legislations pertaining to community well-being, emergencies, accidents, environmental protection and other regulations where appropriate;
- 5) The Authority shall examine and decide on a construction design by means of a team of relevant professionals that it designates from among those inside and outside the country as well as specialized instructions based on the manual it issues or by making use of another appropriate method where a design presented proves to be beyond its technical capability;
- 6) The Authority shall issue occupancy permit before a business license is granted to one who requests in writing to convert a residential construction to that which is not residential after having ascertained that the design of such a construction so fits, and ensures that any person, who is having business license and runs a trade in a residential construction, obtains occupancy permit according to a directive to be issued;

- ጀ) በከተማው ውስጥ የማስታወቂያ ሰሌዳ ወይም በሌላ ዘኤ የተዘ*ጋ*ጀ ማስታወቂያ ለመትክል፣ በሕንፃ ወይም በሌላ ቋሚ ነገር ላይ ለመለጠፍ ወይም ለማንጠልጠል ጥያቄ ሲቀርብለት፣በሕግና በማስታወቂያ ደረጃ መሠረት ፌቃድ ይሰጣል፣ የተፈቀደው ጊዜ ሲያበቃ መነሳቱን ያረጋግጣል፤
- Ź) NH, v አዋጅ መሰረት ባለስልጣት *ፌቃ*ድ የሚሰጥባቸው ማናቸውም ተግባራት በተሰጠው ፊቃድ መሰረት ስለመዋላቸው በስራ ላይ ይከታተሳል፣ ይቆጣጠራል፣ በፊቃዱ መሰረት ባልተከናወነ ሥራ ላይ በሕግ መሰረት የእርምት *ሕርም*ጃ *ሕንዲ*ወሰድ ወይም *ሕን*ደ አስፈላጊነቱ *ሌቃ*ዱ እንዲሰረዝ *ያ*ደር*ጋ*ል፤
- <u>፱</u>) የመሰረተ ልጣት ግንባታዎች ተቀናጅተው እንዲካሄዱ ያደር*ጋ*ል፤
- የሰጣቸው *ፌቃ*ዶችን፣ የግንባታ **ዲዛይኖችንና** በከተማው ውስጥ የሚገኙ **93**ባታዎችን በሚመለከት የተማሳ መረጃ ይይዛል፤ የመረጃ ቋት ያደራጃል፤ ወቅታዊ ያደርጋል፤ ስቢሮ፣ *ስኮሚሽ*ኮና ለሚመለከታቸው ሌሎች አካላት ያሰራጫል፤
- ፲፩) የፌዴራል መንግስትንና የከተማውን አስተዳደር ፖሊሲዎችና ሕጎች አላማዎች የሚያሳኩ ፖሊሲዎች፣ ሕጎች፣ ዕቅድና በጀት በማዘጋጀት ያቀርባል፣ ሲጸድቁም በሥራ ላይ ያውሳል፤
- ፲፪) የመሰረተ ልጣት ቅንጅትን፣ የግንባታ፣ የእድሳት፣ የመጠቀሚያ ወይም የጣፍረስ ፈቃድ አስጣጥንና ቁጥጥርን የሚመለከቱ የፌኤራል ሕጎች፣ ፖሊሲዎች፣ ደረጃዎችና ስልቶች በከተጣው ውስጥ ተግባራዊ መሆናቸውን ያረጋግጣል፤
- ፲፫) የግንባታ ልጣትን በሚመለከት የሕዝብ ተግባቦትና ስርፀት እንዲሁም የጥናትና ምርምር ስራዎችን ያከናውናል፤ተደራሽ ዘመናዊ ቴክኖሎጂ በመጠቀም የመረጃ ስነዳና ስርጭት ቋት ያደራጃል፤ጥቅም ላይ ያውላል፤
- ፲፬) አስፈላጊውን የሰው ሀብት በከተማው አስተዳደር የፓብሊክ ሰርቪስና የሰው ሀብት አስተዳደር ሕግ መሰረት ይቀጥራል፣ ያስተዳድራል፣ ያሰናብታል፤
- ፲፭) የአቅም ግንባታ ሥራዎችን ያከናውናል፤ የሰውጥና የመልካም አስተዳደር ሥራዎችን ይፈጽጣል፤ ያስፈጽጣል፤ ውጤታጣነታቸውን ያፈጋግጣል፤

- 7) The Authority shall issue, according to law and advertisement standards, to erect a billboard or an advertisement prepared by different formats, affix or hang onto a building or a standing structure where it has been requested to do so, and ensures that such an advertisement is removed upon the expiry of the deadline set;
- 8) The Authority shall follow up and control the translation in deeds of any works in respect of which it has issued permits as per this Proclamation, take or ensure the taking of a corrective action as per the law regarding a work that has not been carried out in conformity with the permit ,or cancel or ensure the cancellation of the permit as per the law where necessary;
- 9) The Authority shall ensure that the constructions of infrastructures are undertaken in integration;
- 10) The Authority shall safe keep a full measure of information of permits and construction designs it has issued as well as constructions existing in the city, establish, operate and update a database thereof; and distribute same to the Bureau, Commission and other concerned organs;
- 11) The Authority shall Prepare, submit and implement, upon approval, policies, laws, plan and budget aimed at achieving the goals of the policies and laws of the federal and city governments;
- 12) The Authority shall ensure the implementation of laws, policies, standards and strategies of the Federal Government and the City Government infrastructural integration, permit and control of construction, renovation, occupancy or demolition
- 13) The Authority shall undertake public communication and conscioustization as well as study and research; organize documentation and information publicity database by employing accessible modern user friendly information communication technology and make it available for use;
- 14) The Authority shall employ, administer and terminate the contracts of the required Human Resources in accordance with the Public Service and Human Resource low of the City Government;
- 15) The Authority shall undertake to carry out capacity building functions, and execute reform and good governance functions and ensure their result-orientedness;

- ፲፮) በሚያመነጫቸው ፖሊሲዎች፣ ሕጎች፣ ፕላኖች፣ የልማት ፕሮግራምችና ፕሮጄክቶች የሴቶችና የወጣቶች ጉዳይ እንዲካተቱ ያደር*ጋ*ል፤
- ፲፯) "አካል ጉዳተኞች፣ አረጋውያንና የማህበራዊና ምጣኔ ሀብታዊ ችግሮች ተጋላጭ የህብረተሰብ ክፍሎች እንዲሁም በደማቸው ውስጥ ኤች.አይ.ቪ.ኤድስ ያሰባቸው ሰዎች የእኩል ዕድል ተጠቃሚና ሙሉ ተሳታፊ የሚሆኑበትን ሁኔታ ያመቻቻል፤በተለይም ግንባታዎች በዲዛይናቸውም ሆነ በአንነባባቸው ለአካል ጉዳተኞችና ለሌሎችም ተጠቃሚዎች ተደራሽ መደረጋቸውን ያረጋግጣል፤
- ፲፰) በሕግ መሰረት ውል ይዋዋላል፤የንብረት ባለቤት ይሆናል፤ያስተዳድራል፤ ያስወግዳል፤በስሙ ሊክሰስ ወይም ሊክስ ይችላል፤
- ፲፱) በሴሎች ሕጎች የተሰጡትን ሴሎች ሥልጣንና ተፃባሮች በሥራ ሳይ ያውሳል።

#### ክፍል ሶስት

<u>የባለስልጣ፦ ድርጅታዊ መዋቅር፣የዋናና</u> <u>የቅርንጫፍ መስሪያ ቤቶች መቀመጫ ሕና</u> የስልጣን አካላት ተግባርና *ኃ*ላፊነት

#### <u>ምዕራፍ አንድ</u> ድርጅታዊ መዋቅር **እና የዋናና የቅርንጫ**ፍ መስሪያ ቤቶች መቀመጫ

#### ፯. ድርጅታዊ መዋቅር

ባለስልጣኑ የሚከተሉት አደረጃጀቶች ይኖሩታል፡

- §) የምክክር መድረክ፤
- ፪) በቢሮ ኃላፊ አቅራቢነት በከንቲባው የሚሾም ዋና ዳይሬክተር፤
- ፫) በዋና ዳይሬክተሩ አቅራቢነት በከንቲባው የሚሾም ምክትል ዋና ዳይሬክተሮች፤
- ፬) አስፈላጊ የስራ ዘርፍ አደረጃጀቶች፣ ቅርንጫፍ መስሪያ ቤቶችና የሰው ሀብት።

#### ፯. የዋና እና የቅርንጫፍ መስሪያ ቤቶች መቀመጫ

- ፩) የባለስልጣኑ ዋና መስሪያ ቤት በአዲስ አበባ ውስዣ ይሆናል፡፡
- ፪) ባለስልጣት እንደአስፈላጊነቱ በክፍለ ከተማ በወረዳ ወይም ለአሰራር አመቺ በሆነ ተዋረዳዊ አደረጃጀት መሰረት ቅርንጫፍ መስሪያ ቤቶች ሲኖረው ይችላል።

- 16) The Authority shall ensure the mainstreaming of the affairs of women and youth in the policies, laws, plans, development programs and projects it Prepares;
- 17) The Authority shall create conducive conditions by which persons with disabilities, elderly people and other sections of the society who are vulnerable on account of social and economic problems as well as persons having HIV/AIDS in their blood become users of equal opportunity and full participants, and ensure the accessibility of constructions to persons with disabilities and other users both during their design and construction;
- 18) The Authority shall conclude contracts; own, administer and dispense property; and may sue or be sued in its name according to law;
- 19) The Authority shall undertake to carry out other powers and functions conferred on it by other laws.

#### **PART THREE**

# ORGANIZATIONAL STRUCTURE and SEATS of the HEAD QUARTER and BRANCH OFFICES of the AUTORITY, and FUNCTIONS and RESPONSIBILITIES of its POWER ORGANS

# CHAPTER ONE ORGANIZATIONAL STRUCTURE and SEATS of the HEAD QUARTER and BRANCH OFFICES of the AUTORITY 6. Organizational Structure

The Authority shall the following organizational structure:

- 1) Consultation Forum;
- 2) Executive director to be proposed by the Bureau Head and appointed by the Mayor;
- 3) Deputy executive directors to be proposed by the executive director and appointed by the Mayor;
- 4) Necessary structures of work divisions, branch offices and required human resources

#### 7. Seats of Head Quarters and Branch Offices

- 1) The seat of the Head Quarter of the Authority shall be located in Addis Ababa.
- 2) The Authority may have its branch offices located at Sub-City, district or at the level of another stratification that is convenient for its operation.

#### <u>ምዕራፍ ሁለት</u> <u>የዋና ዳይሬክተርና የምክትል ዋና</u> ዳይሬክተሮች ተግባርና *ኃ*ላፊነት

#### ፰. **የዋና ዳይሬ**ክተር ተግባርና *ኃ*ላፊነት

- ፩) የባስስልጣት ዋና ዳይሬክተር ተጠሪነቱ ሰቢሮው ኃላፊ ሆኖ፣ ባሰስልጣትን በበላይነት ይመራል፣ ያስተዳድራል፡፡
- ፪) የዚህ አንቀጽ ንዑስ አንቀጽ (፩) አጠቃላይ
  አነጋገር ሕንደተጠበቀ ሆኖ፣ ዋና ዳይሬክተሩ፡
  - υ) የባለስልጣኑን ስልጣንና ተማባሮች በስራ ላይ ያውሳል፤
  - ለ) የባለስልጣትን ዓመታዊ የስራ ዕቅድና በጀት በማዘ*ጋ*ጀት ለቢሮው ያቀርባል፣ ሲጸድቅም ተግባራዊ ያደር*ጋ*ል፤
  - ሐ)የባለስልጣትን የዕቅድ ክንውንና የሂሳብ ሪፖርቶች ለቢሮው፣ ለፋይናንስና ኢኮኖሚ ልጣት ቢሮ እንዲሁም ለምክክር መድረኩ በሕግ መሰረት በየወቅቱ ያቀርባል፤
  - ማ) የባለስልጣታን ድርጅታዊ መዋቅር፣ የሰው ሀብት ፍላጎት፣ ደመወዝና አበል በማዘጋጀት ለቢሮው ሕንዲሁም ለከተማው አስተዳደር የፐብሊክ ሰርቪስና የሰው ሀብት ቢሮ ያቀርባል፣ ሲጸድቅም ተግባራዊ ያደርጋል፤
  - W) ምክትል ዋና ዳይሬክተሮችን በመምረጥ ሰቢሮ ሃላፊው በሕጩነት ያቀርባል፣ ሲሾሙም ሕያንዳንዱ ምክትል ዋና ዳይሬክተር አግባብ ያስው የባለስልጣኑ የስራ ዘርፍ ሕንዲመራ በኡሑፍ ይመድባል፤ሕንዲሁም የባለስልጣኑ ዋና መስሪያ ቤትና ቅርንጫፍ መስሪያ ቤቶች የሥራ ኃላፊዎችንና ሥራተኞችን ቅጥር፣ ምደባ፣ ዝውውር፣ የደረጃ ዕድንትና ስንብት በሕግ መሰረት ይወስናል፤
  - ረ) በከተማው አስተዳደር አግባብ ያለው ሕግ መሰረት የባለስልጣኑን ንብረትና ሀብት ያስተዳድራል፤
- ስ) የባለስልጣኑን ተቀጣሪዎች በከተማው አስተዳደር የመንግስት ሥራተኞች ሕግ መሰረት ይቀጥራል፣ይመድባል፣ ያዛውራል፣ የደረጃ ሕድንትና ስንብት ይወስናል፣
- ሰባለስልጣት የተመደበውን በጀት በከተማው ሽ) አስተዳደር የፋይናንስ አስተዳደር ሕፃ መሰረት የባንክ ሂሳብ በመክልት ያንቀሳቅሳል፤ ሂሳቡን በጣምራ የሚያንቀሳቅሱ የባለስልጣትን የስራ *ኃላፊዎች ወይም ሠራተኞችን ለ*ይቶ በፅሁፍ ይሰይማል ፤

#### **CHAPTER TWO**

## FUNCTIONS and RESPONSIBILITIES of the EXECUTIVE DIRECTOR and DEPUTY EXECUTIVE DIRECTORS

## 8. <u>Functions and Responsibilities of the Executive</u> Director

- 1) Being accountable to the Bureau Head the Executive Director shall be the chief executive Officer of the Authority and manage and administer it as such.
- 2) Without prejudice to the general stipulation of Sub-Art. (1) of this Article, the executive Director shall:
  - a) execute the powers and functions of the Authority
  - b) prepare and submit to the Bureau the annual action plan and budget of the Authority, and Implement same when approved;
  - c) Prepare and submit the periodic work Plan performance and financial reports of the Authority as per the law to the bureau and to the Finance and Economic Development Bureau of the City Government as well as to the Consultation Forum;
  - d) Prepare and submit to the Bureau and to the Public Service and Human Resource Bureau of the City Government the organizational structure, human resource requirements, salaries and benefits of the Authority, and implement same when approved;
  - e) select and propose to the Bureau Head candidates for the offices of deputy executive directors for appointment, and assign in writing to the wing of the work each appointee manages, oversee them in coordination with each other, control and revoke them; and decides according to low, on the employment, assignment/appointment, promotion, transfer and dismissal of the under heads and employees of the Head Quarters and branch offices of the Authority;
  - f) Administer the property and assets of the Authority according to the appropriate law of the City government;
  - g) decide, as per the public service law, on the employment, assignment transfer, promotion and dismissal of the employees of the Authority;
  - h) open and operate bank accounts for the operation of the budget of the Authority according to the finance administration law of the City Government, designate in writing the under heads or employees of the Authority who jointly operate the bank accounts of the Authority;

- ቀ) ሰባሰስልጣት የተፈቀደውን በጀት በከተማ አስተዳደር የፋይናንስ አስተዳደር ሕግ መሰረት ወጪ እንዲሆን ያደርጋል፤ በአግባቡ ስራ ላይ መዋሱን ያረጋግጣል፤
- በ) እስከታችኛው መጨረሻ የከተማው አስተዳደር እርከን የሚኖረውን ባለስልጣኑን የሚመለከቱ የቀን ተቀን ሙያዊ እና ቴክኒካዊ ውሳኔ የሚሹ ጉዳዮችን ይወስናል/እንዲወሰን ያደርጋል፣ ይተገብራል/ያስተገብራል፤ ይከታተላል፣ ይቆጣጠራል፤
- ተ) ከሦስተኛ ወገኖች *ጋር* በሚደረግ ግንኙነት ባለስልጣኑን ይወክላል፣ ውል ይዋዋላል፤
- ቸ) የባለስልጣኑን ዓላማ ለማሳካት አግባብ ካላቸው አካላት *ጋር* በአ*ጋርነት* ይሰራል፤ በአ*ጋርነት* ለመስራት የሚያስችሉ ስልቶችን በመቀየስ ተግባራዊ እንዲሆን ያደርጋል፤
- ጎ) የባለስልጣት የምክክር መድረክ ጸሀፊ ሆኖ ይሰራል፤ የምክክር መድረኩን መረጃዎች፤ ሰነዶችና ቃስንባኤዎች በአግባቡ ተደራጅተው ሕንዲያዙ ያደርጋል፤ የምክክር መድረኩ የስብሰባ አጀንዳዎች ቢያንስ ከሦስት ቀን በፊት ለአባላቱ ሕንዲደርሱ ያደርጋል።
- ፫) በዚህ አንቀጽ ከተሰጠው ስልጣን እና ተማባር እንደየአስፌሳጊነቱ በመቀነስ በሚጸድቀው የባለሥልጣኑ ድርጅታዊ መዋቅር መሰረት ሰበታች የሥራ ኃላፊዎች በጹሑፍ መስጠት ይችላል።

#### ፱. የምክትል ዋና ዳይሬክተር <u>ተግባርና ኃላፊነት</u>

ባለስልጣ፦ የዘርፍ ምክትል ዋና ዳይሬክተሮች እንደየአግባቡ የሚኖሩትና እያንዳንዱ ምክትል ዋና ዳይሬክተር በሥራው ዘርፍ ተጠሪነቱ ሰባለሥልጣ፦ ዋና ዳይሬክተር ሆኖ፣

- ፩)በባለስልጣት ድርጅታዊ መዋቅር መሠረት የሚደራጁ ዋና የስራ ክፍሎችን ለመምራት የሚመደብበትን የስራ ዘርፍ በኃላፊነት ይመራል፣ያስተባብራል፤
- ፪) የባለሥልጣት ዋና ዳይሬክተር በማይኖርበት ጊዜ
  ዋና ዳይሬክተሩ በሚሰጠው የጽሑፍ ውክልና
  መሰረት ተክቶት ይሰራል፤
- ፫)በዋና *ጻይሬክተሩ የሚ*ሰጡ <mark>ሴሎች የባስሥልጣትን</mark> ተፃባሮች ያከናውናል።

- i) Ensure that the budget earmarked for the Authority is utilized as per the finance administration law of the City Government, and disbursed properly;
- j) Decide, or ensure that decisions are made implemented on professional and technical issues that require the day-to-day considerations of the Authority at any stratum of the City Government to the lowest point and undertake to oversee and control same;
- k) Represent the Authority in its dealings with third parties and conclude contracts according to law;
- Work in partnership with appropriate organs in order to ensure the effective achievements of the purposes of the Authority, and devise and implement strategies that enable to work in partnership;
- m) Act as the secretary of the Consultation Forum and ensure that the information, documents and minutes of the Consultation Forum are properly organized and safe kept and agenda items of a meeting are delivered to each member three days before a meeting is conducted.
- He may delegate to the under heads and employees of the Authority part of his functions and responsibilities in accordance with the organizational structure of the Authority.

### 9. Functions and Responsibilities of Deputy Executive Director

The Authority shall have the required work wing deputy executive directors and, being accountable to the Executive Director in respect of the work wing for which he is responsible, each deputy Executive Director shall:

- 1) Manage and coordinate responsibly the work wing to be organized in order to direct the main departments put in place based on the organizational structure of the Authority;
- 2) Replace and work in the shoes of the executive director where the latter is away from office and represent him in writing to do so;
- 3) Perform such other functions of the Authority as are given to him by the executive director.

#### ምዕራፍ ሶስት

#### <u>የባለስልጣት የምክክር መድረክ አመሰራረት፣</u> ኃላፊነትና አሰራር

#### ፲. <u>የምክክር መድረክ አመሰራረትና ተዛማጅ</u> ጉዳዮች

- ፩) የምክክር መድሬኩ ተጠሪነት ሰቢሮው *ኃ*ላፊ ይሆናል።
- ፪) ከሰብሳቢውና ከመሰረተ ልማት ግንባታ ባለቤት ተቋማት በስተቀር የምክክር መድረክ አባላት የስራ ዘመን አምስት ዓመት ይሆናል፤ ሆኖም እንደአስፈላጊነቱ ማንኛውም የመድረኩ አባል ከአንድ ጊዜ በላይ በአባልነት ሊሰየም ይችላል፤ የአባልነት ዘመት ሲያበቃ ወይም ሲቋረጥ፤ የአገልግሎት ምስክር ወረቀት በቢሮው ኃላፊ ይሰጠዋል።
- ፫) የመድረኩ ሰብሳቢ እና አባላት የከተማው ካቢኔ በሚወስነው መሰረት አበል ይክፈላቸዋል።
- ወ) መድረኩ በሚከተለው መሰረት የሚመሰረትናየሚመራ ይሆናል፦
  - ሀ) ሰብሳቢውንና ጸሐፊውን ጨምሮ ከአስር እስከ አስራአምስት የሚሆኑ አባላት ይኖሩታል፤
  - ለ) በቢሮው *ኃ*ላፊ ሰብሳቢ*ነት የሚመራ* ይሆናል፤
  - ሐ) የባስስልጣት ዋና ዳይሬክተር የመድረኩ ጸሐፊ ሆኖ ይሰራል፤
  - *መ*) የምክክር መድረኩ ሌሎች አባላት በቢሮው የሚሰየሙ ሆነው፣ ኃላፊ በጽሑፍ ስከተማ ፕላን ውጤታማ አተ*ገ*ባበር *እንዲሁም* ቅንጅት፣ ስመስረተ ልማት ስማንባታ *ሌቃ*ድ አሰጣጥና ቁጥጥር ጠቃማ. ሙያዋና አስተዋጽኦ ቴክኒካዊ ብቃት ካ**ሳቸው፣የ**ከተማው የማድረግ አስተዳደርና መንግስት የፌኤራል የመሰረተ ልማት **93**ባታ ባለቤት *አ*ማባብነት ካ**ሳ**ቸው ተቋማትና ሌሎች የመንግስት አካላት ሕንዲሁም Poors አማባብነት ካሳቸው የፇሉ ዘርፍ ድርጅቶችና ማህበራት የሲቪክ የሚውጣጡ ይሆናሉ፤ ዝርዝራቸውና የሙያ ጥንቅራቸው በባለሥልጣት ዋና ተዘጋጅቶ **ዳይሬክተር** ለበ.ሮው ኃሳፊ የሚቀርብ ይሆናል።

#### **CHAPTER THREE**

## FORMATION, RESPONSIBILITIES and OPERATIONAL PROCEDURES of the CONSULTATION FORUM

## 10. <u>Formation and Related Matters of the Consultation Forum</u>

- 1) The Consultation Forum shall be accountable to the Bureau Head.
- 2) The term of office of the members of the Consultation Forum, except for those institutions owning a construction of infrastructure, shall be five years; where necessary, however, any member of the Forum may be designated more than once, and upon the termination or interruption of his membership, he shall be awarded certificate of service by the Bureau Head.
- 3) The chairperson and other members of the Consultation Forum shall be paid allowances as per the decision of the City Cabinet.
- 4) The Forum shall be formed and managed in accordance with the following rules of procedure,
  - a) It shall have ten up to fifteen members, including the chairperson and the secretary;
  - b) It shall be presided over by the Bureau Head;
  - c) The Executive Director of the Authority shall be the secretary of the Forum;
  - d) The members of the Consultation Forum shall be designated in writing by the Bureau Head; they shall be drawn from among institutions of the City Government and the Federal Government that are owning constructions of infrastructure and competent to make professional and technical contributions for the effective implementation of urban plan, coordination of infrastructural development, issuance and control of construction permit as well as from among appropriate government organs and organizations belonging to the private sector and civic societies having professional relevance; and the Executive Director shall prepare and submit to the Bureau Head the shortlist, including the professional compositions of the candidates.

#### ፲፩. የምክክር መድሬክ ተግባርና ኃላፊነት

- ፩) በዚህ አዋጅ አንቀጽ ፰ ሰባስሥልጣኑ ዋና ዳይሬክተር የተሰጡት ተግባሮችና ኃፊነቶች እንደተጠበቁ ሆነው፣ የምክክር መድረኩ የመሰረተ ልማት ግንባታ ቅንጅት፣ የግንባታ ፌቃድ አሰጣጥና ቁጥጥር በሚመለከቱ ሙያዊና ቴክኒካዊ ጉዳዮች ባለሥልጣኑን ያማክራል።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ(፩) የተደነገገው አጠቃላይ ተግባርና ኃላፊነት ሕንደተጠበቀ ሆኖ፣
  - የሚያሻቸው የመሰረተ ልማት ሀ) ቅንጅት **93**ባታ ልማትና *ፌቃ*ድ ጥያቄዎች ከተለያዩ የመሰረተ ልማትና ሌሎች የማንባታ ልማት አካላት ለባለስልጣት ሲቀርብ፣ የግንባታው ፕላንና ዲዛይን የግንባታው *ሕንዲሁም* ሂደቶች ስለሚቀናጁበትና በከተማ ፕላን መሰረት ስለሚመሩበት ሁኔታ ይመክራል፣ ምክረ ሃሳብ ይሰጣል፤
  - ስ) የባለሥልጣኑን የ**ሕሩብ ዓመት፣ የመን**ፈቅ ዓመትና ዕመታዊ የስራ ክንውን ሪፖርቶችን መርምሮ ከመሰረተ ልጣት ቅንጅት፣ ከማንባታ *ሌቃ*ድ አሰጣጥና ቁጥጥር ስራዎች *ጋ*ር በተያያዘ በቁልፍ ች ግሮች ላይ መክሮ የመፍትሔ አቅጣጫ*ዎችን* የሚያመላክቱ ምክረ ሀሳቦችን ይሰጣል፤
  - ሐ)ባለሥልጣኑ የተቋቋመበትን ዓላማ ለማሳካት አስራላጊ የሆኑ ሌሎች ጠቃሚ ተግባራትን በሚመለከት ምክረ ሀሳቦችን ይሰጣል።

#### ፲፪. የምክክር መድረኩ ስብሰባ ሥነሥርዓት

- ፩) የምክክር መድረኩ በሦስት ወር አንድ ጊዜ ይሰበሳባል፤ ሆኖም አስፈላጊ ሆኖ ሲገኝ፤ በሰብሳቢው በሚደረግ አስቸኳይ ጥሪ በማናቸውም ጊዜ መድረኩ ሊሰበሰብ ይችላል።
- ፪) ክስብሰባው ሦስት ቀን በፊት የመድረኩ የስብሰባ አጀንዳ ለአባላት ከማድረስ ጋር የመድረኩ ስብሰባ ጥሪ ይደረጋል፣ አጀንዳ ማስያዝ የሚፌልግ አባል አጀንዳውን በስብሰባ ላይ ማስያዝ ይችላል።
- ፫) በመድረኩ ስብሰባ ላይ ቢ*ያን*ስ ሃምሳ አንድ ከመቶ አባሳት ከተ*ገ*ኙ ምልአተ ጉባኤ ይሆናል።

#### 11. <u>Functions and Responsibilities of the</u> Consultation Forum

- Without prejudice to the functions and responsibilities given to the Executive Director under Art. 8 of this Proclamation, the Consultation Forum shall advise the Authority on professional and technical issues concerning infrastructural construction development coordination and issuance and control of construction requirements.
- 2) Without prejudice to the overall functions and responsibility stipulated under Sub-Art. (1) of this Article, the Consultation Forum shall:
  - a) Make consultations and recommendations on how to coordinate and direct as per the urban plan constructions of infrastructures for which permits are requested by various organs of infrastructural development and other constructions and that require integration in terms of their plan and design;
  - Make consultations on key problems of integration of infrastructural constructions as well as issuance and control of construction permits that it finds upon its examination of the quarterly, semi-annual and annual work performance reports of the Authority and make recommendations that outline solutions;
  - Make recommendations concerning other important tasks required for the successful achievements of the purposes of the Authorities

## 12. <u>Procedures of the Meetings of the Consultation</u> <u>Forum</u>

- 1) The Forum shall meet once in three months; it may, however, meet any time upon the extraordinary call of the chairperson wherever it is found necessary.
- 2) The call for a meeting of the Forum shall be communicated to members together with its agenda before three days, and a member who has agenda item/s may propose it on the meeting.
- 3) The attendance of, at least, fifty-one per cent of the members shall constitute the quorum of a meeting of the Forum.

- ምክሬ ĝ) የመድረኩ ሀሳብ በውሳኔ መልክ የምክረ ይተሳለፋል፣ ሀሳብ ውሳኔ በተባበረ ድምጽ፣ ይህ ሳይቻል ሲቀር ደግሞ፣ በስብሰባው ሳይ ከተ*ገኙት* አባሳት በአብሳጫ ድምጽ ሲደንፍ የመድረኩ ውሳኔ ይሆናል፤ ሆኖም፣ ድምጹ ከሆነ የሰብሳቢውን ድጋፍ ያገኘው እ ሉተል የመድረኩ ምክረ ሀሳብ ይሆናል።
- ፩) በዚህ አንቀጽ ንዑስ አንቀጽ (፬) የተደነገገው ቢኖርም፣ የባለሥልጣኑ ዋና ዳይሬክተር ምክረ ሀሳብ በተሰጠበት ጉዳይ በስልጣኑ መስረት ውሳኔ በሚያስተሳልፍበት ጊዜ፣ የመድረኩን ምክረ ሀሳብ የማይቀበልበት በቂ ምክንያት ካለ፣ በምክረ ሀሳቡ አይገደድም።
- ፮) የመድረኩ ስብሰባ ቃለ ጉባኤ በባለሥልጣኑ ዋና ዳይሬክተር በሚመደብና በሚመራ የቃለ ጉባኤ ጸሐፊ እንዲያዝ ይደረጋል፣በአባላት ይራረማል፣ በባለስልጣኑ መስሪያ ቤት ተቀምጦ ይጠበቃል፤ እንዲሁም የስብሰባ አጀንዳዎች፣ የምክረ ሀሳቦች እና የተዛማጅ ጉዳዮች አስተዋጽኦ በጽሁፍ እየተዘጋጀ ቃለ ጉባኤ ጸድቆ ከተራረመ በኋላ ለእያንዳንዱ አባል እንዲደርሰው ይደረጋል።
- ፯) በዚህ አንቀጽ እና በሕግ የተደነገገው እንደተጠበቀ ሆኖ፣ መድረኩ ስለ አሰራሩ የራሱን ውስጠ ደንብ በማውጣት መስራት ይችላል።

#### ፲፫.የምክክር መድረኩ ሰብሳቢ ተግባርና ኃላፊነት

- ፩) የቢሮው ኃላፊ የምክክር መድረኩን ስብሰባ ይጠራል፣ ይመራል፤ ከሶስተኛ ወገኖች ጋር በሚደረግ ግንኙነት መድረኩን ይወክላል።
- ፪) በዚህ አንቀጽ ንዑስ አንቀጽ(፩) የተደነገገው
  ሕንደተጠበቀ ሆኖ፣ የመድረኩ ሰብሳቢ፡-
  - ሀ)ከመድረኩ በመመካከር ጸሐፊ ኃር የባለሥልጣኑን የምክክር መድረክ ስብሰባ አጀ*ንዳዎች* ያዘ*ጋ*ጃል ወይም ተዘጋጅተው ያደር 2ል፣ ስብሰባ ከመደረጉ እንዲቀርቡ ሶስት በፊት አጀ*ንዳዎ*ቹ ቢያንስ ቀን ለምክክር መድረኩ አባላት *እንዲደር*ሱ SSC2A!

- 4) The recommendations of the Forum shall be passed in the form of decision by consensus where possible or by majority vote; if however, the votes tie, the motion voted for by the chairperson shall become the decision of the board.
- 5) Notwithstanding the provisions of Sub- Article (4) of this Article, the Executive Director may not be obliged by the recommendations of the Forum when there is sufficient reason not to accept it in the passing of his decision on a certain issue it is based.
- 6) The minutes of a meeting of the Forum shall be held by a recording secretary to be assigned and managed by the Executive Director, approved and signed by all attendees and safe kept at the office of the Head Quarters of the Authority; and then a concise note containing the agenda, related recommendations and other relevant matters shall be prepared and distributed to each member.
- 7) Without prejudice to the provisions of this Article and other appropriate laws, the Forum may function by adopting its own rules of procedure.

#### 13. <u>Functions and Responsibilities of the Chair-</u> person of the Consultation Forum

- 1) The chairperson of the Forum shall preside over the Forum and represent the Forum in its relations with third parties.
- 2) Without prejudice to the provisions of Sub-Articl(1) of this Article, the chairperson of the Forum shall:
  - a) Prepare, in consultation with the secretary of the Forum, the agenda of the meetings of the Forum or ensure that it is prepared, presented and distributed to the members of the Consultation Forum three days before a meeting takes place;

- ለ) የምክክር መድረኩን ስብሰባ በሊቀመንበርነት ይመራል፤
- ሐ) የምክክር መድረኩ ስብሰባዎች ወቅታቸውን ጠብቀው መከናወናቸውን ያረጋግጣል፣ አስቸኳይ ስብሰባ መጥራት ሲያስፈልግ፣ ጥሪው ለምክክር መድረኩ አባላት እንዲተላለፍ ያደርጋል፤
- መ) የመድረኩ ቃስጉባኤዎችና ሴሎች ሰነዶች በመድረኩ ጸሐፊ አማካኝነት በሚገባ ተደራጅተው መያዛቸውን ያረጋግጣል፤
- ሠ) የምክክር መድረኩን ምክረ ሃሳቦች በአግባቡ በማጤን ውሳኔዎችን ያስተላልፋል፣ ወይም ውሳኔዎች እንደየአግባቡ በቢሮው መተላለፋቸውን ይከታተላል።

#### ክፍል አራት

#### ልዩ ልዩ ድን*ጋጌዎ*ች

#### ፲፬. የበጀት *ምንጭ*

የባለስልጣኑ በጀት ከሚከተሉት ምንጮች የሚውጣጣ ይሆናል፡-

- ፩) ከከተማው አስተዳደር የሚመደብ በጀት፤ እና
- ፪) ከተለያዩ ሴሎች ሕ*ጋዊ ምንጮች የሚገኝ* ንቢ።

#### ፲፰. የሂሳብ መዝገብ

- ፩) ባለስልጣኑ ትክክለኛና የተሟሉ የሂሳብ መዛግብትን በከተማው አስተዳደር የፋይናንስ አስተዳደር ሕግ መሠረት ይይዛል፣ ያከናውናል፣ ጠብቆ ያስቀምጣል።
- ፪) የባለስልጣት የሂሳብ መዛግብትና ገንዘብ ነክ ሰነዶች በየዓመቱ በከተማው አስተዳደር ዋና አዲተር ወይም ሕርሱ በሚሰይማቸው አዲተሮች በሕግ መሠረት ይመረመራሉ።

- b) Chair the meetings of the Consultation Forum as chairperson;
- c) Ensure that the meetings of the Consultation Forum are conducted timely and calls for extraordinary meetings are made and communicated to the members wherever such meetings are found imperative;
- d) Ensure that the minutes and other documents of the Forum are properly organized and kept by means of the secretary thereof;
- e) Ensure that decisions are passed by the Executive Director or, where necessary, by the Bureau in proper consideration of the recommendations of the Consultation Forum.

#### PART FOUR

#### **MISCELLANEOUS PROVISIONS**

#### 14. Sources of Budget

The budget of the Authority shall be derived from the following sources:

- 1) the budget to be allocated by the City Government; And
- 2) revenues to be solicited from other different legal sources.

#### 15. Records of Accounts

- 1) The Authority shall maintain and keep accurate and full records of accounts as per the Finance Administration Law of the City Government;
- 2) The records of accounts and documents pertaining to the finance of the Authority shall be audited annually according to law by the Chief Auditor of the City Government or by other Auditors to be designated by the Chief Auditor of the City Government.

#### ፲፮. የተሻሩና ተሬጻሚነት የሴሳቸው ሕጎች

- ፩) በአዲስ አበባ ከተማ አስተዳደር አስፈጻሚና የማዘጋጃ ቤት አገልግሎት አካላት እንደገና ማቋቋሚያ አዋጅ ቁጥር ፴፭/፪ሺ፬ (እንደተሻሻለ) አንቀጽ ፭ ንዑስ አንቀጽ ፫(፴)፣ ፴፮ እና ሌሎችም የግንባታ ፌቃድና ቁጥጥር ባለስልጣንን የሚመለከቱ ድንጋጌዎች በዚህ አዋጅ ተሽሯል።
- ፪) ይህን አዋጅ የሚቃረን ጣንኛውም ሌላ የከተማው አስተዳደር አዋጅ፣ደንብ መመሪያ ወይም ልማዳዊ አስራር በዚህ አዋጅ የተደነገጉትን ጉዳዮች በተመለከተ ተሬጻሚነት አይኖረውም።

#### ፲፯. የመብትና ግኤታ መተሳሳፍ

በአዲስ አበባ ከተማ አስተዳደር አስፌጻሚና የማዘ*ጋ*ጃ ቤት አንልግሎት አካላት እንደንና ማቋቋሚያ አዋጅ ቁጥር ፴፮/፪ሺ፬ (እንደተሻሻለ) አንቀጽ ፴፮ መስረት የተቋቋመው የከተማው አስተዳደር የግንባታ ፈቃድ እና ቁጥጥር ባለሥልጣን መብቶችና ግዴታዎች በዚህ አዋጅ መስረት ለባለስልጣት ተሳልፈዋል።

#### ፲፰. የመሽ*ጋገሪያ ድንጋጌዎ*ች

ባለሥልጣኑ በአግባቡ ተደራጅቶ በተሟላ ሁኔታ ስራ እስኪ ጀምር ድረስ፣ በከተማው አስተዳደር አስፈጻሚና የማዘ*ጋ*ጃ ቤት አ*ገ*ልግሎት አካላት እንደገና ማቋቋሚያ አዋጅ ቁጥር ፴፭/፪ሺ፬ (እንደተሻሻለ) የተቋቋመው የከተማው አስተዳደር የማንባታ *ፌቃ*ድና ቁጥጥር ባለሥልጣን በመከናወን ላይ ያሉ ያልተጠናቀቁ ስራዎችን ሕያከናወነ ለርክክብ ዝግጁ ያደርጋል፤ በከንተባው በማ.ወጣ መመሪያ በሚወሰነው መሰረት በዚህ አዋጅ ለተቋቋመው ባለስልጣን ያስረክባል።

#### 16. Repealed and Inapplicable Laws

- 1) The Provisions pertaining to the Construction Permit and Control Authority under Article 5 Sub-Article 3(30), 36 and other Articles of the Addis Ababa City Government Executive and Municipal Organs Reestablishment Proclamation No. 35/2011 (as amended) are hereby repealed by this Proclamation.
- 2) Any other Proclamation, regulations, directive or practice of the City Government conflicting with the provisions of this Proclamation shall not be applicable.

#### 17. Transfer of Rights and Obligations

The rights and obligations of the Addis Ababa City Government Construction Permit and Control Authority established as per Article 36 of the Addis Ababa City Government Executive and Municipal Organs Reestablishment Proclamation No. 35/2011 (as amended), are hereby transferred to the Authority in accordance with this Proclamation.

#### 18. Transitional Provisions

Until the Authority is organized properly and commences its work in a complete manner. City Government executive and municipal service organs establishment proclamation number 35/2012 as amend the Construction Permit and Control Authority of the City Government shall resume performing pending activities and make preparations and handover, as per the directive to be issued by the Mayor, to the Authority established according to this Proclamation

#### ፲፱. ደንብና መመሪያ የማውጣት ስልጣን

- ፩) የከተማው ካቢኔ ይህንን አዋጅ ስማስፈጸም ደንብ ማውጣት ይችላል።
- ፪) በዚህ አዋጅ ለቢሮውና ለባለስልጣ፦ የተሰጠው መመሪያ የማውጣት ግልጽ ስልጣን እንደተጠበቀ ሆኖ፣ የከተማው ካቢኔ በሚያወጣው ደንብ ቢሮው ወይም ባለስልጣ፦ ዝርዝር የአሰራር ሥርአቶችንና ቴክኒካዊ ጉዳዮች የሚደነግግ መመሪያ እንዲያወጣ መፍቀድ ይችላል።

#### **፳. አዋ**ጁ የሚጸናበት ጊዜ

ይህ አዋጅ በከተማው ምክር ቤት ከፀደቀበት ከሐምሴ ፮ቀን ፪ሺ፬ ዓ.ም ጀምሮ የጸና ይሆናል።

አዲስ አበባ ሐምሌ ፮ ቀን ፪ሺ፱ ዓ.ም

ድሪባ ኩማ የአዲስ አበባ ከተማ ከንቲባ

#### 19. Power to Issue Regulations

- 1) The City Cabinet may issue regulations necessary to implement this Proclamation.
- 2) without prejudice to the explicit powers of the Bureau and the Authority to issue directives, the City Cabinet may bestow power on the Bureau or Authority to issue directives that will set out procedures of implementation and technical matters.

#### 20. Effective date of the Proclamation

This Proclamation shall be effective as of this day of July 13, 2017, on which it is promulgated by the city council.

Addis Ababa July 13, 2017

Direba Kuma Addis Ababa City Mayor