How to obtain a construction permit in Georgia

A construction permit is a special permit which authorizes its holder to carry out a new construction, reconstruction or demolition. Any natural person, legal entity or partnership that plans to carry out any of the above activities shall obtain a construction permit. Failure to obtain a permit may result in fines and penalties or demolition of unauthorized construction.

According to the 2020 World Bank’s Doing Business Ranking, Georgia is on 21st place in terms of “dealing with construction permits”.

Major amendments to the construction legislation were introduced from May 2019. The amendments were introduced to the Code of Georgia on Spatial Planning, Architectural and Construction Activities (“Construction Code”) and new legislative acts were enacted (together referred to as “Construction Law”).

Construction Law devides the buildings and structures into five classes (I, II, III, IV and V). The class number is given to the building or structure considering the risk level to human health and safety and environment. The higher the risk, the higher the class number of the building or structure.

The list of buildings and structures falling into class V and the procedure for issuance of construction permit for them is defined separately from those of classes I-IV.

Is construction permit mandatory for construction of every class?

- For construction of class I buildings and structures notification to the local self-government is required.
- For construction of class II, III, IV and V buildings and structures construction permit is mandatory. However, a municipality can allow notification to the local self-government for class II buildings as well.

Where to apply to obtain construction permit?

- For buildings/structures that fall into classes II, III and IV local self-government bodies are authorized to issue a construction permit. For Tbilisi it is Tbilisi City Hall.
- Technical and Construction Supervision agency under the Ministry of Economy and Sustainable Development of Georgia issues construction permits for class V buildings/structures.

What is the procedure to obtain construction permit?

- There is a two-stage procedure to obtain construction permit for classes II – IV buildings/structures. However, an applicant may opt for three stage procedure.
- For class V buildings/structures the procedure is conducted in three stages, with an option of

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1 Please note that Construction Code and new legislative acts are not applicable to the territory of Tbilisi until 3 December 2019.

2 Please see Annex I providing class numbers of specific buildings and structures for classes I-IV.
two-stage procedure.

- The stages and terms for each stage for two-stage and three-stage procedures is as follows:

### II Stage procedure

<table>
<thead>
<tr>
<th>Stages</th>
<th>The term to issue the decision for Classes II-IV</th>
<th>The term to issue the decision for Classes V</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage I Approval of the terms for using a land for construction</td>
<td>10 working days</td>
<td>15 working days</td>
</tr>
<tr>
<td>Stage II Insuance of construction permit</td>
<td>20 working days</td>
<td>20 working days</td>
</tr>
</tbody>
</table>

### III Stage procedure

<table>
<thead>
<tr>
<th>Stages</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Stage I Approval of the terms for using a land for construction</td>
<td>10 working days</td>
<td>30 working days</td>
</tr>
<tr>
<td>Stage II Approval of architectural-engineering project</td>
<td>17 working days</td>
<td>20 working days</td>
</tr>
<tr>
<td>Stage III Insuance of construction permit</td>
<td>5 working days</td>
<td>10 working days</td>
</tr>
</tbody>
</table>

- There is no fundamental difference between two-stage and three-stage procedures. At the 1st stage, the decision-making authority decides on the terms of use of the given land plot for the construction purposes as provided by an applicant. Moreover, the decision on approval of the terms for using a land plot for construction provides recommendations regarding the next stage(s).

- If case of three-stage procedure, approval of architectural-engineering project is separated from issuance of construction permit procedure. Accordingly, the documents to be enclosed at stage two are split and some of them are required at stage 3³. Architectural-engineering

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³Please see Annex II providing the list of required documents for 2 stage procedure for classes II-IV.
project is approved if it complies with the mandatory requirements of the law.

- Failure (1) to either issue construction permit or (2) reject issuance within the provided term means that the construction permit is deemed to be granted.

What is Detailed Construction Plan?

- The Detailed Construction Plan (“DCP”) is an urban planning document which defines land use zones (sub-zones) and/or specifics of individual planning units, architectural-planning and spatial-volume features of buildings, placement of buildings, their parameters; specifies management and organization of landscape, engineering and transport infrastructure.

- On those land plots which are covered by DCP, stage 1 (approval of the terms for using a land for construction) can be skipped.

- DCP shall be in compliance with Master Plan if a city/region/municipality has a Master Plan.

- Master Plan defines main parameters for land plot use and construction, territorial-structural conditions for protection of environment and cultural heritage, engineering, transportation, social infrastructure and economical development aspects. As of the date of this report, there are Master Plans for Tbilisi, Rustavi, Kobuleti, Dusheti, Bakuriani, Chkhorotskhu, Ureki and Bakhmaro.

What to take into consideration before applying for construction permit?

1. Zones/sub-zones

- The territory of Georgia is divided into construction and non-construction territories. Construction territories are given different functional zones and sub-zones.\(^4\)

- There are different requirements for the type and dimensions of buildings and structures in each sub-zone. Therefore, the planned construction shall correspond to the zone/sub-zone requirements of the land plot.

2. Construction coefficients

There are 3 types of construction coefficients (K1, K2 and K3) and each sub-zone has different coefficients.

- Construction coefficient (K1) – defines the maximum permissible construction area of a land plot where a building/structure is built.

**Example:** K1 in residential zone 4 is 0.5. If a block of flats should be built on a land plot of 1 000 sq/m, the maximum permissible construction area is 500 sq/m (1 000 x 0.5).

\(^4\) Please see Annex III regarding construction and non-construction territories, zones and sub-zones.
Construction intensity coefficient (K2) – defines the maximum permissible total floor area of the building on the land plot.

**Example:** K2 in residential zone 4 is 2.5. A total floor area of a building to be built on a land plot of 1 000 sq/m will be 2 500 sq/m (1 000 x 2.5).

Construction intensity coefficient can only be exceeded based on DCP and if:

- This is compensated by other activities;
- Special reasons for the city construction require so;
- It will not confront public interests and
- It will not cause deterioration of hygienic conditions of living and working environment.

Greening coefficient (K3) – defines at least how much area shall be covered in green.

**Example:** K3 for residential zone 4 is 0.3. The space that shall be covered in green for the land plot of 1 000 sq/m will be 300 sq/m (1 000 x 0.3).

**What are the fees to obtain construction permit?**

The fees to obtain construction permit are determined by local self-governing bodies. The fee shall not exceed:

- GEL 4 per each sq/m of K2 area, as defined by a design of a new building to be construed (for Tbilisi it is GEL 4);
- GEL 5 for construction of a industrial building in a resort zone (for Tbilisi it is GEL 5);
- GEL 1 per each linear meter for linear structures (for Tbilisi it is GEL 1).

For construction of those buildings/structures to which K2 does not apply, the fee shall not exceed:

- GEL 50 for class II (for Tbilisi it is GEL 50);
- GEL 200 for class III (for Tbilisi it is GEL 200);
- GEL 400 for class IV (for Tbilisi it is GEL 400);

For class V buildings/structures fees vary in the range of GEL 1 000+0.5% of the value of the building/structure to GEL 24 000+0.01% of the value.
# Annex I

## List of specific buildings and structures for classes I-IV

<table>
<thead>
<tr>
<th>Class</th>
<th>Object</th>
</tr>
</thead>
</table>
| **I** | - Low pressure gas pipeline  
- Hydro power plant (less than 50 kW)  
- Solar and bio gas installation  
- Water pipeline with 10 atmosphere effective pressure (diameter less than 500 mm)  
- Sewerage pipe (diameter less than 600 mm)  
- Overhead power line (less than 35 kV)  
- Line of communication  
- Open play grounds without any buildings and structures  
- Landscape construction  
- Land works of more than 30m² (including change of landscape)  
- Installation of air conditioning, ATM, shade, catchwater drain and drainages on construction land, ramps for the people with disabilities, shop signs, advertisements and or ventilation pipes  
- Arrangement/demolition of stairs, shop windows, doors, windows and openings, if these works refer to the spandrel structure of the building  
- Reconstruction of exterior (placing posters and advertisements on buildings and structures)  
- Liquid reservoirs (overall volume of the tanks less than 100 m³)  |
| **II** | - Medium pressure gas pipeline for customers’ gas supply (productivity less than 500 m³ per hour)  
- Wind power plant  
- Hydro power plant (up to 10000 kW)  
- Water pipeline with 25 atmosphere effective pressure (diameter less than 1400 mm)  
- Sewerage pipe (diameter less than 1500 mm)  
- Overhead power line (less than 110 kV)  
- Electrical sub-station (within 35 - 110 kW)  
- Geothermal power plant  
- Liquid reservoirs (overall volume of the tanks less than 500 m³)  
- Road of local importance  |
| **III** | - Oil pipelines on the territory of an enterprise for inner manufacturing purposes  
- High pressure gas pipeline for customers’ gas supply (productivity 500 m³ or more per hour)  
- Blind alleys and internal (on the territory of an enterprise) railways  
- Tunnel (except the tunnels of V class)  
- Hydro power plant (within 10-50 MW)  
- Inner productive oil pipeline  
- Gas distribution plant with 3000 mkb/h productivity  
- Gas station  
- Overhead power line (less than 220 kV)  
- Electrical sub-station (within 220 kV)  
- Gas distribution plant (less than 3,000 productivity per M.KB/hour)  
- Gas station  
- Liquid reservoirs/terminal (overall volume of the tanks less than 1000 m³)  
- Aerodrome with the indication below 4D and carriage ability up to PCN 25  
- Land reclamation and irrigation structure with productivity from 1-10 m³ in a second  |
| **IV** | - Oil pipelines on the territory of an enterprise for inner manufacturing purposes  
- High pressure gas pipeline for customers’ gas supply (productivity 500 m³ or more per hour)  
- Blind alleys and internal (on the territory of an enterprise) railways  
- Tunnel (except the tunnels of V class)  
- Hydro power plant (within 10-50 MW)  
- Inner productive oil pipeline  
- Gas distribution plant with 3000 mkb/h productivity  
- Gas station  
- Overhead power line (less than 220 kV)  
- Electrical sub-station (within 220 kV)  
- Gas distribution plant (less than 3,000 productivity per M.KB/hour)  
- Gas station  
- Liquid reservoirs/terminal (overall volume of the tanks less than 1000 m³)  
- Aerodrome with the indication below 4D and carriage ability up to PCN 25  
- Land reclamation and irrigation structure with productivity from 1-10 m³ in a second  |
### Annex II

#### List of required documents for two-stage procedure for classes II-IV

<table>
<thead>
<tr>
<th>Class</th>
<th>Information/Documents</th>
</tr>
</thead>
</table>
| I     | • Information regarding the land plot and extract from the Public Registry;  
      | • Topographic plan of the land plot, reflecting the results of topographic survey;  
      | • Cadastral plan of the land plot;  
      | • Photos reflecting the current conditions of the land plot;  
      | • Photo confirming the placement of the information board on a visible location;  
      | Depending on a class of a building/structure and other conditions, the following can also be required:  
      | • The report describing the current physical condition of the land plot;  
      | • Development survey report;  
      | • Report on impact of the land plot on neighboring buildings and structures;  
      | • Document survey report containing the legislative framework and its applicability on the land plot; |
| II    | • Information regarding ownership of the land plot;  
      | • Act approving the terms for using a land for construction or information regarding DDP;  
      | • Photos of information banner;  
      | • Pre-project survey results;  
      | • Architectural project;  
      | • Project regarding organizing of construction;  
      | • Engineering-geological survey;  
      | • Constructive scheme/project;  
      | • Technological scheme/project (if necessary);  
      | • Environmental impact decision (if the construction is subject to environmental impact assessment)  
      | • Receipt confirming payment of fees |
Annex III

Construction and non-construction territories, zones and sub-zones

Construction territories are divided into 4 different zones and each of them has the following sub-zones:

1. **Residential Zone (“RZ”)**
   - Country house residential zone (RZ1)
   - Low intensity residential zone (RZ2)
   - Medium intensity residential zone (RZ3)
   - High intensity residential zone (RZ4)

2. **Mixed Zone (“MZ”)**
   - Agricultural-habitation zone (MZ1)
   - Center zone (MZ2)
   - Business zone (MZ3)
   - Resort-recreational zone (MZ4)
   - Commercial zone (MZ5)

3. **Industrial Zone (“IZ”)**
   - Manufacturing zone (IZ1)
   - Industrial zone (IZ2)

4. **Special Zone (“SZ”)**
   - Clusters zone (SZ1)
   - Special zone (SZ2)

Non-construction territories are:
- Green territories;
- Agricultural territories;
- Forest territories;
- Natural-landscape territories;
- Other territories which do not belong to the construction territories (zones).