

**ADMINISTRATIVE STRUCTURE - MUNICIPALITY OF TIRANA**  
**For Regulation and Allocation of Immobile Property**

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**INTRODUCTION**

This report provides a summary of the institutional structure of Tirana Municipal agencies that work with land and related issues. Other agencies of national and district government such as the Ministry of Construction and Tourism, the Ministry of Transportation and the National Urban Planning Institute also provide assistance in planning and allocating urban land.

Primary municipal-level agencies for urban land administration are: the Municipal Council for Territorial Adjustment, the Municipal Planning Department, the Commission on Restitution and Compensation, and the National Housing Agency. Agencies for transportation and infrastructure development are required to coordinate their plans with the city.

Much of this information is basic to achieving an understanding of Albanian municipal government in general.

**GENERAL POLITICAL STRUCTURE**

At the municipal level, the Mayor presides over city politics and the city hall (Bashkia). The Bashkia houses the various technical departments (although some offices are located in other buildings throughout the city) that manage city services. The Council of the Municipality is the political entity which deals with municipal operational policies and choices.

There are local agencies of the Council of Territorial Adjustment, the Commission on Restitution and Compensation, the National Housing Agency and the Construction Police represented at the municipal level that have responsibility for land administration.

**The Mayor**

The position of Mayor<sup>1</sup> is the highest elected office in the city government. He/she is elected every four years. Among other duties, he/she is the Chair of the Municipal Council of Territorial Adjustment (but not the Municipal Council).

**The Council of the Municipality**

The Municipal Council consists of approximately 40 members who represent Tirana. It is a predominately political body consisting of political party members and municipal bureaucracy staff members. This Council, headed by the Chair, is appointed and finally approved by the Mayor. It governs the functioning of the entire Bashkia. It deals mainly with social and political issues (analogous to the Parliamentary Deputies) while the more technical problems are handled by the Mayor and directors of the various departments in the Bashkia.

**DEPARTMENTS IN THE CITY HALL (BASHKIA)**

The municipal functions are divided into 5 departments in the following way:

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<sup>1</sup>Sali Kelmendi

I. Department of Urban Planning (3 sections)

1. Urban Planning Section
2. Cadastral Section
3. Legal Section

II. Department of Public Services (5 Enterprises)<sup>2</sup>

1. Enterprise for Housing for those Without<sup>3</sup>
2. Enterprise for Street Lighting and Improvements of Power Lines
3. Enterprise for Roads and Sewerage
4. Enterprise for Greenery (Park areas and Greenspace)
5. Enterprise for Water

III. Department of Finance and Control

IV. Department of Education, Culture and Health

1. Sport section

V. Department of Municipal Administration

The Police Department is managed through the Ministry of Public Order. Traffic is managed jointly by the Ministries of Transportation and of Public Order. The Construction Police, including the branches in each municipality are responsible to the Minister of Construction.

### **DEPARTMENT OF URBAN PLANNING**

Since the Tirana Municipal Department of Urban Planning is so closely connected to urban land issues, it is important to fully understand its structure and functions.

The Department of Urban Planning is divided into three sections: 1. Urban Planning, 2. Cadastral, and 3. Legal. The whole department is headed by a director<sup>4</sup>, and each section has its own chief (known as the Main Specialist). The Director of the Department is nominated by the Mayor and the Council of the Municipality and is ultimately named by the Ministry of Construction and thus responsible to both the municipality and the national government. The employees of the Tirana Department of Urban Planning are distributed as follows: Director, 3 Main Specialists and supporting staff of approximately 20 specialists.

The City of Tirana is divided into 11 administrative units (lagjë) each having its own office. These divisions are geographically based. It is not clear how they arrived at 11 lagjë, or how difficult it would be to adapt the boundaries to the cadastral zones. Each of the 11 units has an urban planner as an inspector. This planner's duty is to assist residents in the zone in following the prescribed legal process for construction permits. Their duty is to control all of the buildings in their zone<sup>5</sup>.

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<sup>2</sup>These enterprises are usually financed only to maintain their various services. However the central government recently (08/95) awarded the Department of Public Services a large sum of money to improve and enhance roads and sewers. It is a new initiative and more details are presently unavailable.

<sup>3</sup> Strehimit

<sup>4</sup> Koço Kaskaviqi

<sup>5</sup> Formerly, the city was divided into three sections and it was based on these three administrative zones that sales of state owned apartments were carried out. The Commissions for Restitution and

## **The Urban Planning Section**

This section employs 6 urban planner/architects. They process building permit applications, review building speculations for individual projects and prepare them for presentation to the Planning Department Technical Commission and, in principal prepare Partial Plans.

After receiving building permit applications and determining that they are prepared properly (including reviewing with the cadastral and legal sections), the Department of Urban Planning Technical Council meets. This council is made up of approximately 12 specialists from the Planning Department which discusses and makes a judgement on all building permit applications. The monthly meetings last 4-5 days as 60-80 permit applications are submitted per month and the number is ever increasing. The Urban Planning Section then drafts the opinion and summary of each case and prepares it for presentation to the Municipal Council of Territorial Adjustment<sup>6</sup>.

In addition to processing building permit applications, the Planning Section is mandated to prepare Partial Plans (sometimes referred to as Partial Studies). These are studies for plans prepared for a specific zone of the city for a certain activity such as a site plan for construction of new apartment buildings in a defined (by the Regulatory Plan) residential zone, a road reconstruction in an older zone, or the creation of a commercial district requiring demolition of existing buildings. Usually these Partial Plans are based on the General Regulatory Plan.<sup>7,8</sup>

At present no Partial Plans are being undertaken at all due to the nearly unmanageable number of building permits requested and requiring processing. Individuals who want to build on a larger scale (beyond enlarging existing structures) must contract with private firms to do the Partial Plans which include the relevant specifications to submit to the Planning Section for construction permit application.

## **The Cadastral Section**

This section is comprised of 6 employees including 1 archivist and 5 surveyors. The Archivist manages the maps of Tirana which are from different time periods and are largely out of date. Maps are in a variety of scales. Since there was not previously an urban cadastre they work with other map-making agencies<sup>9</sup>.

The Cadastral Section has 3 basic duties: 1. reviewing land ownership documents to determine if it correlates with the maps, 2. providing maps to other sections of the Planning Department and 3.

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Compensation are also located, one in each of these three sections.

<sup>6</sup>See below for further description of the Council for Territorial Adjustment.

<sup>7</sup>General Regulatory Plans are large scale plans of the whole city for a 5 year period analogous to U.S. Land Use Plans. They designate the growth areas, zones requiring upgrading, and new residential apartment areas etc. These are done by the National Urban Planning Institute.

<sup>8</sup>Partial Plans are also done by the National Urban Planning Institute for areas outside of the yellow line, such as site plans for commercial centers, tourism development zones etc.

<sup>9</sup> The National Institute of Topography and Geology (formerly the Enterprise for Geology and Geodesy) also works with maps of Tirana. The Director is Luftim Ahmetoj (tel: 265-30), the Chief of Topographic Studies is Ariam Gjikomdi (tel: 222-59), and the Chief of Geology and Geodesy is Qazim Striniqi (tel:265-30).

providing maps to individuals for restitution claims. At present they are experiencing many problems with individuals wanting updated maps that do not exist, nor is there funding to produce them. Currently they are not a well equipped to be a properly functioning agency.

### **The Legal Section**

The Legal Section is responsible for ensuring that projects conform to urban land laws. The main legal reference used by the Department of Urban Planning is the "Urban Planning Regulations"<sup>10</sup>. There are 2 specialists and 1 chief. They are also responsible for making sure all planning and construction activities adhere to the General Regulatory Plan.

The control mechanism for all types of illegal construction is the Construction Police. They are in charge of monitoring the legalities of construction in terms of location, design implementation and with respect to the General Regulatory Plan. In principal they have the right to destroy legal buildings, but political will does not seem to support them during this transition period. The process for serving citations and actually stopping the construction is slow and ineffective, and the Construction Police do not have the equipment necessary to raze buildings<sup>11</sup>.

### **MUNICIPAL AGENCIES WORKING WITH LAND-RELATED ISSUES**

Aside from the offices in the Bashkia, several other public agencies work with land use and land allocation; the Municipal Council for Territorial Adjustment, the Commission on Restitution and Compensation, and the National Housing Agency. They all work fairly independently of one another under their own mandates, but may be important to assist with urban land registration.

### **The Council of Territorial Adjustment**

The National Council of Territorial Adjustment (NCTA) was created by the new planning law in 1993. It was created to act much like an American planning commission; it rules on building permits and special projects and has branches at the municipal (in Tirana) and district level. The NCTA coordinates the work between the central government and urban planning bodies at the local level as well as with the National Urban Planning Institute.

The 13 members are appointed to the Council by the Prime Minister. They are primarily ministers and scientists. It is headed by the Prime Minister and has a secretariat staff which manages the technical work<sup>12</sup>. This team receives documentation and studies from the District Council of Territorial Adjustment and analyzes and prepares them for presentation to the Council of Ministers.

The scope of work for the NCTA includes reviewing planning studies of "national importance" such as for airports, tourist facilities, major roads, parks and regional facilities, Regulation Plans for towns larger than 10,000 in population and development projects on land of greater than .5 hectares and buildings with a footprint of 5,000 square meters.<sup>13</sup>

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<sup>10</sup>Regullore Urbanistikes

<sup>11</sup> The National Construction Police Office is in the same building as the National Planning Institute on the 6th Floor. Stavri Stefani is the director. It is responsible to the Ministry of Construction and has branches in all of the municipalities.

<sup>12</sup> The Staff includes: Director of the Secretariat (technical support and management) Juli Shllaku, Shpresa Leka, Shpresa Kote and Gjorgji Thomai.

<sup>13</sup>Serageldin, Mona. "Municipal Management/Local Government Program, Albania, Framework or Land Management and Urban Development in a Market Economy." Prepared for USAID/RHUDO, Warsaw: May, 1994.

There is a Council of Territorial Adjustment in every district which is headed by the District Head<sup>14</sup>. The Urban Planning Law dictates that it convene 11-21 members, depending on the size of the district and 50% should be architects, construction and urban planning engineers while the other half should be in fields related to urban planning. On the Council should also sit the mayor, specialists of environmental problems and the agricultural cadastre. They meet one time per month and upon the request of the Council Chair. Local government officials participate in the Council meetings but have no voting rights.

According to the Law on Urban Planning, the functions of the District Council of Territorial Adjustment include approving and changing: the General Regulatory Plan, and Partial Plans within the district but outside of the urban areas; general and partial planning studies in the communes; construction sites for urban uses; construction projects of up to .5 hectares; building, demolition and wood cutting permits.

At the municipal level, in Tirana, there is also a branch of the Council of Territorial Adjustment (which is headed by the Mayor). It meets monthly and is composed of 24 members who are engineers, architects, surveyors etc.; many are employees of the various sections in the Bashkia. Though the Mayor chairs the Council for the duration of his four year term, the other members may change every year. It meets to review the land use and construction changes presented by the Planning Section of the Department of Urban Planning as well as to handle its other charges.

### **The Commission on Restitution and Compensation**

The Commission on Restitution and Compensation was appointed by the Municipal Council. It is made up of council members, Bashkia staff, officials from the Cadastral Office and urban planning agencies as well as some specialists outside of the government.

Previously, there was one Restitution Commission for all of Tirana located in the Bashkia, and one Chief<sup>15</sup>. As of May, 1995 there are three commissions, each with its own director, based in the former three administrative divisions of Tirana. Each office is located in one of the sections and receives documents from individuals with restitution claims in that zone. For one commission, about 200 decisions had been made in the 3 month period since the split. About 1400 decisions were made before the split and a rough estimate is that there are about 700 more to do in the whole city. It takes approximately 6-8 months to process and complete a restitution decision. Roughly 2% of these cases end up in court because property holders are dissatisfied with the Commission's decision.

The Department of Planning is supposed to work fairly closely with the Commission on Restitution, but there seems to be some conflict between them and the three Commissions on Restitution act quite independently of each other and of the Planning Department.

With respect to urban land registration, each case has not been placed on a master map so there is concern that when properties are registered, boundaries may overlap. The new (as of General Regulatory Plan approval in 1990) is used in these restitution cases.

### **The National Housing Agency (Ente Kombetar Baneseve)**

The National Housing Agency was established as the primary mechanism of the government to

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<sup>14</sup> In Tirana, Kudret Shalsi is the District Head.

<sup>15</sup>Gafur Luga was the chief

provide housing. It is now working on completing apartment buildings which were started and not completed by the government and are using loans from the World Bank, local banks and money from the privatization of apartment buildings. There is now an initiative for a new construction as the need for housing exceeds the space in the buildings to be completed.

Challenges for land registration may lie in an ownership article in the Planning Law and with problems with the hipoteka offices. The national government gave the partially constructed buildings to the NHA, but the NHA only owns them after completion; they need to have the buildings titled to them before they are completed so that they can start the process of transferring the titles to those who will be the occupants.

The condominium law is in place to sell and register all of the new units, however the Hipoteka offices are not following through. It is advisable that the registration team meet with the NHA to learn of potential problems when registration of these privatized apartments takes place to learn the exact situation.

## **PERTINENT LAND PLANNING ISSUES**

### **TYPES OF PLANS**

Regulation Plans are initiated by the central government to be done for all cities in Albania. The plans contain both technical studies and site and design-specific development plans which, in principal, equip the central city to develop in a comprehensive, logical way. Traditionally they are done for the long range by a series of five-year plans. They are prepared by the National Planning Institute in collaboration with the local planners if the competency exists at the local level. When the plans are completed they have full force of the law as opposed to the American counterpart which are only decision-making guides.<sup>16</sup>

At Present however, these plans are not linked to supporting infrastructure nor to budget. Despite their force of law, they have had poor results due to "rigid central control, poor implementation and insufficient investment."<sup>17</sup> The system has also been greatly weakened by the poor economy and thus does not allow for rational growth. Additionally the plans are driven by demographic projections which are no longer reliable. In many cities there has not been either a new Regulatory Plan nor any of the supporting 5 year plans prepared for years.

Under the Planning Law of April, 1993, the District has primary planning responsibility within its jurisdiction "assuming it has the professional competence to do so" and has the approval of the District Council of Territorial Adjustment. There is little institutional coordination and thus some degree of conflict exists between the District of Tirana and the Municipality.

Partial Plans as described above, are generally prepared by the National Planning Institute, for either zones of the city, with very specific purposes as well as for areas in the district outside of the cities, when a specific land use has been designated.

### **PLANS FOR TIRANA**

Three plans are presently operating in the City of Tirana which may be pertinent to urban land registration. The first is the General Regulatory Plan which was done by the National Urban

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<sup>16</sup>Iadarola, Sally W. "Summary Report on Land Planning in Albania - A Working Paper." Prepared for The National Planning Institute, Tirana, Albania: November, 1993.

<sup>17</sup>Iadarola, 1993

Planning Institute in collaboration with the Municipal Department of Urban Planning. The yellow line for the City of Tirana was changed with the plan's approval by the Council of Ministers and the National Council of Territorial Adjustment. This plan was approved in 1990 and defines the land used in the city and where infrastructure will go. However, it did not incorporate the major land use changes which are occurring and it was not based on the principles of a land market.

Since the Regulatory Plan did not include some of the drastic economic and land use changes that are rapidly occurring, it is felt that the plan should be changed. A grant from the Austrian Government will provide technical assistance to do this. The main focus of this will be traffic planning.

The second Tirana plan was done in 1994, is the Suburban Regulatory Plan. It was a collaboration effort between some district and municipal planning agencies and some foreign assistance. The Plan defines the land uses beyond the yellow line, but is not very detailed and indicates infrastructure which looks 50 years ahead and may not be financially practical. It was approved by the municipality and the National Council of Territorial Adjustment, but not by the District. It extends the municipal boundary to include the suburban area.

The third plan is the Structure Plan created by a team made up of the municipal, district planners and representation by the National Council for Territorial Adjustment and a team from U.S.A.I.D. It takes elements from the other two plans and makes priorities especially for bulk infrastructure and it looks at non-documented, informal housing. It has been submitted to the National Council of Territorial Adjustment for approval.

For a three month period, the Lagjë Urban Planner/Inspectors in conjunction with the Legal Section are reporting on all of the illegal construction cases. They may be updating a map with this information<sup>18</sup>.

## **CONCLUSION**

This is a brief introductory overview of the main functions and structure of the Municipality of Tirana as it relates to or will relate to Urban Land Registration. It focuses especially on planning agencies and processes as it will probably be necessary to work with these land related agencies as urban land registration continues.

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<sup>18</sup>Mira Lufi of the Municipal Planning Department has a map with the numbers of illegal houses in each Lagjë.