



Regulations and manuals of urbanism and civic rules in Iran

Bashi Beigh BABAYI^{1*}, Rahman NOROUZI², Ebrahim GHASEMI KAHREZAH²,
Mohammad FOROUGHİ², Hasanali SEYEDZADEH², Marzeah PASHAZADEH²

¹Faculty of Malekan Azad University

²MA of Geography and Municipal programming

Received: 01.02.2015; Accepted: 06.06.2015

Abstract. Municipal Civic rights are a set of regulations and manuals that directs the civic systems performance to provide regional common needs by creation public institute office. Different institutions pass regulations and circulars and effect on city management so they cause problems and ambiguities in urban management. Therefore emphasizes on civic single management, and codification of general civic rules increased. Constructional aggregation is one of the most important and effective features of civic development programs. Most important effects of illegal and legal sales aggregation will be analyzed that help mayors in this important issue. The importance of lands detachment control with urbanism system makes lands detachment one of the most important civic and, urbanism programs and it is the base of cities growth. Indeed with using criteria's and systematic methods and controlling land detachment and buildings, giving authority to responsible in urbanism efforts about surveying and revising detachment maps and plans suggested with land owners, we can apply 60 per cent of reforming ideas about general plans and developed them.

Keywords: Municipal regulations, municipality, elaborative plan constructional aggregation, lands detachment

1. INTRODUCTION

Urbanism regulations and civic rules are designed to direct development and also to create coordination between all sectors which do and plan municipal services. These rules are condiflicated by responsible sectors and then are imparted to executive systems. Municipal regulations are designed by different sectors. Islamic council parliament minister's board, ministry of urbanism, architectural supreme council and cities Islamic council are codification systems and municipality and its organizations, ministry housing organizations, ministry of roads transportation and its organizations, ministry of energy and its organizations are executor of these rules. But in its ideal form, municipality as the city efforts manager is the main executive of city rules and has a coordinator role between all executive systems in the city. The term a civic single "management" referred to these concepts. The nature of civic rules and regulations comes from different sources. First, all of the municipality duties, according to 55th regulation, are one of the codifications of civic rules. On the other hand, the first rule of urbanism supreme council establishment of Iran says that: one of the aims of establishment of this council is to coordinate urbanism programs to create a better environment for people. Also its other tasks are: to survey suggestions about urbanism total policies to analyze in ministers board, to give ideas about bills and suggestions about urbanism and regulations about civic total plans including: regional grading, how to use land and other civic public needs and also to survey and final pass of civic general plans and change them and finally to pass criteria's and to picas of urbanism. On the other hand cities Islamic councils according to their tasks in council's regulation should surrey and discover the problems, needs, social, cultural, educational, health, economical in sufficienies and give. Suggestions to solve these problems. They also should make decision to improve the life condition. Municipality as the executive power of council, beside its own duties, should do councils passes.

* Corresponding author. *Email address: Bashi Beigh Babayi*

2. RESEARCH QUESTIONS

- 1) Is Iran urbanism rules and regulations complete?
- 2) Are current rules executed correctly?
- 3) What kind of results does interferences have in land detachment?
- 4) Are municipalities' successes full in Iran?
- 5) Is it necessary to have a general urbanism regulation in Iran?

Research method:

In this study to gather data and information we used library research in clouding: to survey evidences land studying books, magazines, Persian articles, thesis, and then field research is used.

Regulations:

They are a set of complicated legal and technical rules they should be executed according to the law. Indeed they are reference plans and show country's rules that are categorized hierarchal. The recipes and description of services be applied after codification.

Criteria's and manuals of urbanism:

These criteria's and manuals are a set of rules that prepared and designed for determining different controls in residential, trade, services, roads and assessing civic needs, forecasting population and construction aggregation, how to locate building on piece of land suitable accessibility of any land, controlling the lowest level of detachment for different using, and feature and appearance of a city.

Municipality manuals:

These manuals are the relationships between population and mayor and also their tasks versus each other and the methods and targets of municipalities, and how to manage the city efforts and its quality. All of these titles should come from law and official rights that belong to public interior rights.

All municipalities have duties in clouding: Executive, directing, such as (building, health, etc) and they should coordinate systems and also keeping safe and security in the city. Therefore we can count their duties as below:

- 1) To design roads, streets, alleys, public parks, canals, and to expand roads and pavements in law frame.
- 2) To keep clean all the roads, streams, canals, sewages, flumes, and to supply water and light.
- 3) To direct and control the prices and also control the grocery's and population needs and prevent sailing corrupt wares and ruin ate them.
- 4) To pox and vaccinate people against illnesses and also to prevent epidemic diseases.
- 5) To prevent begging and force beggars to work and develop public education.
- 6) To apply forced education and create cultural, health organizations, mother assistant institutes, nursery, cultural, health organizations, mother assistant institutes, nursery, clinics, hospitals, madhouse, library, classes, kindergarten, children garden and etc. and also to help to these institutes' and financial favors for physical education and help to schools and home institutes, to create museums and culture house or jails from its own lands.
- 7) To keep and manage real states and properties, make a complaint and defense from people versus mayor.

Regulations and manuals of urbanism and civic rules in Iran

- 8) To estimate and regulate the budget and its complement and reform it, also to plan constructional program and apply it. Then send it to the ministry of interior by governor.
- 9) To do municipality transactions such as: buying and selling real states and properties, to rent. After passed by city council according to manuals.
- 10) To accept and donate presents of city that comes to mayor or charities by ministry of wealth, so the donators should be released from taxes.
- 11) To observe and control the scales.
- 12) To give statistics about city, birth and death.
- 13) To generate grave yards and places to ablute deeds and transport the corpses.
- 14) To assess measures and efforts to prevent the city case of flood, fire and also destroy dangerous buildings and walls from roads and streets and alleys, tunnels, residential areas, to fill holes and holes and sumps in the streets, to prevent keeping thing in balkonys and porches the streets that have dangers for pedestrians, to prevent dangerous chimneys that can cause harms for others.
- 15) To prevent and keep safe people from epidemic diseases and report them to ministry of health and municipality when they prevalence and also keep away sick people and cure them and dispel ill animals.
- 16) To prepare guild manuals and report them to city assembly.
- 17) To give suggestions to modify city map and price the lands and constructions of people according the law and pay them, to create and develop roads streets and squares and public gardens, to prepare lands for canalization and sewage in and out of city and also prepare needed lands for depository and filtration system and its belongings.
- 18) To assess and prepare public squares buy and sale and to park the cars.
- 19) To prepare and design regulations to manage the meat and bread sailing and execute it after passing by city institute.
- 20) To ban establishing places that cause trouble for citizens or are against the health system in cities. The mayor should ban building places such as factories, workhouses, public garages shops, supermarkets and also the centers that make ignescent or stables and animal centers and all places that make noise and disturbance or smoke for people in the area. The mayor also should prevent the creation centers that cause information, and insects' aggregation. And destroy try works forges, and bath house that are against the hygiene. It should direct and supervise the chimneys of building and factories that cause pollution in the city and if they are illegal, the mayor should close them. And send them out of the cities.
- 21) To build constructions such as toilets, public bathrooms, slaughterhouses, squares, gardens and gyms with correct technical rules, and build cheap buildings to poor people.
- 22) Cooperation to keep historical places and public buildings and mosques.
- 23) Control the hygiene in factories and bathhouse and help to orphans.
- 24) Export license for all the buildings in the city.
- 25) Create roads and pare the pavements and alleys.
- 26) Give suggestions to pay tolls in city and also change the toll for goods in and out the country and give a report to ministry of interior.
- 27) To identify special manuals to name streets and numbering the houses and remove ads from illegal places.
- 28) Export license for guild and professional(Jahangir. 112-2007)

First civic regulations:

Municipality started to prepare new manuals for transportation system and keep the appearance of cities that known as car toll. Gradually the frame of transportation was being specified and the toll for municipality was as below: 1) carriage, 15 Qurans. 2) Side car 15 Qurans, 3) coach without any horses 3 Qurans. 4) Car 1 Truman 5) wagon 6 Qurans 6) stagecoach 4 Qurans 7) cow, donkey, horse, mule, Sumter 5 shah, camel 6 shah

The first one way Street:

In khordad of 1308 and when khan was mayor, he removed the horse wagons to clear the streets and made cars movement easier. And the railings were buried. This caused lots of new cars arrival. After that importing new cars continued and everybody had his own car in the city that were made in other countries there was a need to have an origination to direct to cars transportation. In this year for the first time Tehran's mayor announced that Tehran- shemairan road became one way path to make transportation system easier. The cars that want to go to shemairan should use Lalezar Street and use Ferdusi Street to return. So the first efforts to make streets as one way path done.

Super plan:

Super plans are as executive evidence of urbanism manuals that direct and guide city's development. According to the law establishment of supreme council of urbanism of Iran passed in 1351. Surveying and passing civic super plans and their changes in each province. Done with a committee that the members are: governor, the city council chief, mayor, and deputy of cultural heritage organization, ministry of housing and deputy of consultant. When the city council passes the super plans the municipality should do them. The super plans evidences are: suggested lands maps, suggested roads, the map of the roads, the waters canals and the map of city's regions according to constructional aggregation. Therefore all the regulations and manuals of super plan are the main reference of construction in city and also are the most important civic regulations. In another word the super plan is a plan based on criteria's and regulations of city's general plan, using of civic lands in different areas and the space and location of land, to assess transportation system and the level population and constructions in cities.

Constructional aggregation:

Constructional aggregation is one of the most important and effective features of civic developing programs. The word "aggregation" has a differ rent meaning from its in literature. So it is better to define this word according to civic and arch tee manuals and then surrey it. There is a significant gap between tural the concept of aggregation and its meaning practice. It seems that the worries of beneficiaries from increasing big and high buildings caused from illegal selling of aggregation in different periods. In these periods we saw significant damages in cities and environment. From civic management point of view aggregation should never changes to income source in the municipalities, although paying toll for these constructions isn't avoidable. Illegal selling of it causes lots of problems for example: to build the skyscrapers against the civic development plans. Building the skyscrapers far from urbanism limitations and because of their economic and symbolic attraction for their owners, can destroy physical appearance of the quality of appearance of the city constructing the skyscrapers should be by legally selling of aggregations. The city's signs and features have a direct relationship with peoples understanding from the city and its abilities. These features cause giving identity to the city.

Cities skeletal structure:

High building has significant effects in changing the cities structure. For this reason it is necessary to sell them legally and according to environmental beauties. Forces from markets to create high and massive beauties. Forces from markets to create high and massive building cause irreparable harms to the cities. Selling buildings without programs and planning and also constructing them without planning is the most important reason in causing disorders in each city. These disorders show UN organization in process of development and also in the management of the city. As a result these disorders can create new problems in the city.

Social and cultural effects:

Selling building and then creating skyscrapers cause unplanned changes in the appearance of the cities (although they consist of city space and activities) but it is the most obvious feature of economical, social, and cultural in that society that shows the problems of that society to the experts regardless of views and signs in the city that aren't accessible from different parts of the city because of high buildings it is also the appearance of the cities that are inaccessible. The natural structure of cities and quality of its visual values are damaged due to disharmonic building, and this value is declining. But in the other hand we can use these high buildings to give beauty and quality to the city. Selling aggregation legally can help to improve the appearance of the city if it is relevant with beneficiary's demands. In the case of increasing of aggregation in special areas, the certain methods should be applied and we should try to decrease the negative effects of this effort.

Constructional aggregation tolls:

- 1) The need to widen the pavements because of cars increasing
- 2) It causes pollution in the roads and difficulty in walking and also mental and physical problem for citizen.
- 3) The vibrations caused from transportation system movements damage the buildings.
- 4) Spatial imitations of high building are the main reason of centralization.
- 5) Different conditions between families in high apartments cause problems at creating social relationships between them.
- 6) Fear from living in high areas causes different mental disorders
- 7) Common spaces in high apartments causes different diseases
- 8) Spatial limitations in apartments prevent doing lots of activities .(Hosseinzade delir 300-2014)

Correct methods to direct constructional aggregation:

- 1) To sell building legally should be done according to their environment and also valuable structures. One method is to keep height of building at historical parts of the city.
- 2) The coordination of building height with its location is another way of selling it legally. Civic criteria's can be different according to city's views. It is necessary to have consulting in the law and regulation framework.
- 3) To educate all the people especially effective groups in society could be very useful in controlling civic management system and also directing urbanism and architectural regulations.
- 4) Selling legally based on real economical and cultural needs in society has an important role in civic management decision making and development and civic planning. The manager should make these decisions according to citizens real needs.(Abdullah khan gorji.130-2002)

Land preparing and detachment:

Importance of land detachment that's related with urbanism is of the most important civic and urbanism topics and is also the base of harmonious growth of cities. Indeed with using legal criteria's and methods and controlling the lands detachment and building and also giving authority to responsible people, about surveying and modifying suggested detachment maps by land owners, can apply at least 60 percent of modifying ideas and also realize them we should say that neither general plan nor super plans can assess details of streets and alleys. In super plan just the approximate path of main roads of the city determined. The super plan assesses the detailed path of the main roads, streets and alleys. It is impossible to show the paths of the roads in the super plan, to do this we should survey land detachment maps and buildings that suggested with their

owners. The land detachment regulation depends on urbanism law gives the authoring to related people to apply above methods about giving ideas in modifying or completing the maps especially about the areas around the cities that are being developed. In the case undetached areas round the cities, their owners can detach them again and then related responsible can help them to modify the maps.

The background of land detachment in Iran.

Till 1345 that some laws passed about mayors and some efforts were growing about super plans in Iran and the choosing and detaching the land were the owners responsible. He could detach his own land whenever he wanted and determined the width and length of the land with his own will and build it with his own teach and taste. The organization should accept the owner's suggestions and then register them and give document for it. The registry office should be careful about other lands because they many abuse or overpass them. Also the municipality should pass and confirm the suggested maps by owners and then give them certification or license. The mayor can use this license and receive the tolls according to the space of the building. Also can notice any troubles, the buildings stability or strength to prevent any dangers. For the first time in 1345 the law gave these rights to municipalities to categorize the city and also locate the public installations and other places. And check the lands detachment maps and finally pass them. The architectural and urbanism supreme council in 1351 could complete previous manuals and gave this right to the council to pass all regulations and rules that were needed to grow cities. The 7th law forced the municipalities to execute the supreme council's passes.

The current position of controlling cities land detachment:

the municipality law, passed in 1345 says: " registry office and courts should do detachments in cities according to the map that municipality passed it before". Today municipalities do their duties about lands detachments and pass them providing that those lands should be in the path of other places or other installations and also the apace of detached lands and roads shouldn't be less than super plans regulations.

The current position of controlling cities land detachment out of cities:

about this detachment out of the cities, according to the 7th law that changed the name of ministry of housing to ministry of housing and urbanism creation of city or town out of the cities depends on ministry of housing and urbanism. All the related organizations should agree about detachment. And the space of the detached pieces is proportionate with plans. The executions of the plans should be possible and installations. The ministry of agriculture or it organizations have to confirm that these lands aren't for farming and also don't have economical benefits. All these steps should be confirmed by each province. The registry offices can't accept the lands that are smaller than 20 hector. The 14th laws of this regulation say that doing any detachment in towns should be done after basic operations and getting license and detachment permission. After finishing each part they must get license and detachment permission for it.

Lands detachment in relation with general plants of cities.

If detachment of lands done incorrectly and if there isn't any control it, the constructional controls will be useless. Controlling and directing the lands detachment is the most effective tool in categorizing the city to residential, trade and in dustier parts. Cities land pieces are divided to 3 parts: the first part is the pieces that we do every constructional operation in them, so they are free. The second part includes the pieces that are used for public needs of the city and constructional operations done by municipalities. And the 3rd parts are the pieces for special building and installations such as supermarket hotel, bank, post office, schools, and hospitals. In this case the owner can't build everything that he wants, but he can sell them to the municipality

or people who want to build them. Roads and streets belong to municipality and the mayor won't pay any the money to the owner if 30 or 40 percent of the land is a road or street, the owner won't receive any money for that. (Islamic council parliament website.2014)

- 1) The goal of detachment should be clear.
- 2) The space of detached pieces should be related with suggested plan.
- 3) Doing constructional or installation operation should be possible in the land and also shouldn't be against the manual.
- 4) The ministry of agriculture, natural resources should confirm the lands.
- 5) All the above steps should be passed by each province and they must have license for their lands. (Beik BaBay. 122-134-2014)

3. CONCLUSION

In 1380s, we pass a century from the begging of first municipality's law. The development planning started half a century ago and also the first manuals to design super plans started 40 years ago. The aim of these regulations and manuals is to direct and control the city development, government activities. In civic constructing. To bring relation and welfare for citizens.

Though, there are a lot of ambiguities, incoherence's, deficiencies illegal detachments, the problems in these manuals and lots of other problems, are the most important troubles in city development. Today all the people from rural areas move to the cities, so this action needs a total and general manual without any lacks that is in an agreement with now and future conditions. To do this we should revise current position and survey current regulations and remove all the paradoxes and problems. Finally we should prepare the urbanism general manual to improve the civic management's condition.

REFERENCES

- [1] Beik BaBay B. (2014). Civic rights and manuals. 122-134
- [2] Iran's budgeting and management organization website. Islamic council parliament website.
- [3] Jahangir M. (2007). Municipality and civic manuals and rules.
- [4] Hosseinzade delir K. (2014) a look at the urbanism plans. 300-316.
- [5] Iran's Architectural and urbanism supreme council's secretariat 1378. Architectural and urbanism regulations and development plans.
- [6] Abdullah khan gorji B. (2002). Architectural and urbanism periodical. 122- 131.