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## THE ROLE OF CITIZENS IN THE ACTIVITY OF LAND PLANNING AND URBANISM

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**Abstract.** Urbanization is strictly related to the participation of the population in the arrangement of the territory. The relationship between local authorities and the citizens serves as an index that determines the performance of the community in solving existing problems and is the main competence in assessing local competence. Participation of the population in the activity of spatial planning and urbanism is achieved through different methods, one of which would be the community spirit. Creating a community spirit is possible only in an atmosphere of mutual trust and commitment. The problem consists in the degree to which the participation of the citizens must be admitted for the formation of the development plans of the localities.

**Keywords:** *Urbanization, population, community, solving existing problems, plans.*

**Rezumat.** Urbanizarea este strict legată de participarea populației la amenajarea teritoriului. Relația dintre autoritățile locale și cetățeni servește drept indice care determină performanța comunității în rezolvarea problemelor existente, fiind o competență importantă în evaluarea competenței administrative locale. Participarea populației la activitatea de amenajare a teritoriului și urbanism se realizează prin diferite metode, dintre care una ar fi spiritul comunitar. Crearea unui spirit comunitar este posibilă numai într-o atmosferă de încredere și angajament reciproc. Problema examinată în articol se referă la evaluarea nivelului de participare a cetățenilor la formarea planurilor de dezvoltare a localităților.

**Cuvinte cheie:** *Urbanizare, populație, comunitate, rezolvarea problemelor existente, planuri.*

### Introduction

The science of building and running cities would be nothing without a complex form of human settlement. Thus, urbanization is strictly related to the participation of the population in the arrangement of the territory.

According to art. 1 of the Law on local public administration no. 436-XVI of 28.12.06, of the Republic of Moldova [1], the local public administration is the totality of local public authorities established under the law, to promote the general interests of the inhabitants of an administrative-territorial unit (community of people living on a certain territory - village, commune, city, municipality).

The population chooses an eligible candidate for a position (for example: mayor, president etc.) [2].

**Eligible candidate for a public position**

Eligible - is the person who meets the conditions to be elected to a position or representative body. From this point of view, according to art. 119 of the Electoral Code [3], mayors of cities (municipalities), villages (communes) and councilors in district councils are elected by universal, equal, direct and free vote, for a term of 4 years, which actually begins on the day of the general election. Thus, citizens ensure:

- ensuring the rule of law;
- economic and financial;
- personnel policy;
- education, social protection and health care;
- ecology and landscaping;
- defense and exceptional situations;
- electoral;
- collaboration with other public authorities;

The efficient functioning of public power in a unitary state, such as the Republic of Moldova, largely depends on its territorial organization, because the functioning of both state and local and district authorities is carried out within the limits of territorial areas of to the citizens of this state.

Power is exercised not over the territory, but over the population established within the respective territorial limits, namely in this sense the territorial dimension of the organization and activity of public authorities is a territorial area, within which the power is realized [4].

The territorial organization of public power is based on the following assertions:

- in contemporary states the power of the people is realized at different levels, having various forms (collectivist-volitional vision on public power);
- at each level of existence of the local communities, their population as a component part of the people, directly or through the authorities created by these communities, realizes, within its territorial limits, the public power, according to the legal provisions;
- the power of each local (subnational) community represents a component part of the public power, which together with the state power, forms a unitary system of public power;
- the legal foundation of this public power is constituted by the Constitution and the laws of the state which attribute to the elective authorities of the local collectivities the necessary competence in order to realize their power.
- the territorial dimension of the local power influences the modalities of action of the local power and the efficiency of its activity.

The territory, as a spatial foundation of the organization of state or local public power, cannot be treated arbitrarily, outside formally assigned and abstract criteria, which would mean outside the relationship with the general system of territorial organization of public power and without interaction with the other elements.

The organization of public power must have an orderly structure, which also applies to its territorial component. First of all, the territorial organization of the public power must be a structured one, is to include certain types of territorial entities, formally accepted, thus being a rational territorial organization. The phrase "territorial organization" can be understood as a set of principles and rules for ordering the component elements of the territory in such a way as to ensure the interaction between its component elements. The territorial structure of the state represents, in fact, the form of territorial organization of the public power.

The participation of the population in the activity of landscaping and urbanism is achieved by:

### **Informing the population**

The central and local public administration authorities ensure the organization and development of the process of participation of the population in land use planning and urban planning activities. Citizens can participate in the activity of land use planning and urbanism, individually or by association, in accordance with the law [5].

Informing the population is the activity through which the following are made public:

- the objectives of the economic-social development regarding the arrangement of the territory and the urban development of the localities;
- the intentions of the central and local public administration authorities regarding the elaboration of some landscaping and urban planning documents, as well as the purpose for which they are elaborated; c) the content of the spatial planning and urban planning documents to be submitted for approval, according to the law. The information and consultation of the population is carried out differently, depending on the extent and importance of the spatial planning or urban planning documentation, according to the procedures established by the Ministry of Economy and Infrastructure.

### **Consultation of the population**

Consultation of the population is the process by which it expresses its options and opinions on the provisions of land use planning and urban development programs, as well as those contained in land use planning and urban planning documents, in the process of developing and approving them, and is done by publishing the procedure for conducting the consultation and conducting the public inquiry. In the Republic of Moldova this principle is regulated both by art.109 of the Constitution and art.8 of Law no.436-XVI on local public administration, [1] which bears the same name.

The relationships between local authorities and the citizens they serve are an index that determines the performance of the community in solving existing problems and is the main competence in assessing local competence.

These relationships depend not only on legislation but also on their competence (citizens), willingness to collaborate, experience gained, and circumstances created. The consultation of the population is strictly related to the principle of transparency, which involves informing citizens about the decisions taken, providing information about the activity of the authorities. Informing and consulting citizens also implies the possibility of involving and involving the public in the decision-making process - art. 17 of Law 436-XV [1].

### **Other forms of participation provided by law**

The transition from the old centralized-hierarchical model to the participatory one in the management of public affairs involved the creation of the community where the spirit of collaboration persists.

Creating a community spirit is possible only in an atmosphere of trust and mutual commitment, the problem is the degree to which participation must be allowed. In order to ensure citizen participation, such methods can be used as (information, consultation, creation of collaborative communities, joint decisions taken by consensus):

1. Opinion polls (the best results are obtained when the questions are addressed directly to the local citizens).
2. Public meetings (citizens come to the headquarters of the public administration and express their opinion: for example at the meeting of the local council).
3. Forums (general assemblies of citizens, voters, etc.). According to art. 4 of Law no. 435/2006 on administrative decentralization, the first level local public administration authorities: local

councils and mayors are invested with the competence to regulate their own fields of activity, which refer to [6, 7]:

- urban planning and management of green spaces of local interest;
- collection and management of household waste, including sanitation and maintenance of land for storage;
- distribution of drinking water, construction and maintenance of sewerage and wastewater treatment systems;
- construction, maintenance and lighting of local public streets and roads;
- local public transport;
- arrangement and maintenance of cemeteries;
- the administration of the goods from the local public and private domains;
- construction, management, maintenance and equipment of preschool and extracurricular institutions (nurseries, kindergartens, art schools, music schools);
- development and management of urban gas and thermal energy distribution networks;
- cultural, sports, recreation and youth activities, as well as the planning, development and management of the infrastructures necessary for these types of activities;
- the arrangement of the agricultural markets, of the commercial spaces, the accomplishment of any other necessary measures for the economic development of the administrative-territorial unit;
- the establishment and management of municipal enterprises and the organization of any other activity necessary for the economic development of the administrative-territorial unit;
- the construction of housing and the granting of other types of facilities for the socially vulnerable layers, as well as for other categories of the population;
- organization of fire services.

The methods numbered above help to analyze, highlight problems in the locality and plan objectives. The form of plans may be different, but they all contain [8]:

1. Objectives - what do we want?
2. Time - when?
3. Resources - with what?, with whom?
4. The customer - for whom?
5. Goal achievement strategy - how?
6. SWOT analysis (Table 1.)

Table 1

| <i>SWOT analysis</i>   |   |
|--|---|
| <p><b>Strong points:</b><br/>Resources, capacity that helps the local public administration to fulfill its mission.</p> <p>Example: professional employees, local members, appropriate insurance, with advanced technologies, special ecological environment, etc.</p> | <p><b>Weaknesses:</b><br/>Lack of resources, capacity that impedes or limits the ability of the local public authority to fulfill its mission.</p> <p>Example: insufficiently qualified staff, lack of initiative, morally used equipment, small budget, etc.</p> |

Continuation Table 1

|   |  |
|---|--|
| <p><b>Opportunities:</b><br/>Potential nurses, policy makers, help resources and trends that will help or could help the community [9].</p> <p>Example: favorable geographical location, presence of the railway, support of the district council, increase of the birth rate, etc.</p> | <p><b>Threats:</b><br/>Potential trends, political factors, environmental differences that would prevent public administration from fulfilling its mission</p> <p>Examples: location of the locality in the area of landslides, active seismic area, low interest from foreign investors, etc.</p> |
|---|--|

### Conclusions

Only citizens can ensure the basic principles of territorial development: efficiency - good use of natural, human, financial and production resources on the entire territory of the Republic of Moldova [9];

- equity - equal rights of access to economic, social and cultural values for all citizens of the Republic of Moldova, regardless of their place of residence;

sustainability - the viability from a technical, financial and institutional point of view of the measures, programs and projects, financed, of regional development [10];

- planning - elaboration and implementation, in accordance with the National Development Strategy and the regional development strategy, of regional development measures, programs and projects, which have clearly defined objectives, priorities and mechanisms;
- coordination - coordination, both at national and regional level, of measures and objectives to support regional development;
- the partnership - the cooperation of the central and local public authorities, the public and private sector, the civil society in the activity of planning, elaboration and implementation of the measures regarding the support of the regional development;
- transparency - clarity in the processes of allocation, distribution and use of means for the realization of regional development strategies, programs and projects.

In conclusion, I mention that usually the inhabitants know best the specifics of the locality, its problems, features and habits, better than any form of government. Therefore, the involvement of locals is crucial for the establishment and implementation of public policies. Thus, the public is one of the greatest resources in the development and practical implementation of local laws and policies.

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