



Connective Cities Dialogue

Cologne 9-11 July

Legal Framework of Local Authorities

European Union



EU-Directives and Decrees



Federal Government



Federal Laws



Federal States

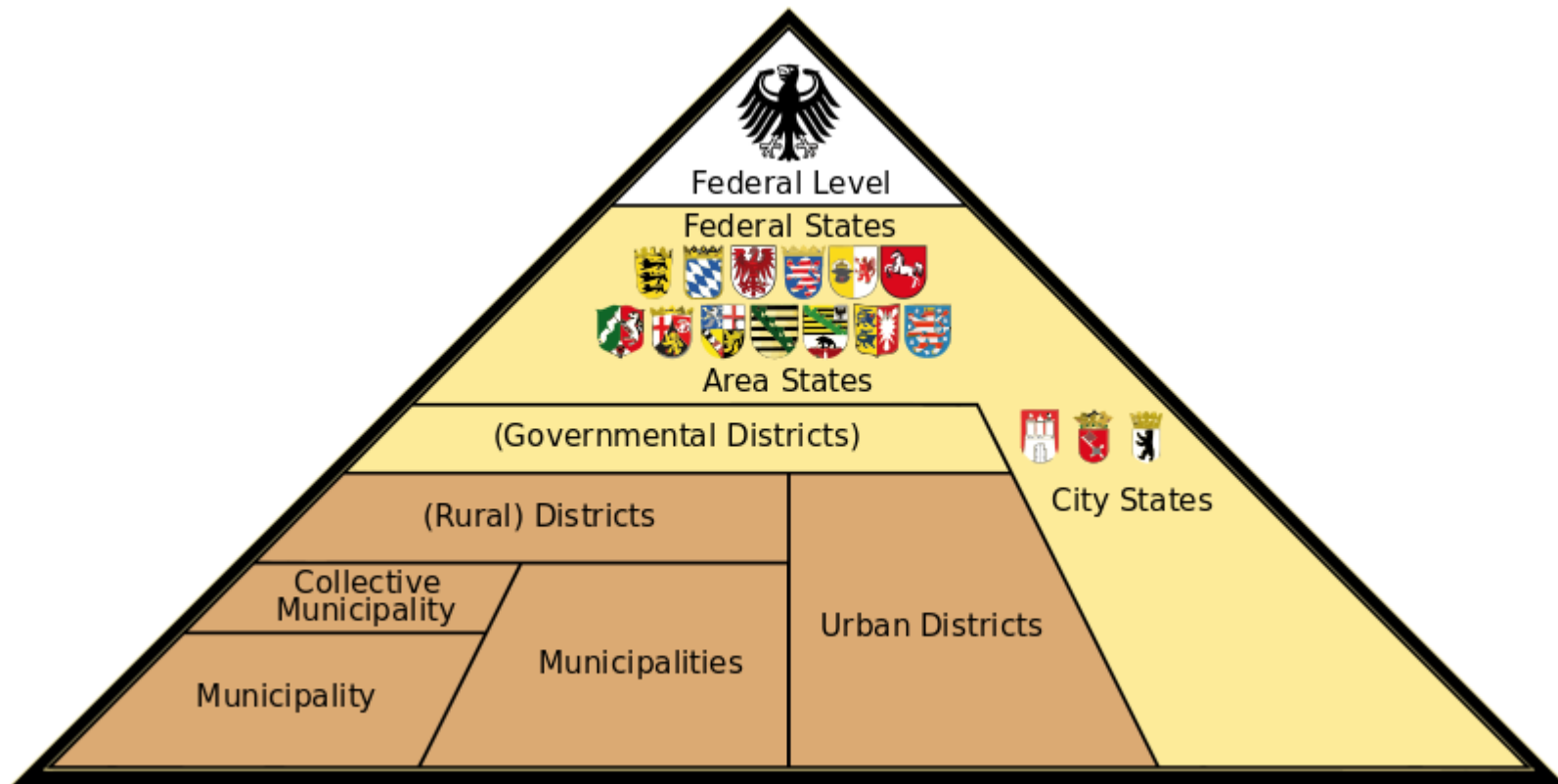


State Law/ Municipal Code



Local Authorities

The Local Government System in Germany



Municipal Bodies

Elected Council (4-6 year terms depending on federal state law)

Directly elected mayors (chair of the board and chair of the council)










Vice mayors elected by the council (responsible for different departments)



Stadtrat Zwickau

Quelle: radiozwickau.de

Tasks of Local Authorities

Own sphere		Assigned sphere
Voluntary tasks	Tasks of local self-government	Statutory task
 Parks	 Streets	 Construction supervision
 Sports facilities	 Schools	 Registration supervision
 Culture	 Water and sewage	 Traffic supervision
Legal supervision		Legal and functional supervision
Political organizational task decision of council		Execution of governmental tasks through head of administration

Part 2. Legislative Framework

Constitutional Framework: Article 28, Section 2

Municipalities must be guaranteed the right to regulate all local affairs on their own responsibility, within the limits prescribed by the laws.

The guarantee of self-government shall extend to the bases of financial autonomy.



Legal Instruments and Rules of Procedure

Hearing Rights of Associations along §47 Rules of Procedure of Ministries

Principle of „Konnexität“ is part of the legislation of all federal states

Right of Constitutional Complaint



Risks for Self-Government of Local Authorities

Structural financial deficits

Non-Compliance with Principle of Connectivity

Voluntary tasks cannot be carried out by poor cities



Quelle: <http://thumbs.dreamstime.com>

German Local Authority Associations

Deutscher Städtetag
(German Association of Cities)
(mainly medium-sized and large cities)

Deutscher Landkreistag
(Association of German Counties)

Deutscher Städte- und Gemeindebund
(German Federation of Towns and Municipalities)
(mainly municipalities and smaller towns and cities)

Grouped together in the Federation of German Local Authority Associations under the leadership of the German Association of Cities (DST) for the purpose of joint representation of overarching municipal interests.

The German Association of Cities

Voluntary association of local government and state-level local government associations for the purpose of joint representation of interests.

Founded in 1905, re- established 1945

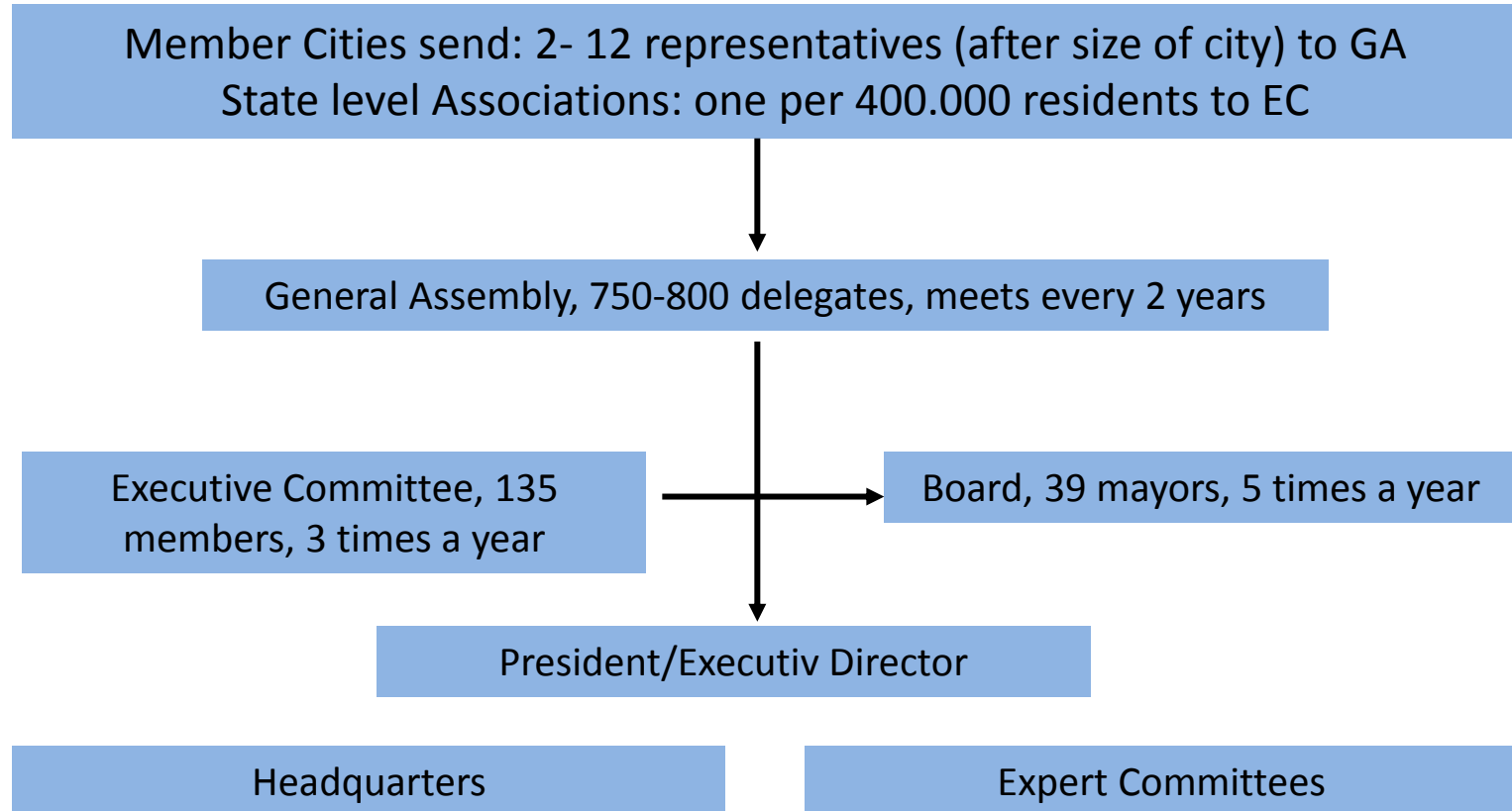
Largest local authority association in Germany.

Independent in party-political terms and only under obligation to its members.



Quelle <http://blogs.hrhero.com>

Structure of DST



DST Members

200 Direct members

16 state-level local authority associations (kommunale Mitgliedsverbände) (incl. city states)

Indirect members: approx. 3.200 cities and municipalities as members of the state-level local authority associations

Exceptional members (12): State level associations and specialist associations

In all, the DST represents about 51 million inhabitants (i.e. around 63% of the population)

Head Office (HO)

HO executes tasks as directed by the decision-taking committees and manages ongoing operations.

Around 120 staff members are employed at Head Office (Cologne / Berlin/Brussels) under the Managing Director Helmut Dedy

The HO is broken down into eight departments

14 specialist committees, consisting of municipal technical leaders/Board members, delegated by federal state associations

200 working groups: municipal experts

Conference of municipal councillors in NRW



HO Cologne



HO Berlin

Head Office (HO) Managing Director: Helmut Dedy Deputy: Dr. Wilfried Jansen Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen		Department I: General Administration Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen		Department II: Legal Affairs Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen		Department III: Finance and Accounting Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen		Department IV: Human Resources Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen		Department V: Information Technology Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen		Department VI: Public Relations Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen		Department VII: Environmental Protection Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen		Department VIII: Social Services Managing Director: Dr. Wilfried Jansen Deputy: Dr. Wilfried Jansen	
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Position of DST

Cities as partners within the state structure

- Room for maneuver
- Adequate funding
- Hearing rights in legislation processes
- Government has no authority of instructions
- Compliance with Principle of Konnexität
(who orders pays)



Quelle: sr.photos3.fotosearch.com

DST Tasks

Represent local government interests vis-à-vis the Federal German Government, the Federal German Parliament (Bundestag), the Federal German Council (Bundesrat), European Union and many other organisations

No Constitutional Hearing Rights, but Hearing Rights as joint rules of procedure in ministries and parliaments

Organize exchanges of experience between members

Provide information on all processes and developments that are of relevance to local government



Quelle: <http://blogs.msdn.com>



Quelle: <http://blogs.msdn.com>



<http://thebigrocks.com>