

Law No. 94-12 on buildings at risk of collapse and the organisation of urban renewal operations

Reference: Dahir No. 1-16-48 of 19 Rejeb 1437 (27 April 2016) promulgating Law No. 94-12 on buildings at risk of collapse and the organisation of urban renewal operations

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Practice areas: Real estate and land law, Administrative law

Law 94-12 governs the handling of buildings at risk of collapse: technical surveys, orders for evacuation, shoring up or demolition issued by the president of the municipal council, the obligations of owners and occupants, and the legal framework for urban renewal operations.

Dangerous building procedure

- A technical survey determines how dangerous the building is and what works are required.
- The president of the municipal council issues an order requiring the building to be shored up, evacuated or demolished.
- Owners bear the cost of the works; if they fail to carry them out, the municipality may do so automatically at their expense.
- Temporary accommodation measures are provided for evacuated occupants.

Urban renewal

- Renewal operations are carried out under agreements involving the State, the municipality and operators.
- Specific rules govern the allocation of co-owners' rights after reconstruction.
- Old urban fabric and medinas are subject to tailored provisions.

Points to watch

- A dangerous building order not challenged within the time limit becomes final and provides the basis for automatic demolition.
- Joint ownership (indivision) is the leading cause of blocked works: arrange for the joint owners to be represented.
- Check whether a dangerous building order exists before buying any property in an old urban area.

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