

Generally mandatory local ordinance

The rigorous thesis on the topic "Generally mandatory local ordinance" deals with one of the most important areas of self-governance, namely local rule-making. Besides the Parliament of the Czech Republic, the government, the ministries or other central state administration bodies, there are also village and town municipalities, which can impose obligations on individuals and legal entities in a generally mandatory legal regulation and, consequently, enforce their fulfilment. This entitlement is based on a constitutional basis, so it cannot be ruled out in any way. However, it is possible to proportionally define the boundaries. Therefore, the local laws are in a certain way limited.

The thesis is divided into several main chapters, whose aim is to describe the phases of the "life" of generally mandatory local ordinance and further elaborating on the areas of public rules and local fees, i.e. areas where the generally mandatory local ordinance is issued most frequently.

The main purpose of the thesis is to acquaint the reader with the issue of the process of adopting generally mandatory local ordinance, including their content requirements according to individual areas. It emphasizes the case law, which is in some cases too general. However, it has been found, that the case law brings too many surprising conclusions, which are not and cannot be desirable in the interests of legal certainty. Due to thorough examination of the Constitutional Court on the local normative formation, there was a time of gradual release (sometimes too big), which will surely lead to the partial restraint of the freedom thus set. On the other hand, the legal regulation is not very desirable or strictly regulated, because of the separate competence, a certain amount of space for implementation must be given to the municipalities. Because the municipalities themselves know their own needs the best.