

## **Abstract**

The topic of the presented thesis are issues related to public spaces. Public spaces are defined in the Municipalities Act and the Capital City of Prague Act and comprise all squares, streets, marketplaces, sidewalks, public green areas, parks and other areas accessible to anyone without restrictions, i.e. serving public use and irrespective of the ownership of the space. This is the only definition in the Czech legal system and several other norms refer to it. The main purpose of public spaces is their public use. Therefore, the relevant legal rules regulate also the limits of various activities in public spaces. The current legal regulation is rather brief and the topic has not been covered extensively in the legal doctrine as of yet. The aim of the thesis is to summarize the legal rules relevant to public spaces and the regulation of activities on them, as well as to identify issues and ambiguities stemming from the insufficient legal regulation.

The first part of the work introduces the definition of public space and its history and illustrates the emergence and abolishment of public spaces. The legal definition characterizes public spaces using the listing of specific types of places and referring to a common characteristic, i.e. accessibility to public. It emphasizes that public spaces are not determined by their ownership.

The financial aspects of using public spaces are reviewed in the second part. Local tax, which is grounded in the Local Fees Act, is the primary payment for using a public space. A more detailed formulation thereof is entrusted to the municipalities in the form of generally binding regulations. Private rental costs and the duty of a municipality to compensate the owner of a plot of land for unjust enrichment for the use of a public area are other forms of financial settlements that need to be taken into account in relation to the use of a public spaces.

The third section describes the various activities that are usually regulated in public spaces by legal regulations in the form of statutes, municipal regulations or directives. It also focuses on the possibilities that municipalities have to regulate certain activity themselves, if they decide to do so.

The fourth part is dedicated to the protection of public spaces by means of the regulation in the Misdemeanor (Minor Offences) Act, in particular to the offences of occupation and littering of public spaces.

The conclusion of the thesis reviews the findings and summarizes the main shortcomings of the current legal regulation.