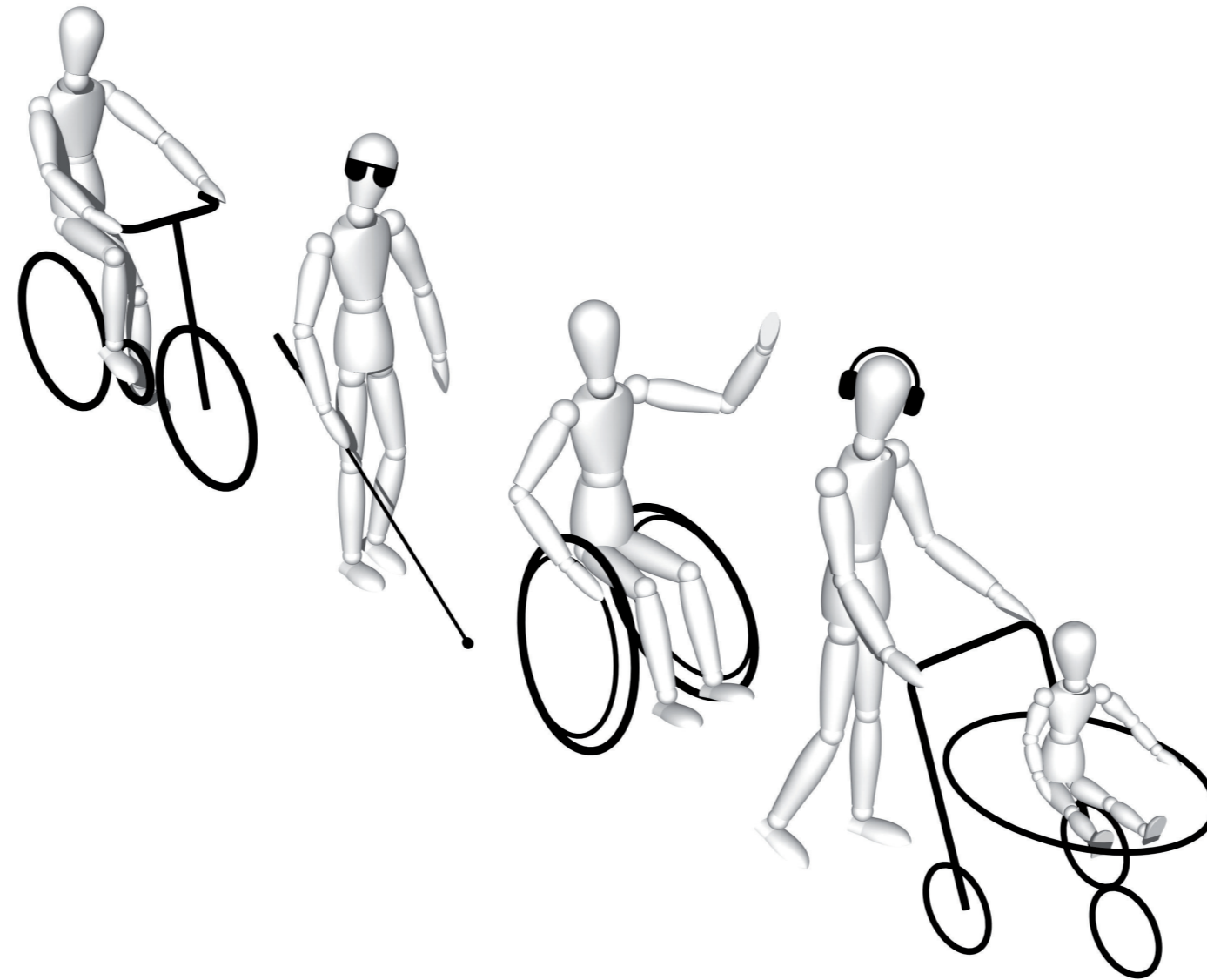


Berlin - Design for all



Berlin - Design for all

Public Outdoor Space

Public Outdoor Space

Overview of legal regulations on public outdoor space in Berlin

Social Legislation	Building Regulations	Outdoor space
Basic Law for the Federal Republic of Germany, Article 3 Abs. 3 1994	Building Regulations for Berlin (BauOBln) 2005	Berlin Road Act (BerlStrG) 1999
Constitution of Berlin, Article 11 1995	Implementing Regulation– List of Technical Building Regulations (AV LTB) 2011	Implementation Regulation on Article 7 of the Berlin Road Act (Berlstrg) on Pedestrian and Bicycle Paths (AV Geh- und Radwege) 2008
State Equal Rights Act (LGBG) 1999	Technical Regulations	
Equal Treatment for People with Disabilities Act (BGG) 2002	Accessible Public Buildings DIN 18040 Part 1 2010	Implementation Regulation on Article 50 of the Building Regulations for Berlin (Bauobln) on Parking Spaces (AV Stellplätze) 2007
General Equal Treatment Act (AGG) 2006	Residential Buildings DIN 18040, Part 2 2011	
UN Convention on the Rights of Persons with Disabilities (CRPD) 2009	Streets, Squares, Paths, Public Traffic and Transport Facilities, Green Spaces and Playgrounds DIN 18024 Part 1 1998	Berlin Water Act (BWG) Article 61 para. 5, sentence 1 2005
Social right to equal function, aesthetics and sustainability		
<i>Berlin-Design for all – Accessable Public Buildings</i> July 2012		
<i>Berlin-Design for all – Public Outdoor Space</i> November 2011		
Circular SenStadt VI A Nr. 03/2010		
Circular SenStadt VI A Nr. 03/2011		

Legal sources for regulations on public outdoor space in Berlin

Social Legislation	Building Regulations
<p>Basic Law for the Federal Republic of Germany, Article 3 para. 3 *1) May 1949 as last amended on 21 July 2010, BGBl. I p. 944 Ban on discrimination against people with disabilities (in accordance with BGBl. I p. 3146, 15 November 1994)</p> <p>Constitution of Berlin, Article 11 November 1995</p> <p>Law on Article 11 of the Constitution of Berlin State Equal Rights Act (LGBG) *1) Mai 1999 GVBl p. 178 and modifications Establishes the right to equal living conditions for people with and without disability</p> <p>Equal Treatment for People with Disabilities Act (BGG) *1), April 2002 BGBl. I p. 1467 and modifications Bans discrimination against people with disabilities at the federal level</p> <p>General Equal Treatment Act (AGG) August 2006 Anti-discrimination law BGBl. I p. 1897 and modifications (Article 15 para. 66 of the law of 05 February 2009)</p> <p>UN Convention on the Rights of Persons with Disabilities (CRPD) Ratified by Germany on 1 January 2009 United Nations Convention on the Rights of Persons with Disabilities</p> <p>Social right to equal function, aesthetics and sustainability</p> <p><i>Berlin- Design For All: Accessible Public Buildings</i> (Manual), Berlin Senate Department for Urban Development 2012 (updated)</p> <p><i>Berlin-Design For All: Public Outdoor Space</i> (Manual), Berlin Senate Department for Urban Development November 2011</p> <p>CIRCULAR SenStadt VI A Nr. 03/2010 *3) General directive for planning and realisation of construction work in Berlin - Construction directive (ABau), Barrier-free construction</p> <p>CIRCULAR SenStadt VI A Nr. 03/2011 *3) General directive for planning and realisation of construction work in Berlin - Construction directive (ABau), Barrier-free construction - Outdoor Space</p>	<p>Building Regulations for Berlin (BauOBln) *3) September 2005 specifically articles 51, 39, 50 as last amended on 29 June 2011, GVBl. p. 315</p> <p>Implementing Regulation–List of Technical Building Regulations (AV LTB)*3) February 2011 Abl. p. 508</p> <p>Technical Regulations</p> <p>Accessible Public Buildings DIN 18040 Part 1, 2010-10 (Replaces DIN 18024 Part 2, 1996-11)</p> <p>Residential Buildings DIN 18040 Part 2, 2011-09 (Replaces DIN 18025 Part 1, 1992-12 and DIN 18025 Part 2, 1996-12)</p> <p>Streets, Squares, Paths, Public Traffic and Transport Facilities, Green Spaces and Playgrounds DIN 18024 Part 1, 1998-01</p>

Outdoor space
<p>Berlin Road Act (BerlStrG) *4) Juli 1999 GVBl. p. 380 and amendments</p> <p>Implementation Regulation on Article 7 of the Berlin Road Act (Berlstrg) on Pedestrian and Bicycle Paths (AV Geh- und Radwege) March 2008 Abl. Nr. 15 / 28.03.2008, p. 764</p> <p>Implementation Regulation on Article 50 of the Building Regulations for Berlin (Bauobln) on Parking Spaces (for passenger cars of persons with severely impaired mobility and persons with wheelchairs and parking for bicycles) (AV Stellplätze) Dezember 2007 Official Gazette p. 3398</p> <p>Berlin Water Act (BWG) *4) June 2005 GVBl. for Berlin, 62. Volume No. 28, 21 July 2006 Third law on legislative simplification and reduction of bureaucracy of 11 JULY 2006 Article XI Amendment to the Berlin Water Act, Article 62 para. 5, sentence 1</p>

*1) Section III, 2.1

*2) Section III, 2.1

Act on the United Nations Convention
of 13 December 2006, ratified by Germany 2009, on the Rights of Persons with Disabilities.

Purpose

The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity.

*3) Section I, 3.2

Building Regulations for Berlin (BauOBln)

*The Building Regulations for Berlin enshrine the requirements of barrier-free construction in Article 51. **The provisions relating to outdoor space apply to all building sites.**

*Note: the brochure *Informationsbroschüre zur Bauordnung* published by the Berlin Senate Department for Urban Development and the Environment provides an overview of building law under the terms of the Building Regulations for Berlin.

*The BauOBln applies to all projects in Berlin. It regulates minimum standards, but not quality standards.

*The Implementation Regulation – **List of Technical Construction Regulations** (AV LTB) must be observed during the process of applying for building permits (BauOBln Article 3, para. 3). The regulations stipulated therein are considered legally binding.

*Für die Vorhaben Berlins gelten über das Bauordnungsrecht hinausgehende Qualitätsstandards, die in dem Handbuch *Berlin-Design for all – Öffentlich zugängliche Gebäude* beschrieben sind.

*In addition to the fundamental building regulations for Berlin (BauOBln) the quality standards set out in the *Berlin-Design for all: Accessible Public Buildings* and *Berlin-Design for all: Public Outdoor Space* should be applied to all Berlin construction projects. As stipulated by Circular VI A No. 03/2010 on the Building Directive (Abau), the specifications in this manual are legally binding for projects undertaken by the federal state of Berlin in keeping with its social policy aims (e.g., LGBG). It is also recommended to apply it to all other publicly accessible buildings.

*4) Section III, 2.2.