

99108012005000

# Apply for or extend special use (except for construction)

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<https://fimportal.de/xzufi-services/6003695-99108012005000/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99108012005000
Leistungsbezeichnung I	Apply for or extend special use (except for construction)
Leistungsbezeichnung II	Apply for or extend special use (except for construction)
Typisierung	3a - Bundesaufsichtsverwaltung: Regelung, Land: Vollzug
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	

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Einheitlicher Ansprechpartner	
Fachlich freigegeben am	
Fachlich freigegeben durch	
Handlungsgrundlage	<ul style="list-style-type: none"> <li>• § 18, 19 Sächsisches Straßengesetz (SächsStrG) – Sondernutzung</li> <li>• § 8 Bundesfernstraßengesetz (FStrG) – Sondernutzung</li> <li>• §§ 32, 33, 46 Straßenverkehrsordnung (StVO) – Ausnahmegenehmigung und Erlaubnis</li> <li>• Verwaltungsverfahrensgesetz (VwVfG)</li> <li>• Verwaltungskostengesetz des Freistaates Sachsen (SächsVwKG)</li> <li>• § 1 Sächsisches Kostenverzeichnis (SächsKVZ) – Anlage 1 zu § 1 Ziffer 88 Straßenrecht</li> <li>• Sondernutzungssatzungen der Gemeinde</li> </ul>
Teaser	<p>A special use is when the public road space is used beyond the common use and the residents' use. This means when you influence the flow of road, bicycle and pedestrian traffic.</p>
Volltext	<p>Special use permit for public traffic areas according to § 18 of the Saxon Road Act (SächsStrG) and § 8 of the Federal Highway Act (FStrG)</p> <p>A special use is when the public road space is used beyond the common use and the residents' use. This means when you influence the flow of road, bicycle and pedestrian traffic.</p> <p>Special uses can include, for example:</p> <ul style="list-style-type: none"> <li>• Street parties</li> <li>• Extending the sales area of a shop on public land</li> <li>• Extending the seating of a restaurant into public areas</li> <li>• Presentation and sale of goods, food and services on stands, in marquees or similar installations, including decorative objects and demarcating markings</li> <li>• Advertising and information stands</li> <li>• Stopping and parking of vehicles for the purpose of</li> </ul>

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selling goods carried in the vehicle (rolling shops)

- Belly shops
- Billboards in public street space
- other bulky installations

If you wish to make use of such a special use, you must apply to the competent authority. A special use permit that has already been granted can be amended or extended on application. Construction work on public roads is also a special use and requires a permit. Separate information on how to apply for a building permit can be found under "Further information".

Note: The municipalities can regulate the details of special use for local thoroughfares and municipal roads by statute. It is therefore recommended that you read these bylaws for your municipality.

### Special use by residents

You do not need a special use permit for use by residents. Road abutters are owners and occupiers of properties located on a public road. They may use the parts of the road adjacent to the property beyond the public use, insofar as this use is necessary for the reasonable use of the property. In addition, public use may not be permanently excluded or significantly impaired, nor may the body of the road be encroached upon.

The demarcation as to whether a permit-free public use or a special use requiring a permit exists should be clarified in advance with the competent authority.

### Note to the responsible authority

On district roads outside of the local thoroughfare, the responsibility lies with the road construction/road traffic authority of the district office.

→ Landratsämter im Freistaat Sachsen  
Amt24-Behördenfinder

## Erforderliche Unterlagen

Depending on the project, further documents may be required, for example:

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- Site plan
- Photos
- Sketches
- Copy of the trade licence
- Travel trade card
- Copy of the extract from the commercial register
- Statement regarding use of public areas
- pictorial representation of the sales facility
- City map with property boundaries
- Draft of the advertising poster (copy)
- Street list
- Security concept (for large events)

## Voraussetzungen

If you want to obtain a special use permit for public traffic areas, you must not

- not strongly influence the public use of others,
- Cause a nuisance to pedestrians or residents through noise,
- not pollute the street excessively,
- not spoil the appearance of the town.

In order to renew your permit, you must have already applied for a special permit for the use of public traffic areas.

## Kosten

- Procedural fee: between EUR 50.00 and EUR 2,100
- Special use fee in different amounts

The costs depend on the fee statutes of the respective city administration. Please enquire in advance at the relevant office.

When applying for an extension of the special use permit:

- There are no costs for you for the application.
- You may incur further costs as a result of the extension of your project.

## Verfahrensablauf

Depending on the regulations of the competent authority, you can apply for special use with an informal letter, forms or online. If you also need to apply for a special permit under road traffic law, you

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can submit both applications at the same time.

- Use the online application or forms if they are available in Amt24 (see -> Online application and forms). To use the online access, create a service account in Amt24.
- With your application, you submit information on the location, type, extent and duration of the special use.
- Your application will be examined by the competent authority together with the attached documents; if necessary, other authorities involved will be included.
- You will receive an acknowledgement of receipt of your application.
- The authority will inform you of its decision in writing. This may be subject to conditions.
- If the result is positive, you will be granted the special use permit. You will also receive a fee notice.

Note: You may have to pay an advance on costs during the procedure. You will receive a separate notification of costs.

Applying for an extension or extension

The permit is granted for a limited period and/or is revoked. You can also apply for an amendment or extension of a special use permit in person or in writing to the competent authority. A detailed explanation of why you need an extension of the special use permit will help the competent office to understand your case more quickly.

**Bearbeitungsdauer**

**Frist** regulated by municipal bylaws, if applicable

**weiterführende Informationen**
**Hinweise**

**Rechtsbehelf** Objection (details in the decision)

**Kurztext**
**Ansprechpunkt**

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Zuständige Stelle	
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Formulare	
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Ursprungsportal	
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