

99012057006000

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/3815/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99012057006000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Excavation; application for an excavation permit
Typisierung	4 - Land: Regelung
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	03.04.2025

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Fachlich freigegeben durch	Bayerisches Staatsministerium für Wohnen, Bau und Verkehr (Bavarian State Ministry of Housing, Building and Transport)
Handlungsgrundlage	https://www.gesetze-bayern.de/Content/Document/BayAbgrG-9 https://www.gesetze-bayern.de/Content/Document/BayAbgrG-9 https://www.gesetze-bayern.de/Content/Document/BayBauVorlV2008 https://www.gesetze-bayern.de/Content/Document/BayBauVorlV2008 https://www.gesetze-bayern.de/Content/Document/BayVwVfG-78a https://www.gesetze-bayern.de/Content/Document/BayVwVfG-78a http://bundesrecht.juris.de/uvpg/ http://bundesrecht.juris.de/uvpg/ https://www.gesetze-bayern.de/Content/Document/BayDBauV https://www.gesetze-bayern.de/Content/Document/BayDBauV https://www.gesetze-bayern.de/Content/Document/BayAbgrG-9 https://www.gesetze-bayern.de/Content/Document/BayAbgrG-9
Teaser	You generally require an excavation permit to carry out an excavation. This does not apply to smaller excavations in particular.
Volltext	<p>An excavation permit grants you the right to carry out an excavation for projects requiring approval. In particular, excavations with a maximum base area of 500 m² and a maximum depth of 2 m are not subject to approval. Approval is therefore only not required if both dimensions are not exceeded.</p> <p>#### Excavation in connection with a building project</p> <p>If the excavation takes place as part of a building project, you do not need to apply for an excavation permit.</p> <p>#### Excavation not requiring a permit</p>

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If the excavation does not require a permit, you do not need to apply for an excavation permit. You would not be granted such a permit.

Consequences of not having the required excavation permit

If you intentionally or negligently carry out an excavation without the required excavation permit, this constitutes an administrative offense. You can be fined up to €500,000 for this.

Erforderliche Unterlagen

- current cadastral map extract
- Site plan

(M 1 : 1,000 or 1 : 5,000)

- Construction drawings
- Building description (form see under "Forms")
- any supporting documentation

Depending on the excavation applied for, further documents may be required. This is particularly the case if an environmental impact assessment is to be carried out.

Voraussetzungen

The excavation permit applied for will only be granted if the project is subject to approval. Furthermore, the excavation must not conflict with any public law regulations that must be examined in the approval procedure.

Kosten

The fees for an excavation permit depend on the quantity of usable excavated material.

- For sand and gravel pits, quarries and similar excavations for the extraction of excavated material for projects with recyclable excavated material up to 50,000 m³ EUR 100 plus EUR 25 per 1,000 m³ or part thereof
- For sand and gravel pits, quarries and similar excavations for the extraction of excavated material for projects with usable excavated material over 50,000 m³ up to 500,000 m³ EUR 1,350 plus EUR 55 for every

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10,000 m³ or part thereof in excess of 50,000 m³

- For sand and gravel pits, quarries and similar excavations for the extraction of excavated material for projects with usable excavated material in excess of 500,000 m³ EUR 3,825 plus EUR 110 per 500,000 m³ in excess of 50,000 m³ or part thereof
- EUR 50 to EUR 2,000 for other independent excavations

If an environmental impact assessment is to be carried out, the fee is increased by 40 %.

Verfahrensablauf

Procedure with or without an environmental impact assessment

The procedure depends in particular on whether or not an environmental impact assessment is to be carried out. The lower excavation authority carries out such an assessment if you apply for an excavation requiring approval with an excavation area of more than 10 hectares. This also applies to excavations with an excavation area of more than one hectare in a protected area, a national park or a nature reserve. If the excavation area of more than one hectare is located in a biotope, the lower excavation authority also carries out an environmental impact assessment.

The lower excavation authority must be involved in the environmental impact assessment:

- the authorities whose environmental responsibilities are affected by the project, and
- the public.

It is not necessary to involve the neighbors themselves, as they have the opportunity to comment as part of the environmental impact assessment.

However, if none of the above-mentioned cases apply, the lower excavation authority will not carry out an environmental impact assessment. For you, this means

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that you must first submit the excavation plan to the neighbors of the excavation site for approval before submitting it. Any consent must be given in writing.

Written submission

- Submit the excavation application with the required documents **to the responsible lower excavation authority** (district offices and independent cities), if necessary after involving the neighbors.
- Submit the application in triplicate using the forms provided.
- An oral application is not possible.
- The lower excavation authority will decide on the application, if necessary after carrying out an environmental impact assessment.
- If the lower excavation authority is not itself a municipality, it will involve the municipality.

Digital submission

Digital submission of excavation applications is not yet possible throughout Bavaria. When a location is selected, the link to the online procedure is displayed if it is already offered.

- The excavation application can be submitted digitally using the online assistant, if necessary after involving the neighbors.
- The predefined forms are replaced by the queries in the online assistant.
- The excavation plan is uploaded to the online assistant in electronic form (files in PDF format).
- Signatures are replaced by authentication using the "BayernID" user account or "My company account".

Bearbeitungsdauer

The processing time depends on the scope and complexity of the project, the current workload of the authority and whether an environmental impact assessment has to be carried out.

Frist

none

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weiterführende Informationen	
Hinweise	For excavations requiring approval, apply for the excavation permit and wait until you have been granted it before you start work.
Rechtsbehelf	<p>If you do not receive the excavation permit you have applied for, you can file an administrative lawsuit. This must be directed at the granting of the requested excavation permit.</p> <p>An objection is not possible.</p>
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal