



Building permit, SCIA, CILA, what are the differences?

When should the SCIA be submitted? And when the CILA instead? Is the building permit the most complex process?

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Premise: TEU legislative and regulatory provisions on construction, commonly known as the **Consolidated Law on construction** and abbreviated T.E.U.

It, among other things, in art. 3 distinguishes the types of building interventions, starting from ordinary maintenance, extraordinary maintenance, restoration and **conservative rehabilitation**, building renovation, new construction, urban restructuring.

From a different point of view it deals with the issue of **building practices**, dividing it into free building, interventions that require the CILA, those that require the SCIA and finally the works subject to the Building Permit.

This subdivision is based on what **the content of the intervention is**. The Consolidated Law accompanies us in the management of the case indicating which is the application / declaration to be presented, CILA, SCIA or Building Permit in the specific case.

The communication of the Certified Commencement of Works, cd. CILA

Art. 6-bis TEU indicates the interventions that require the Certified Commencement of Works **Notice**, cd. CILA.

To tell the truth, this type of work is **identified by exclusion**: art. 6-bis specifies that the CILA is used for all interventions not covered by art. 6, 10 and 22 TEU, that is, respectively, those that do not require the building practice, cd. to free construction (art. 6), those subject to a Building Permit (art. 10), and those subject to SCIA (art. 22).

The CILA must be carried out whenever it is a matter of **extraordinary maintenance operations defined as light**, that is, works that do not affect the structural parts of the building. Consider, **for example**, the refurbishment of one or more systems (so for heating, air conditioning, electricity and so on), the movement of internal non-load-bearing partitions, the splitting of a real estate unit into two or more or, vice versa, to the unification of two or more real estate units, provided that the overall volume does not undergo changes and the intended use is not maintained.

The sworn communication of commencement of work requires the intervention of a **technical professional**. The building works can be **started immediately** without having to wait for a consent from the municipality or for the time of silent consent to elapse. There are no charges to be paid to the Municipality.

The Certified Notification of Commencement of Activities, cd. SCIA

As seen above, art. 22 identifies the interventions that can be carried out by means of the Certified Start of Activity **Report**, cd. SCIA.

The works in question are a little more invasive than those of light extraordinary maintenance

subject to CILA.

We can mention the **extraordinary maintenance** interventions , if they concern structural parts of the building, restoration and conservative rehabilitation works, if they affect the structural parts of the building, building renovation interventions, other than those requiring the Building Permit , variants to building permits that do not change urban planning parameters and volumes, intended use, building category and that do not alter the shape of the listed buildings.

Finally, there are the variants to building permits that do not lead to an essential change, but only if they comply with the urban-building requirements and implemented after the acquisition of any consent documents required by the legislation on landscape, hydrogeological, environmental, protection of the historical, artistic and archaeological heritage and prescribed by other sector regulations.

With the SCIA, the intervention of a **qualified technical professional is required** , who certifies the workmanlike execution of the work. The payment of charges to the Municipality is not foreseen and the interventions can start immediately (the Municipality can, however, block the construction site within 30 days for non-compliance of a technical or legal nature).

CILA and SCIA assonances

For the two types of building practices it is necessary to make use of the work of a **qualified** building design **technician** (surveyor, engineer, architect, building expert) who is in good standing with the registration to his order of belonging. This professional has the task of **certifying** that the works envisaged in the project comply with the sector regulations, whether national or local.

All this must take place **before the actual start of the works** , with the filing of the documents accompanied by the design documents prepared by the professional (project graphic design, technical report, photos of the parts subject to intervention, and other more specific variables case by case) and to any acts of consent necessary to carry out the building intervention. Consider, **for example**, the case of the property subject to landscape constraint.

A copy of the documentation (qualification and related attachments) must always be kept at the property subject to intervention.

For both types of interventions, the activity can be started after the deposition of this documentation.

It should be noted that while in the CILA it is possible to indicate a precise date for the start of the works, for the SCIA the start of the activity is to be considered contextual to the presentation of the same.

The Building Permit

The Building Permit occurs in cases of **very substantial interventions** . The art. 10 TEU indicates subordinate jobs.

It is the **work** of new construction, the urban renovation work, the building renovations that have resulted in a building structure completely or partially different from the previous, and involving changes of total volumes of buildings or prospects, or that, limited to the properties included in homogeneous zones A, they involve changes in the intended use, as well as interventions that involve changes in the shape of buildings subject to restrictions pursuant to Legislative Decree 22 January 2004 no. 42 and subsequent amendments

Differences between CILA, SCIA and Building Permit

From all the above it is clear that **every building intervention has its own building practice** . Already only the modules related to each practice have their own identity, in consideration of the interventions that the practice requires.

Apart from this trivial observation, there is a big **difference between the types** of practices

under consideration here. As mentioned above, the **CILA and the SCIA** are in fact a communication / report that the owner or other person entitled to submit to the municipal administration, together with the asseveration of the designer.

With **the asseveration**, the latter certifies, assuming responsibility, that the interventions comply with urban planning instruments, building regulations, seismic legislation, that on energy consumption and so on.

From this you can have the immediate start of the work.

Instead, with the **Building Permit** the holder submits an application for permission to proceed. Unlike CILA and SCIA, the interventions that require the Building Permit cannot be immediately undertaken because it is necessary to wait for **the municipal administration to examine the application** and, subsequently, to issue the Permit. Only once **the permit has been obtained** can the works be started.

The case of the alternative SCIA to the Building Permit

There is, then, a particular practice called **SCIA alternative to the Building Permit**. By decision of the owner and the designer in charge, this particular SCIA is presented. This is possible only in the cases described by Art 23 T.E.U.

These are building renovation **interventions** that lead to a building organization that is totally or partially different from the previous one and that imply changes in the overall volume of the buildings or elevations, or that, limited to the properties included in homogeneous zones A, have changes in the destination of use, as well as interventions that involve changes in the shape of buildings subject to restrictions pursuant to Legislative Decree 22 January 2004 no. 42 and subsequent amendments

Likewise, these may be new construction and urban restructuring interventions where governed by implementation plans with precise plan-volumetric, typological, formal and constructive provisions.

Finally, it applies to new construction works if in direct execution of general urban planning instruments bearing precise plan-volumetric provisions.

The file must be presented **at least 30 days before the start of the works**, together with the asseveration of the designer certifying compliance with the regulations in force.

The municipal administration, in the 30 days between the presentation of the file and the start of the declared work, has the task of **analyzing the documents** presented. In the event of a **negative outcome**, you can notify the order not to carry out the intervention.

If 30 days pass without any communication from the Municipality, there is silence-assent. From this date the intervention can be undertaken.

The usefulness of this tool is mainly given by the **reduction** of waiting **times** between the presentation of the file and the start of the construction site.

Source: <https://www.condominioweb.com/quando-deve-essere-presentata-la-scia-e-quando-invece-la.18288>

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