

SUMMARY

Subject matter: The Charter of the municipality – as the basis of municipal rulemaking

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The relevance of the research topic is predetermined by the problems that arise in the process of local self-government reform in the Russian Federation. It is enough to point out the fact that the date of entry into force of the Federal law "on General principles of local self-government in the Russian Federation" has been repeatedly postponed, and the law itself after its adoption in 2003 has undergone many changes, many of which are of a fundamental nature. Frequent changes are also observed in the regional legislation on local self-government and at the level of municipalities themselves. Meanwhile, unstable legislation does not contribute to the effective functioning of the Institute of local self-government in the context of the powers granted to it by the Constitution of the Russian Federation. At the same time, the most important place in the system of legal regulation of municipal-legal relations is occupied by the statutes of municipalities.

The purpose of the work is a comprehensive legal study of the charter of the municipality as a regulator of municipal legal relations and the development on this basis of proposals for improving the mechanism of statutory regulation of these relations.

Objectives:

- to study the legal nature, functions and significance of the charter - as a normative source of a municipality;
- to analyze the legal properties of the charter, as the basis of municipal rule-making;
- to consider current issues of legal regulation of procedural issues related to the adoption, amendment of the charter of a municipality in modern Russia.

The theoretical and practical significance is that the approaches and recommendations developed in the course of its preparation and presented in it can be used in the educational process when teaching the subject of municipal law law. And the theoretical conclusions contained in the work can be proposed for subsequent scientific study of this problem.

The results obtained. As a result of the analysis of the current legislation, it can be concluded that, in accordance with the charter of the municipality, local governments carry out their activities, and municipal legal acts are developed and adopted.

The charter of the municipality acts as the most important municipal legal act adopted at the level of local self-government and constitutes its legal basis, in accordance with which municipal legal acts of local self-government are adopted, local self-government bodies operate.

In accordance with Part 3 of Art. 44 of the Federal Law "On the General Principles of the Organization of Local Self-Government in the Russian Federation", the charter of a municipality is adopted by the representative body of the municipality, and in settlements with the number of residents with suffrage no more than 100 people, by the population directly at the gathering of citizens. The draft charter of the municipality should be submitted to a public hearing. The negative point here is the fact that in the practice of holding public hearings on this issue, as a rule, there is a very low turnout of residents, so any discussion does not work.