

GOVERNMENT OF  
LEBANON  
MINISTRY OF INTERIOR AND MUNICIPALITIES

## MUNICIPAL ACT

Decree-law no. 118  
Dated 30/6/1977 & its amendments

[2009]

### NOTE:

The translation of the Municipal Act was prepared on the basis of the provisions of the Decree-law no. 118, dated 30/6/1977 and the subsequent amendments that were introduced until 2008. The Law shall be periodically updated.

For any further clarifications or assistance, please contact:

Ministry of Interior and Municipalities

Directorate General of Municipalities

Tel: +961 1 610120/ 610130

Fax: +961 1 610141

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Decree-law no. 118  
Dated 30/6/1977

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Municipal Act

The President of the Republic

On the basis of the Constitution,

According to Law no. 76/2 dated 30/12/1976 (giving the Government the right to issue decree-laws),

Upon consultation with the State Council,

At the proposal of the Minister of Interior,

Upon the approval of the Council of Ministers dated 27/6/1977,

Decrees as follows:

## TITLE ONE

### MUNICIPALITIES – DEFINITION – CREATION

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Article 1 – The municipality is a local administration exercising, within the scope of its work, the powers entrusted thereto by the law.

The municipality shall hereby enjoy legal personality as well as financial and administrative independence.

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Article 2 – A municipality is established in each town, village or group of villages mentioned in table no.1 attached to Decree-law no. 11 dated December 29, 1954 and its amendments, in accordance with the provisions of this law.

Article 3 – Abrogated by virtue of Article 45 of Law no.665 dated December 30, 1997 and implicitly replaced by the provisions mentioned in Article 41 of the said law.

Article 4 – Abrogated by virtue of Article 45 of Law no.665 dated December 30, 1997 and implicitly replaced by the provisions mentioned in Article 41 of the said law.

Article 5 – Abrogated by virtue of Article 45 of Law no.665 dated December 30, 1997 and implicitly replaced by the provisions mentioned in Article 41 of the said law.

Article 41 of Law no.665/97:

The Ministry of Interior shall be entitled to ask for the assistance of the Directorate of Geographical Affairs in the Army, the Engineering Department in the Internal Security Forces, the Cadastre Department, the Urban Planning Department in all regions, and private engineering offices, in addition to the necessary recruits in the military service, and instruct them to organize the maps that delimit the new neighborhoods or the municipal area of the recent municipalities or those which could be merged or separated in the light of the inter-connected technical, geographic, demographic and economic factors, provided that such operations be carried out at least two months prior to the date of the Municipal and Mayoral elections, in order to be able to delimit the recent towns, villages and neighborhoods that will be called for the elections by virtue of a decision made by the Ministry of Interior addressed to the Electoral Commissions.

The Ministry of Interior shall coordinate the work between the technical, security, military bodies and the private engineering offices, and notify them by virtue of a written mandate concerning the type of works required to be carry out as well as the execution time limits. The concerned ministries and administrations having the directorates, services, departments and technicians mentioned in

this article under their control shall meet the request of the Ministry of Interior as a top priority, in order to perform the required tasks within the time limit specified in the mandate, and, thus, enable the Ministry of Interior to hold the Municipal and Mayoral elections in the said towns, villages and neighborhoods on the set dates.

- Article 6 - The delimitation of the municipal area is an administrative measure having no relation whatsoever with the entries in the cadastral register. The maps delimitating the municipal area shall be attached to the municipality establishment file; the topographic works shall be exempt from any fees.

## TITLE TWO MUNICIPAL BODY

- Article 7 - The municipal body shall consist of a decision-making authority and an executive authority.

### Chapter I The Decision-making Authority

#### Section 1: Municipal Council: Number of Members, Mandate and Election

- Article 8 - The Municipal Council shall hold the decision-making authority.

- Article 9 - Abrogated by virtue of Article 45 of Law no.665 dated December 30, 1997 and implicitly replaced by the provisions mentioned in Article 24 of the said Law:

The Municipal Council shall comprise members determined as follows:

- 1- 9 members for the municipality whose registered residents are less than 2000 people.
- 2- 12 members for the municipality whose registered residents are between 2001 and 4000 people.
- 3- 15 members for the municipality whose registered residents are between 4001 and 12000 people.
- 4- 18 members for the municipality whose registered residents are between 12001 and 24000 people.

- 5- 21 members for the municipality whose registered residents exceed 24000 people, except for what is mentioned in the “f” clause of this article.
- 6- 24 members for the municipalities of Beirut and Tripoli.

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Article 10 - The mandate of the municipal council is for six years.

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Article 11 - Abrogated by virtue of Article 45 of Law no.665/97 and implicitly replaced by the provisions mentioned in Article 21 of the Law no.665 dated 30/12/1997:

- 1- The members of the Municipal Council shall be elected on the basis of general and direct vote according to the procedure determined in the Parliamentary elections law and in this law.
- 2- The Municipality shall form one single constituency.
- 3- The Municipal Council shall elect among its members, a President and a Vice-president by secret ballot and by absolute majority for the term period of the Municipal Council, during its first session, on the date and place set by the Governor Mohafez or District Commissioner Kaemakam, within a period of one month as of the date of announcement of election results. The session is presided over by the oldest members. In the event of equality of votes between two members, the oldest wins. If they are of the same age, they shall be selected by casting lots.
- 4- The President and the Vice-president of the Municipality shall be considered among the members of the Municipal Council and among the number determined for each municipality.
- 5- After three years of the President’s and his Vice-president’s election, the Municipal Council shall be entitled, during its first session, to withdraw confidence from one or both of them, by absolute majority of its total members, according to a petition signed by the quarter of the said members. In this case, the Municipal Council shall immediately hold a session in order to fill the vacant post.

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Article 12 - Abrogated by virtue of Article 45 of Law no.665 dated December 30, 1997.

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Article 13 – Shall only participate in the voting, the voter whose name is included in the voter’s roll or is decided to be listed by the registration committee.

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Article 14 – The Municipal Electoral Commissions shall be called upon a decision issued by the Minister of Interior within two months prior to the

end of the term of the Municipal Councils. The said decision should mention the polling stations, provided that a time limit of at least 30 days separates the promulgation thereof from the meeting of the Electoral Commission.

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Article 15 - Abrogated by virtue of Article 45 of Law no.665/97 and implicitly replaced by the provisions mentioned in Article 23 of Law number 665 dated December 30, 1997:

The Minister of Interior is entitled to set a date for the elections to take place in one single day for all the municipalities, or to set separate dates for each municipality or group of municipalities if necessary in order to preserve the safety of the election processes, provided that the elections shall be held in all municipalities within the time limits specified in Article 14 of the Municipal Act.

The municipal elections shall be held in all Lebanese regions in accordance with the legal procedure specified in this law, except for the towns and villages falling under the Israeli occupation, in which the Governor Mohafez and the District Commissioner Kaemakam shall continue to perform the tasks of the municipal councils.

Section added by virtue of Law no.316 dated 20/4/2001:

The Government shall call for the municipal elections to be held in the said towns and villages prior to September 30, 2001.

Furthermore, the towns and villages located in the displaced regions where neither reconciliation nor settlement has been achieved shall be identified by a decree adopted by the Council of Ministers, upon the suggestion of the Minister of Interior and Municipalities, and the Minister of Displaced Affairs. The Government shall call for municipal elections to be held in such towns and villages, whenever it proves necessary, by virtue of a decision issued by the Council of Ministers, within a three-month period as of the date of the said decision.

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Article 16 - The provisions of the Parliamentary elections law shall apply to the municipal elections in conformity with all the provisions of this law.

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Article 17 – The Municipal Councils shall adopt the same Voter’s roll as the Parliamentary elections law.

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Article 18 - Abrogated by virtue of Article 45 of Law no.665 and implicitly replaced by the provisions mentioned in Article 25 of Law no.665 dated 30/12/1997:

- 1- Each candidate running for municipal elections shall submit to the District Centre Kaemakamiya or Governorate Mohafaza in the Mohafaza centers, at least ten days prior to the date of the elections, a notarized declaration including his name and the name of the municipality in which he runs for elections. The Notary Public shall collect a lump sum of ten thousand Lebanese pounds for each declaration.
- 2- Shall only be accepted the candidacy of the candidate being a voter whose name is listed in the voter roll related to the municipality in the Council of which he is willing to become a member, having paid a deposit of five hundred thousand Lebanese pounds and having met the eligibility requirements related to the membership to Municipal Councils provided for in Decree-law no.118/77 (Municipal Act).
- 3- The District commissioner Kaemakam or Governor Mohafez shall give a receipt proving the candidacy application. The latter shall, within three days of the candidacy application, issue a decision justifying the approval or refusal of the application; his silence shall be otherwise considered, after the expiration of this period, an implicit decision of approval. The decision of approval or refusal of the candidacy application shall be posted, when issued, on the door of the Kaemakamiya or Mohafaza; the minutes shall be drawn up and signed by the competent employee.
- 4- The candidate may, within one week as of the date of the issuance of the candidacy refusal decision, to review the Sate Council with a petition free of charge or any other formalities. The Council shall deliberate and decide on his petition within five days as of its registration date in the Clerk's office; otherwise it shall be deemed accepted.
- 5- The names of the candidates whose candidacy applications have been accepted shall be published, without any delay, on the municipality's door in which they run for elections.
- 6- The deposit should be refunded to the concerned candidate if he ever withdraws his candidacy by virtue of a certified declaration by the Notary Public to be submitted to the Kaemakamiya or Mohafaza, at least five days prior to the date of the elections.



Article 19 - Abrogated by virtue of Article 45 of Law no.665/97 and implicitly replaced by the provisions mentioned in Articles 26 and 45 of Law no.665 dated December 30, 1997):

- 1- The Ministry of Interior shall determine, by virtue of a decision calling for voters the number of members to be elected in each municipality as well as the number of members in each village in the event that a municipality consists of several villages, according to the number of residents therein. Candidacy shall be filed on this basis.
- 2- Shall win the elections the candidate who obtains the highest vote count. In the event of equality of votes, the older is the winner. In the event of equality of ages, the voter's registration committee shall resort to casting lots as provided for in Article 7 of this law.
- 3- If the number of candidates is equal to the number required of members to be elected and the candidacy period is expired, such candidates shall be deemed uncontested winners upon a decision issued by the Governor Mohafez and the District Commissioner Kaemakam. In case the number of candidates is not equal to the number required of members to be elected by the candidacy closing date, or in the event that this is due to the withdrawal of candidacy by any candidate, new candidacies shall be accepted provided they are submitted three days prior to the Election Day.
- 4- The deposit shall be refunded to the candidate if he wins the election or if he gets at least 25% of the votes in the election.

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Article 20

- 1- The validity of the elections may be challenged before the State Council within fifteen days following the declaration of poll.
- 2- The provisions of Articles 329 to 334 of the Criminal Code shall be applied to the acts committed to ruin the elections.

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Article 21 - In the event of vacancy of at least quarter of the posts in the Municipal Council, members for the vacant posts shall be elected for the remaining period within two months from the date of the vacancy of the last post, provided that the fraction of the number is rounded off to one.

Section 2: Dissolution and reelection of the  
Municipal Council

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Article 22 - The Municipal Council may be dissolved by virtue of a justified decree adopted by the Council of Ministers upon the suggestion of the Minister of Interior if any recurrent grave violations are committed causing serious damage to the municipality's interests.

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Article 23 - The Municipal Council shall be duly considered dissolved in the event of loss of at least half of its members or its election is annulled. The Minister of Interior shall declare the dissolution by issuing a decision no later than one week as of the date of the notification of the Ministry of Interior; his silence shall be otherwise considered an implicit decision of approval.

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Article 24 - Shall the Municipal Council be dissolved or be deemed dissolved, a new council shall be elected within a period of two months from the date of the dissolution decree or of the dissolution declaration decision.

The District Commissioner Kaemakam or the principal Head of department in the Caza and the Governor Mohafez or the Secretary General in the Mohafaza shall take charge of the works of the Municipal Council until the election of a new council upon a decision issued by the Minister of Interior.

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Article 25 – The Municipal Council shall not be renewed, in whole or in part, during the six months before the end of the Municipal Council mandate.

## Chapter II Regulations of the Municipal Council Members

### Section 1: Impediment and Loss of Capacity

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Article 26 - Abrogated by virtue of Article 45 of Law no.665/97 and implicitly replaced by the provisions mentioned in Article 22 and 45 of Law no.665 dated December 30, 1997 and clause "d" of Law no.25 dated October 8, 2008:

It is inadmissible to combine presidency or membership of the Municipality with:

- 1- Membership of Parliament or Minister
- 2- Mayor or Member of the Mayoral Council
- 3- Judicial system
- 4- Civil service, independent agencies, public institutions and municipalities
- 5- Presidency or Membership of Board of directors of independent agencies or public institutions
- 6- Holder of a privilege or its functions in the municipal area
- 7- Membership or posts in committees in charge of management of public utility projects in the scope of the municipality.

From Law no.25 dated October 8, 2008:

- 1- The below mentioned persons may not run as candidates for parliamentary elections while still exercising their jobs, and within the periods that follow their end of service or their resignation acceptance date:

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- d- Presidents or vice-presidents of Municipal Councils in the Governorates Muhafazat, District centers Kaemmakamiya and Municipal Unions, unless they submit their resignation and effectively stop the practice of their functions at least two years before the expiry of the Parliament's mandate, and six months at least before that date for the rest of Municipal Councils' presidents and vice-presidents.

Article 27 - Shall be prevented from membership in the Municipal Council:

- 1- Illiterate people
- 2- Persons deprived or dispossessed by legal sentence of their civil rights
- 3- Persons convicted of felonies or major offences as stated in clause 3 of Article 10 of the parliamentary elections law or of the felonies stated in Articles 329 to 334 of the Criminal Code
- 4- Persons convicted of belonging to secret organizations
- 5- Persons interdicted by court order for madness or insanity
- 6- Persons declared bankrupt until their rehabilitation.

Article 28 - A person cannot be a member of several municipal councils. Furthermore, it is not allowed to have in the same municipality, a father and one of his children, a mother and one of her children, a husband and his wife, a father-in-law and the husband of the daughter or the wife of the son, a mother-in-law and the wife of the son or the husband of the

daughter, brothers and sisters, an uncle and his nephew, the (maternal) uncle and his nephew, and the husband of the sister and the wife of the brother, as members of the same Municipal Council. In case two of the above mentioned relatives are elected and none of them resigns, the District Commissioner Kaemakam shall discharge the younger. In the event of equality of votes, one of them is discharged by casting lots in the first meeting held by the Municipal Council.

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Article 29 - In the event of election of any of the persons mentioned in Article 26 of this law as a municipal member, he shall choose, within the period of two weeks, between his membership and his function, otherwise he shall be duly considered dismissed from the membership of the municipality, by virtue of a decision issued by the Governor Mohafez. If any of the Municipal Council members falls under one of the cases mentioned in Article 27 of this law, he shall be considered duly resigned from the membership of the municipality by virtue of a decision issued by the Governor Mohafez.

## Section 2: Resignation and suspension of work

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Article 30 - The resignation of the President, Vice-president or municipal member shall be submitted to the Governor Mohafez through the District Commissioner Kaemakam and shall be deemed final as of the date of the approval decision issued by the Governor Mohafez. If the approval is not decided, the resignation shall be deemed final after one month as of the date of submission of a second resignation to be sent by registered mail. After the expiration of fifteen days as of the approval of the President or Vice-president's resignation, or of the resignation being deemed final, the Municipal Council shall meet in accordance with the provisions of Article 71 of this law.

The resignation could be withdrawn before the approval decision is issued or before it is deemed final.

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Article 31 - If any member of the Municipal Council fails to attend the meeting four times in a row without any legitimate excuse, the President of the Municipal Council shall call for an extraordinary session to be held for this purpose.

The Municipal Council shall consider the reasons for the absence of the member, and shall take a decision by which he deems the member resigned.

The Municipal Council decision by which it deems the member resigned shall be approved by the Minister of Interior.

The member deemed resigned shall be entitled to challenge the decision before the State Council, within a period of ten days as of the notification date.

### Chapter III Work Progress in the Municipal Council

#### Section 1: Convening the Municipal Council Meetings

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Article 32 - The Municipal Council shall meet at least once a month upon the calling of a meeting from its President and when the need be. The President shall set the agenda of the meeting in his summons.

The President shall call for the Municipal Council meeting upon the request of the Governor Mohafez, the District Commissioner Kaemakam or the majority of the Municipal Council members, provided that the reasons for the meeting as well as the agenda shall be stated in the request and in the summons.

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Article 33 - The summons should be written and sent, at least three days prior to the session, to the domicile of the member or to his elected domicile. This period could be reduced if necessary.

The Municipal Council shall consider the reduction of the time limit and decide whether to keep the meeting on the same date or to postpone it to another date. The member residing outside the municipal area shall select a domicile within the municipal area; otherwise, he will be considered duly notified in the municipality hall.

#### Section 2: Quorum and Debates

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Article 34 - The debate of the Municipal Council shall not be considered legal unless more than half of the members of the Council attend, on the date of the meeting when the debate takes place. If the said quorum is not

reached, the meeting shall be postponed and the members are called for another meeting that should be set twenty-four hours later at least. The meeting shall not be considered legal unless at least third of the members attend, provided that the second summons consists of an explicit conclusion of the provisions of this article.

The second summons could be spared and the session shall be legal, if proved that the failure to attend the meeting results from a personal interest of the absent members or of a person of whom they are managing the work.

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Article 35 - The Municipal Council sessions are held in secrecy. The Governor Mohafez and the District Commissioner Kaemakam shall be entitled to attend the said sessions upon their own request but are not entitled to vote.

The President of the Municipality shall be entitled to convene any employee or person to the sessions of the Municipal Council and to listen to him.

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Article 36 - The President of the Municipality shall preside over the sessions of the Municipal Council. In the event of his absence, the Vice-president shall stand in for him; otherwise, the oldest member will preside.