



# THE LEGAL FRAMEWORK GOVERNING LOCAL AUTHORITIES' FLOOD-RELATED ACTION

JOANNA RADZIEJA

Deputy President  
of the Regional Chamber of Audit in Wrocław

# WROCLAW REGIONAL CHAMBER OF AUDIT JURISDICTION

Chamber's area covers the Lower Silesia region:

- ▶ 169 local borough authorities
- ▶ 26 counties
- ▶ 14 local borough authority associations or county-level associations
- ▶ 1 self-governing region

# CHAMBERS TASKS

1. Supervision including:
  - ▶ investigating budgets
  - ▶ investigating long-term financial forecasts
2. Audit:
  - ▶ financial management, including the enforcement of tax liabilities and procurement based on legal criterion and the verification of documents and fact



## WROCŁAW 1997

Fot. Andrzej Łuc

<https://gazetawroclawska.pl/powodz-1997-we-wroclawiu-wielka-woda-bezlitosnie-zmierzala-do-stolicy-dolnego-slaska-mija-wlasnie-27-lat-zobaczcie-zdjecia/ar/c5-3933723>

# FLOOD PROTECTION — LOCAL AUTHORITY ACTIVITIES (1)

## 1. Crisis Management and Response

### ❖ Key tasks

- ▶ Develop and update flood operational plans
- ▶ Announce/revoke flood alerts and alarms
- ▶ Direct rescue and evacuation operations
- ▶ Maintain local flood warehouses (sandbags, etc.)
- ▶ Liaise with State Fire Service (PSP), Volunteer Fire Brigades (OSP), and Polish Water Board (PGW WP)

# FLOOD PROTECTION — LOCAL AUTHORITY ACTIVITIES (2)

## 2. Spatial Planning

- ❖ Preventive role: Long-term risk reduction
- ❖ Key tasks
  - ▶ Limit construction in floodplains (via local spatial development plans - MPZP)
  - ▶ Issue building permits considering flood risk

# FLOOD PROTECTION — LOCAL AUTHORITY ACTIVITIES (3)

## 3. Assistance and Information

- ❖ Support for citizens and recovery
- ❖ Key tasks:
  - ▶ Provide aid to flood victims (shelter, food, financial support)
  - ▶ Educate and inform residents on threats and procedures
  - ▶ Support Volunteer Fire Brigades (OSP) – crucial for local response

# 2024 FLOOD CHARACTERISTICS (1)

- ❖ The flood began on September 13, and ended on October 4, 2024, lasting 22 days. During the flood, water overflowed flood control structures and caused them to fail.
- ❖ The number of local government units in Lower Silesia that suffered damage to their municipal infrastructure was 142\*.

\* Source of data: Statistics Poland (GUS).

# 2024 FLOOD CHARACTERISTICS (2)

- ❖ According to data from December 2024\*\*, the flood's impact on Lower Silesia was as follows:
  - ▶ 177,294 people affected
  - ▶ 9,744 flooded residential buildings
  - ▶ 513 flooded public buildings
  - ▶ 240 historical monuments affected

\*\* Data presented in the Report on the Review and Update of the Preliminary Flood Risk Assessment in the 3rd Planning Cycle, Annex No. 7, Flood in September 2024 ([https://powodz.gov.pl/www/powodz/aWORP/3W-12\\_Zal7\\_Raport\\_Powodz\\_we\\_wrzesniu\\_2024\\_20250124\\_v1.00.pdf](https://powodz.gov.pl/www/powodz/aWORP/3W-12_Zal7_Raport_Powodz_we_wrzesniu_2024_20250124_v1.00.pdf)) based on data from the Ministry of Interior and Administration and data from the Lower Silesian Voivode.

# 2024 FLOOD CHARACTERISTICS (3)

- ❖ Damage to local government infrastructure: 5.7 billion PLN
- ❖ Damage to roads:
  - ▶ total length of damaged local borough authority roads: 889.13 km (damage value: 1.3 billion PLN)
  - ▶ total length of damaged county roads: 721.98 km (damage value: 1.2 billion PLN)
  - ▶ total length of damaged self-governing region roads: 133.88 km (damage value: 0.5 billion PLN)

# LEGAL FRAMEWORK FOR FLOOD MANAGEMENT — KEY LEGAL REGULATIONS PUT INTO EFFECT TO MANAGE THE 2024 FLOOD RESPONSE

- ▶ The Crisis Management Act of April 26, 2007  
(Journal of Laws of 2023, item 122, as amended)
- ▶ The State of Natural Disaster Act of April 18, 2002  
(Journal of Laws of 2025, item 112)
- ▶ The Act on Special Solutions for the Consequences of Flood Damage of September 16, 2011 (Journal of Laws of 2024, item 654, as amended) and other acts introducing amendments to this act, specifically The Act of May 9, 2025 (Journal of Laws, item 680) "Special Act"

# THE CRISIS MANAGEMENT ACT

- ▶ defines the bodies competent in crisis management matters and their tasks and operating principles in this area, as well as the rules for financing crisis management tasks – specifies the obligations of local authorities
- ▶ expenses for crisis management should be planned within the budgets of the respective local authorities
- ▶ local authorities may receive specific-purpose subsidies from the state budget for crisis management
- ▶ each local authority budget should include a specific-purpose reserve for crisis management, amounting to not less than 0.5% of the local authority's budget expenditures, reduced by investment expenditures, expenditures on salaries and related expenses, and debt service expenditures

# THE STATE OF NATURAL DISASTER ACT (1)

- ❖ This is an extraordinary state specified in the Constitution;
- ❖ can be introduced:
  - ▶ to prevent the effects of natural disasters or technical failures which result in natural disaster, as well as to remove these effects;
  - ▶ in the area where the natural disaster occurred, as well as in the area where the effects of the natural disaster have occurred or may occur;
  - ▶ for a specified period not exceeding 30 days;
  - ▶ by a regulation of the Cabinet; the regulation specifies the reasons, the date of its introduction, the area and duration of the state of natural disaster, as well as the types of necessary restrictions on human and civil freedoms and rights.

# THE STATE OF NATURAL DISASTER ACT (2)

Competences within local authorities:

- ❖ Mayors are responsible for managing the response within their jurisdiction, they have the authority to issue orders to:
  - ▶ village management teams,
  - ▶ heads of local borough authority organisations,
  - ▶ heads of fire protection operating in a given area,
  - ▶ heads of organisations temporarily transferred at their disposal.
- ❖ During a state of natural disaster, a local authority's powers may also be suspended. The Minister of Internal Affairs and Administration may appoint an administrator to exercise these powers.

# SPECIAL SOLUTIONS FOR THE CONSEQUENCES OF FLOOD DAMAGE ACT

Funding for the specific solutions outlined in the act comes from a state budget special-purpose reserve designated for natural disaster prevention and after flood management.

Examples of solutions applied by local authorities based on this act:

- ▶ waiving the standard rule that state grants for local projects cannot exceed 80% of the project cost;
- ▶ allowing local authorities to purchase state-owned agricultural land for flood victims without public tender;
- ▶ giving local authorities the right of first refusal on residential properties in affected areas;
- ▶ support for local authorities in building new houses and flats.

# THE SPECIAL ACT

An affected person, including an affected local borough authority, who was the owner of real estate at the time of the September 2024 flood, with at least one residential building which was damaged by the flood to such an extent that it must be demolished, may submit a request to the State Treasury to purchase this real estate by October 1, 2025.



## ŁĄDEK-ZDRÓJ, FLOOD 2024



# ŁAŃDEK-ZDRÓJ, FLOOD 2024



## ŁĄDEK-ZDRÓJ, FLOOD 2024

# CASE OF ŁĄDEK-ZDRÓJ (1)

As of January 1, 2024, the Łądek-Zdrój budget was as follows:

- ▶ Revenue: 53.3 million PLN
- ▶ Expenditure: 55.8 million PLN

Initially estimated rebuilding costs for local authority property damaged by the flood: 302 million PLN

This includes:

- ▶ Roads: 109 million PLN
- ▶ Bridges: 32.7 million PLN
- ▶ Footbridges: 6.3 million PLN
- ▶ Local authority buildings: 16.3 million PLN
- ▶ Water supply network: 5.4 million PLN
- ▶ Sewage network: 3.4 million PLN
- ▶ Land drainage systems: 0.2 million PLN
- ▶ Other (e.g., sewage treatment plants, schools, town hall): 128.5 million PLN

# CASE OF ŁĄDEK-ZDRÓJ (2)

Characteristics of the Łądek-Zdrój local authority budget

As of January 1, 2024, the Łądek-Zdrój budget was as follows:

- ▶ Revenue: 53.3 million PLN
- ▶ Expenditure: 55.8 million PLN

Budgetary Increases Following the Flood

The local authority experienced a significant increase in its budget due to flood-related circumstances.

- ▶ Revenue increased by: 193.8 million PLN
- ▶ Expenditure increased by: 124.8 million PLN

# CASE OF LADEK-ZDRÓJ (3)

The sources of the increased revenue were:

- ▶ 113.6 million PLN in state budget grants (including 72.2 million PLN for targeted benefits for flood-affected individuals)
- ▶ 68.9 million PLN in state budget subsidies
- ▶ 6.7 million PLN in grants from other local authorities
- ▶ 4.6 million PLN in donations

# CASE OF STRONIE ŚLĄSKIE

As of January 1, 2024, the Stronie Śląskie budget was as follows:

- ▶ Revenue: 56.6 million PLN
- ▶ Expenditure: 66.7 million PLN

Initially estimated rebuilding costs for local authority property damaged by the flood: 207 million PLN



## STRONIE ŚLĄSKIE, FLOOD 2024

<https://dkl24.pl/pl/18885/63/c/stronie-slaskie---na-odbudowe-parku-przyjdzie-poczekac.html>



## STRONIE ŚLĄSKIE, FLOOD 2024

<https://dki24.pl/pl/18885/63/c/stronie-slaskie---na-odbudowe-parku-przyjdzie-poczekac.html>

Thank you for your attention

