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GENERAL THEORETICAL ASPECTS OF THE LEGAL PERSONALITY OF A CITY IN UKRAINE

The researches of the multifaceted manifestations of a city as a cultural phenomenon give the reasons to claim the existence of its various status characteristics. Therefore, the purpose of the paper is the exploration and determination of the general theoretical aspects of the legal status of a city in Ukrainian law, using the developments of researchers of a city in various social spheres of knowledge and jurisprudence.

A city is the social, cultural, political and legal phenomenon, which can be defined as the legal person and as a bearer of the legal personality (economic, constitutional, civil, land, municipal etc.). Moreover, being the legal person means not only realizing the rights and duties but also participating in the legal relations. That is why, cities as the participants of legal interactions, which are involved into legal communications, can be represented as legal personalities.

The author proposes to distinguish general, special and exceptional legal status of a city. The general legal status

is the status which presupposes that the city is the urban community which is designed to solve some common problems and to ensure the vital activity and the rights of the urban population. The special legal status characterizes the cities that have the particularities of the spatial, economic, military or administrative nature. The exceptional legal status implies that the city is characterized by the particular individual features (for example, capital-cities).

Researching the city as the phenomenon from the standpoint of general theoretical jurisprudence leads to the formation of the theory of the urban law and the urban legal system. This makes up consider of the cities to be the autonomous legal persons, which realize their legal personality not only in municipal, commercial and constitutional law, but also by creating their special system of legal norms and institutions, which are grounded on the specific urban legal consciousness and urban legal culture.