

“De Hedificiis Communibus Murandis ...”

Notes on the Beginning of Building Regulations in Medieval Tuscany

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The formation of the independent town in Italy during the eleventh and twelfth centuries is a central theme of historic sciences. The history of art and architecture is concerned with its expression in buildings while historians, especially law historians, research its political-administrative organisation. A particular part is played by municipal statutes, born from the collection and setting out in writing of established rights, orders of municipal organs and oaths of office bearers. In the beginning municipal statutes were either in no order or in a chronological one, yet were structured by practical criteria in single *libri* (books) during the thirteenth century and reflect a rapid development of administration of independent towns (Keller 1988, 1991).

It was Wolfgang Braunfels, who was the first to use those municipal statutes for history of art, mentioning them as far back as 1953 as “the most important source on medieval building at all” (1979, p. 13). Since the end of the 1980s municipal statutes were increasingly brought in for art historical studies (e.g. Paul 1963; Gardner 1987; Russel jr. 1988; Guidoni 1989; Riccetti 1990/91; Finotto 1992; Bocchi 1997; Dietl 2000; Tragbar 2003), there have recently been odd attempts at interdisciplinary collaboration between the fields of art and legal history (Stolleis and Wolff 2004). Below I will try to examine municipal statutes with particular regard to regulations concerning private building to give an overview of building legislation in medieval towns in Tuscany.

Some basic problems should be taken into consideration: What kind of status do statutes have in daily urban life? Do they describe an ideal town or are they reaction to an unacceptable state of affairs? What is the relationship between regulation and real life, e.g. when demolition of wooden porches and balconies is ordered again and again though they were forbidden on principle? Following Keller statutes are “not only a fundamental collection of municipal norms but at the same time one of the most important symbols of urban community, a reflection one could say of correct order and a guideline for political-administrative activities” (2004, p. 31). Firstly, they reflect the will of municipal organs to show their independence by taking on sovereign tasks, which were practised by the bishop or count as town rulers for a long time. Secondly, the concern for security and order and, last but not least, the concern for both the townscape and beauty are main themes of municipal statutes.

SOVEREIGN TASKS

Limit of building height

The oldest building regulations remaining are those limiting the height of buildings. They have their roots in the fortification regale, one of the royal regales known since Carolingian times to secure particular sources of revenue and therefore the power of Carolingian kingship. Documentary references to the fortification regale are found mostly in crisis situation; e.g. Charles II in 864 particularly emphasizes the requirement of royal permission for fortification in the chapter of Pîtres and ordered all “castles and fortifications made without my words” to be razed to the ground (MGH LL Capitularia regum Francorum, vol. 2, no. 273).

In Italy many references to the fortification regale are found because of the Hungarian invasion. On 24 May 904 Berengar I allows bishop Adalbert of Bergamo to rebuild towns’ fortification together with the townsfolk (Böhmer 1833, no. 1325), the permission is re-issued on 23 June 904 (Schiaparelli 1903, no. 47). With that townsfolk appears as municipal community, a first step towards the independent town as a legal form of its own. In 909 Berengar I allows the occupants of a castle to reinforce it as protection from the Hungarians (Muratori Ant. Ital., vol. 2, 1739, cols. 465–6), in 1014 Henry IV privileges the occupants of castle Savona and prohibits the building of fortifications inside and in front of the town (MGH DD Heinrich II. und Arduin, no. 303), and in 1035 Conrad II affirms the rights and possessions of the occupants of Capodistria, among them a Turre Capricam (MGH DD Konrad II., no. 219).

In 1081 Henry IV certifies to the townsfolk of Lucca that nobody should raze their town walls and prohibits the building of castles within 6 miles (MGH DD Heinrich IV., no. 334). Another official document issued by him in the same year to nearby Pisa on one hand secures Pisas wide-ranging liberties, but limits the height of buildings at 36 *braccia* (cubit), 21.60 m (MGH DD Heinrich IV., no. 336). This means that the document represents the oldest known limitation of building height. In his edict of around 1088 Pisan bishop Daibert adopts the same standard and limits building height again at 36 *braccia*. He mentions existing buildings as standard measure, prohibits any kind of fortification and absolves his advisers from those regulations (Bonaini 1854–1870 I, 1854, pp. 16–8). After all the Pisan Breve of 1162 orders, as the will of the independent town, that two people make sure that nobody should built above the “measurements laid down in the old statutes” (Bonaini 1854–70 I, 1854, p. 11).

Similar regulations are found in other towns as well. In Pistoia the Breve dei consoli (1140–1180), 13, limits building height to the height of the tower of Ildebrando Vandinis’ sons (Rauty 1996, pp. 146–7); this limit was still mentioned in the towns’ statute from the twelfth century, 96, (Berlan 1874, p. 39) and in the statute of Podestà of 1296, V, 2 (Zdekauer 1888, p. 271).

In Volterra the statute of 1207, 92, 144, restricts building height to 30 *braccia*, 18.00 m, and furthermore prohibits wooden structures on top (Fiumi 1957, pp. 11–2). The statute of 1224, II, 92, additionally names the towers Buonparenti, Cafferecci and Guidi as standard measure, it allows structures on top only up to 5 *braccia*, 3.00 m (Fiumi 1951, pp. 153–5). The mentioned tower houses all stand in remarkable urban locations, at the corner of an important crossing and on the main streets of the town. As well in Lucca the statute of 1308, IV, 68, names some tower houses spread throughout the town as references (Bongi 1867, p. 287).

In Florence the limiting of building height is closely connected to the development of the independent town. In 1250 the government of Primo Popolo decides to shorten all tower houses to 50 *braccia*, 30.00 m (Villani, VII, 39). In 1293 the town council renews its decision and decides that not only tower houses, but all high rising buildings should be shortened to 50 *braccia*. As standard measure the bell tower of St. Stephen is mentioned. Reasoned “ut refrenetur superbia que dudum in turribus” (to stop the pride of the towers) the paragraph is retained in the statute of Podestà of 1335, IV, 41 (Caggese 1921, p. 338).

In the statute of 1255, IV, 12, San Gimignano restricts permissible building height to those of the Torre Rognosa (Pecori 1853, pp. 721–2). But the statute not only restricts building height. Whilst it does set out in IV, 6, the liberty for everyone to built within the town, but with the proviso that above the parochial church bell tower no wall should be thicker than 3 *palmis*, about 90 cms, and higher than 12 *braccia*, 7.20 m. In the first version of this *franchezza murandi* (building liberty) in the Libro Bianco of 1214, 13, there is no such restriction (Vichi Imberciadori 1980, p. 3), in the statute of 1314, IV, 26, the paragraph was changed only a little (Brogi 1995, p. 180; Vichi Imberciadori 1980, p. 24 note 36), the one of the statutes of 1415, IV, 9, has almost the same wording (Pecori 1853, pp. 719–20).

The sovereign aspect of fortification regale also forms the background for those paragraphs, such as in Siena in the statute of 1262, V, 7, threatening the razing of tower houses to preserve the towns peace (Zdekauer 1894–96, p. 142). In Anghiari, north-eastern of Arezzo, the same aim lies behind the statute (about 1230), 69, 70, gives razing as punishment for crimes such as murder (Modigliani 1880, p. 21), in Pistoia attacks on Podestà were avenged by razing as well (Zdekauer 1891, pp. 97–8), and in Lucca the statute of 1308, III, 19, even prohibits rebuilding (Bongi 1867, pp. 147–9).

In 1258 after a discovered rebellion towers and houses of the Uberti, a Ghibelline family, and their followers were razed and material was used to extend the town walls in Oltrarno quarter (Villani, VII, 65; see also VII, 79, IX, 45, 46, 49 with similar portrayals). Florentine chronicler Dino Compagni also had to enforce this rule during his period of office as *gonfaloniere di giustizia* (vanguard of justice) (Compagni, I, 12). On 26 December 1342 it was decided in Lucca to raze the

Torre dei Buongiorno and to use the material for town walls (Bongi 1863, p. 341 note 3), and in 1368 Charles IV had a Luccanian tower house dismantled to get building material for his own castle (Sercambi, CLXXVI).

But a *consorteria* (community of tower-owners) in Lucca was allowed to keep the common tower house by the statute of 1308, IV, 67 (Bongi 1867, p. 286, 328–9). The statute of Podestà of 1296, IV, 129, 130 permits, in particular cases, a fee to avoid razing (Zdekauer 1888, pp. 252–3).

From the twelfth century, just before the formation of the independent town and the specific written statutes, individual private contracts show similar content. In Pistoia a site was rented out in 1143 under the condition that a house would not be built with more storeys (Rauty, Turi and Vignali 1979, no. 25), in Lucca the bishop and a certain count Ugo made a contract about the common use of a castle; they agreed on equal heights of both of their towers inside the castle of 40 *braccia*, 24.00 m; furthermore, whichever of the parties began building and reached a height of 10 *braccia*, 6.00 m, was to swear a new oath before building any further (Muratori Ant. Ital. 2, 1739, col. 501). In 1197 a site was sold in Prato under the condition that the new house should not be built higher than its neighbours, the buyer has to swear expressly not to build a tower house (Fantappiè 1977, no. 253).

Supervision of building

The Sienese statute of 1250, 46, assigns supervision of building to a body of three citizens (Banchi 1866, pp. 92–3), one finds a similar paragraph in Colle Val d'Elsa in its statute of about 1298, 13 (Marzini 1932–34, 1933, p. 63). In Florence the statute of Podestà of 1325, II, 30 decides that buildings in danger of collapsing are to be surveyed by the towns' committee and, if necessary, to be razed within three days (Caggese 1921, p. 109). The same statute allows in II, 22, new buildings only with the assent of neighbours, measurers and town representatives – perhaps an indication of drawings or models of planned buildings (Caggese 1921, pp. 101–2).

Expressly building was forbidden by the Breve dei Consoli (1140–80), 82, in a precisely defined area in front of the rampart of Torre di Serravalle, and therefore because of fortification reasons (Rauty 1996, pp. 210–1).

Standardisation and quality assurance

A towns' sovereign task was also standardisation of measures and quality assurance. In Pisa the Breve of 1286, I, 165, decides all bricks made in town and its district to be in their type and measurements like a model kept by the town council (Bonaini 1854–70 I, 1854, p. 304–5). The Sienese statute of 1297 commits all brickmakers following a marble model kept in the Biccherna, a room in the town hall (ASS, Statuti di Siena, 4, fol. 198r–201r). In Lucca the statute of 1308, I, 32, stipulates not only the brick measurements but even quantity and quality of lime, moreover this lime must be kept in a special tub. Two men are charged with supervision (Bongi 1867, p. 27). In Pescia too the statute of 1339, II, 77, requires a certain quality for bricks and tiles and decides a minimum

weight of 10 libbre for each tile and 12 libbre for each brick – but maximum measures are not mentioned! All workshops were checked twice a month (Onori 2000, pp. 142–5).

Wage specifications

In some towns even wage levels was laid down by law. In Pistoia, where the statute of 1177, 21, 22, limits carpenters and stonemasons salary to 5 *denare* from November to April and to 7 *denare* the rest of time (Berlan 1874, p. 6; Rauty and Savino 1977, pp. 56–9) (dating of statute is discussed, some say it might be 1107 or 1117, which would be very early, see Rauty and Savino 1977, pp. 7–34). In Anghiari the statute (about 1230) allows both occupational groups to earn from S. Michael on 29 September to mid April not more than 12, in the rest of time not more than 18, *denare*. A penalty of 12 *denare* was payable if the statute was contravened (Modigliani 1880, p. 25). In S. Miniato al Tedesco the statute of 1337, IV, 71, limits carpenters and stonemasons salary to 6 *denare* from October to March and to 8 *denare* from March to October, but generously permits them to accept additional wine (Salvestrini 1994, p. 360).

SAFETY AND ORDER

Protection against fire

Numerous and often devastating fires are recorded in medieval town chronicles, so protection against fire and fire-fighting is one of a town's most important tasks. In Pisa quite a lot of tower houses fell victim to a fire disaster in 1158, and consuls ordered wooden *balatoria* (porches, balconies or oriel) to be demolished, because they contributed to the fire spreading (Muratori RIS 6.2 (Bernardo Maragone: *Annales pisani*), p. 17). And still the Pisanian Breve of 1313–37, IV, 61, orders to demolish porches in suburbs “ut pericula et dubia ignis” (because of threat and possibility of fire) (Bonaini 1854–70 II, 1870, p. 431). In Siena the Costituto 1309/10, III, 252 gives reasons for the demolition of porches with fire risk as well (Lisini 1903, 111); nevertheless a fire spreads again along wooden porches (Lisini and Mengozzi 1893, p. 30). In 1088 a house in Siena was rented out on condition that the leaseholder should cover it with tiles or stones (Ghignoli 1994, no. 83), a document of 1112 shows this condition as well (Ghignoli 1994, no. 46).

In Lucca the statute of Curia delle vie e de'pubblici 1342, I, 1, decides in its very first paragraph that every chimney should be “muratus usque ad tectum” (built with bricks up to the roof) and to reach at least 2 *braccia*, 1.20 m, over the roof; in a wooden house this must be 6 *braccia*, 3.60 m (Corsi 1960, pp. 43–4; see Pierotti 1962, p. 53). For the same reasons it was forbidden to store more wood within the town than was required for one's own use (Bongi 1863, p. 145) and an order given on 11 March and 26 October 1346 to carpenters, stonemasons and bricklayers respectively especially to help fire fighting and to demolish the burning house if necessary to protect the neighbourhood (Bongi 1863, pp. 134–5, 171–2, 365–6).

Serravalle Scrivia in Liguria statute, II, 35, in the fourteenth century commits every owner of a house with thatched roofs to substitute them with tiles (Trucco and Allegrì 1979, p. 28); in II, 33 even storing of straw and thatch without municipal permission was forbidden.

Porches

Fire protection was not the only reason that porches were seen by towns as a constant nuisance. Numerous regulations were brought into force aimed at limiting their size and numbers and finally at forbidding them completely (Tragbar 2000, p. 148). In Pisa for example a porch had to be demolished when neighbours complained (Bonaini 1854–70 I, 1854, 13) (du Change, I, 1883, p. 532, declares *balatoria* to appear here for the first time), in the Breve of 1164 this demolition rule was limited to porches overhanging into the street more than 1 ½ *pedes*, 45 cms, so we clearly see porch owners struggling with the law too (Bonaini 1854–70 I, 1854, p. 36).

In Pistoia the statute (1162–80), 37.1, commits Podestà to demolish all porches within fourteen days, which were not demolished or rebuilt contrary to consuls' orders. During his period of office porches were generally forbidden, but the ban was expressly repeated for some main streets – surely an indication of a certain discrepancy between legal norm and reality (Rauty 1996, pp. 272–3).

Volterra only allows in its statute of 1224, 143, porches beginning at least 6 *braccia*, 3.60 m, over the surface of streets and overhanging not more than 2.5 *braccia*, 1.50 m, into the street. Porches with a lower height are only allowed to hang over half a *braccio*, 30 cms (Fiumi 1951, pp. 180–1).

The Siena Council of Nine decides in 1287 to demolish all porches below 10 *braccia*, 6 m, in the street to the cathedral to facilitate the carrying of bigger candles during processions (ASS, Statuti di Siena, 5, fol. 173r. With its Statuto dei viari, 397, the towns even tried to make other streets porch-free (Ciampoli and Szabó 1992, p. 256), on the Campo in 1297 all porches were finally forbidden (Banchi and Borghesi 1898, no. 1).

In Florence the statute of Capitano del Popolo 1294, IV, 28, says a certain street in Oltrarno quarter is “*ampla et pulchra*” (broad and beautiful) and houses there have “*ampla et largha terrena*” (huge and big properties), therefore porches are forbidden (Caggese 1910, p. 194; vgl. Moschella 1942, p. 168). On 24 March 1299 the town council tries something different and decides a tax of 12 *lire* per square-*braccio* for every bridge from house to house, vaults and overhanging storeys on public roads if those completely cover the street on one side. Bridges and porches “*a castello Altafontis usque ad voltam de Spinis*” (from castle Altafontis to the vault of Spini family) should be taxed at 8 *lire*. All other porches within the town were taxed at 6, in suburbs at 4 *lire* (Davidsohn 1896–1908 4, 1908, p. 307). In 1338 tax still brings in the impressive sum of 7 000 *fiorini d'oro* (to compare: Total budget of Florence between 1336 and 1338 amounts to 300 000 *fiorini d'oro*, salt tax brings in 14 450, tax on flour and milling brings in 14 250 and tax to be paid by the nobility living outside Florence brings in 2 000 *fiorini d'oro*; see Villani XI, 92). All existing “*verones et palchetta lignamis*” (porches and balconies) below 4 *braccia*, 2.40 m, yet they were to be demolished in the statute of Podestà 1325, IV, 6, the same paragraph prohibits construction of new porches below 5 *braccia*, 3.00 m (Caggese 1921, pp. 306–7). In 1532 it was Duke Alessandro de Medici who

prohibits construction of new porches completely, for their repair permission from a special committee, Ufficiali della Torre was needed, and, finally, on 7 July 1540 Duke Cosimo I even prohibits repairing them (Moschella 1942, p. 173 note 31).

An aesthetic argument again is found in Siena in the Costituto of 1309/10, III, 5, which decides all main streets leading to town gates must be freed from porches; in the street going from Porta Moreci to Porta Camollia not more than a third of its width should be covered. Only porches and bridges above a height of 15 *braccia*, 9 m, were exempted (Lisini 1903, pp. 17–8). The Costituto repeats in III, 15, 48, 57, the demolition order for individual quarters of Siena (Lisini 1903, pp. 21, 32, 35–6); in III, 252, 255, it states more precisely porches in a certain lane must be demolished at the expense of residents because underneath it is “troppo oscura et dubio sia per lo fuoco” (too dark and there is a risk of fire), the lane going to abbey St. Michael is also narrow and dark, and the porch ban is imposed so woman and men “possono onestamente et discretamente ...andare per lo detto chiasso a la detta chiesa et per la securità d’essa via” (are able to go honest and discretely ... through the named lane to the named church and in safety on their way) (Lisini 1903, pp. 111–3).

In San Gimignano the town council decides in its statute of 1315, IV, 89 (90), to demolish all porches (Brogi 1995, p. 208). In Cortona porches were allowed by the statute of 1325, IV, 7, only 12 *pedes*, 3.60 m, above street and overhanging not more than a third of the street width (Mancini 1897, p. 157).

A general ban on porches is not found until the fourteenth century in smaller Tuscan towns. In Poggibonsi the statute of 1331, I, 35 bis, prohibits all porches in the street between Porta S. Maria and Porta S. Iacopo, in other streets porches are allowed above 6 *braccia*, 3.60 m, only (Pucci 1995, p. 81). In San Miniato al Tedesco the statute of 1337, IV, 74, establishes a minimum height of 10 *braccia*, 6.00 m, above street level, the balconies are not allowed to hang over in the street more than 5 *pedes*, 1.50 m (Salvestrini 1994, p. 362). In Montopoli the statute of 1360, II, 72, imposes a fine on the construction of porches (Casini 1968, p. 184), in Montecarlo the statute of 1388, 71, prohibits every “porticum, veronem vel balchionem” (oriels, porches or balconies), when they are not at least 8 *braccia*, 4.80 m, above street and overhanging not more than 2 *braccia*, 1.20 m (Corsi 1964, p. 126), and in Radicofani building over the street from one house to another is expressly prohibited by the statute of 1441, IV, 99, existing structures must be demolished within fifteen days after the statutes come into effect (Magi 2004, p. 184).

Regulations between neighbours

To protect residents, maybe even to safeguard privacy, windows below 10 *braccia*, 6.00 m, were prohibited by the statute of 1298 in Florence, and, in addition, they had to be windows with grilles over them (Rondoni 1882, no. 20). In 1325 the statute of Podestà bans any window above the roof, courtyard or property of one’s neighbour generally (Caggese 1921, pp. 137–8). In Volterra windows were prohibited above 14 *braccia*, 8.40 m, by the statute (1210–22), 188 (Fiumi 1951, p. 98).

Here we find older regulations in individual private contracts as well. On 12 January 1143 it was forbidden in a renting contract to construct an entrance or a window on an upper storey (Rauty, Turi and Vignali 1979, no. 25).

The space between two neighbouring houses was laid down by the statute of 1255, 43, in Radicofani to at least 6 braccia, 3.60 m, this may mean, that firstly building was more spread (Piatoli 1935, p. 60). The statute of 1441, IV, 99, still repeats the rule, but distinguishes between *via pubblica*, where 4 braccia, 2.40 m, and *strada pubblica*, where 6 braccia, 3.60 m, are stipulated (Magi 2004, p. 184). In Poggibonsi the statute of 1332, III, 106, determines the space between any building and the town wall to be at least 3 braccia, 1.80 m (Pucci 1995, p. 161).

The relationship between two neighbours with a shared wall in Siena was regulated by the Costituto of 1309/10, II, 200: If one neighbour wishes to build on the shared wall, the other has to give permission and, when he does not share the costs, he and his successors are not allowed to use the heightened wall (Lisini 1903, p. 476). In Arezzo the statute of 1327, III, 71, declares that both neighbours have to build together when one wishes to build (Camerani Marri 1946, pp. 180–1); similar regulation is found in the statute of 1332, II, 30, in Poggibonsi (Pucci 1995, pp. 118–20), and in San Miniato al Tedesco the statute of 1337, IV, 87, prohibits a neighbour building upon a common wall without the permission of the other (Salvestrini 1994, pp. 375–6).

Many other building regulations are known to regulate building. One of the oldest can be found in Sienese Provvedimento of 1208, 32, which limits measurements of a window in the town wall between Porta Salaria and Porta Vetrice, the municipal permission costs 60 *lire* (Ascheri 1993, p. 60). Davidsohn mentions an edict of Florence from 13 April 1210 regulating the thickness of walls in Oltrarno quarter (1896–1908 I, 1896, p. 140). In Siena cited Costituto of 1309/10, III, 59, commands that all houses at the Campo and within main streets be equipped with *ventose*, literally cupping glasses, but probably gutters, because in V, 399, it is decided that all houses with tiled roofs need *ventose* on the street side because “da quella parte cioè de la quale cadesse l’aqua piovana” (rainwater would drop from this side) (Lisini 1903, pp. 36, 397–8).

BEAUTY

Numerous regulations helped town councils to order and to standardize its townscape, a late medieval aesthetic ideal which, with its idea of regularity, seems to anticipate upcoming periods. Although the promise by Podestà’s statute (1192–1180), 37.2, to demolish brick-built counters on the market square and in some other streets seems to follow the ideal of order (Rauty 1996, pp. 272–3), the command of the Sienese statute of 1262, III, 56, that all windows at the Campo should not exceed 2 braccia, 1.20 m (Zdekauer 1897, p. 291), certainly reflects the town council’s aesthetic aims. The regulation is still active in the Costituto of 1309/10, III, 37 (Lisini 1903, p. 29). After the Sienese statute of 1262, III, 63, a private flight of steps both of wood and stone must be demolished

(Zdekauer 1897, p. 293), in III, 100, it is decreed that counters in front of houses should not be larger than 1 *braccio*, 0.60 m (Zdekauer 1897, p. 305). Of particular interest is a regulation in the Costituto of 1309/10, V, 409, everybody constructing his house from loam must also build its pillars and façade out of brick “che cotali case rendano bellezza a la città” (because houses gave beauty to a town) (Lisini 1903, pp. 406–7).

Demolition bans

Demolition bans arose in the fourteenth century and were also aimed at preserving and improving the townscape. Quite early the statute of 1255, III, 7, punishes demolition of buildings or parts of them “sine licentia potestatis” (without permission of Podestà) (Pecori 1853, p. 699). On 21 May 1282 the town council decides on a general demolition ban unless houses are to be enlarged or newly built (Vichi Imberciadori 1980, p. 30 note 50). The statute of 1314, IV, 43 (44), prohibits any kind of cabins or huts and decides to demolish and to build them new with bricks, specially commissioned people were charged with enforcing this (Brogi 1995, p. 192). A fiscal incentive is decided in IV, 83 (84) with the exemption from certain taxes when costs for the new building exceed 50 lire without property (Brogi 1995, p. 206).

Demolition bans are known from the Sienese Costituto of 1309/10, V, 76 (Lisini 1903, p. 264) as well as from Cortona in the statute of 1325, IV, 51 (Mancini 1897, p. 156), from Poggibonsi in the statute of 1332, III, 11 (Pucci 1995, p. 126), from Castelfranco di Sopra in the statute of 1394, II, 84 (Camerani Marri 1963, p. 117) and from Lucca with the Bando of 8 July 1356 (Bongi 1863, pp. 207–8).

Arezzo’s demolition ban in the statute of 1327, II, 39, is limited when demolition is punishment for criminals (Camerani Marri 1946, pp. 94–5), the small town of Sovicille adds in the statute of 1383, I, 29, the obligation to rebuild the house “as it was or better” is the normal punishment (Prunai 1961, p. 136).

Administratively speaking the Florentine statute of Podestà 1325, II, 87, is a lot more progressive uniting both building and demolition regulations in one paragraph entitled “De hedificiis communibus murandis et hedificandis vel destructis reparandis, et de materia eorundem” instead of spreading them over the whole statute (Caggese 1921, pp. 155–8).

The importance of townscape to municipal office bearers – and therefore to townsfolk as well – is clearly shown in the Pescian statute of 1339, II, 47, committing all owners to clean the public road in front of their houses every Saturday (sic!) (Onori 2000, pp. 120–1) or in S. Maria a Monte, where the statute of 1392, 97, decrees street cleaning on Saturdays after vespers and ecclesial holidays (Casini 1963, p. 132). But rules like these indicate a rapidly increasing administration which rarely left any area unregulated. The simple collections from the very beginning have developed into complex corpuses of laws, which produces particular statute books like the Sienese Statuto dei viari

(Ciampoli and Szabó 1992) or the Luccanian Statuto della Curia delle vie e de' pubblici 1342 (Corsi 1960). Increasing administration and bureaucracy therefore are not only a modern problem; nevertheless town statutes show that, after the sovereign tasks had been taken on – something extremely important in the development of the free town councils – concern for the resident's safety and the regulation of public life had top priority.

ACKNOWLEDGEMENTS

I would like to thank Kevin Colfer (Augsburg) for checking and correcting the English text, and Monika Butzek (Florence) for information provided.

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