

FOR THIRD/FINAL READING

*Republic of the Philippines  
Quezon City  
19<sup>TH</sup> CITY COUNCIL*

PO19CC-474

*90<sup>th</sup> Regular Session*

ORDINANCE NO. SP-\_\_\_\_\_, S-2016

*AN ORDINANCE CREATING THE LOCAL BUILDING CODE OF QUEZON CITY, WHICH SHALL AMPLIFY THE PROVISIONS AND STRENGTHEN THE ENFORCEMENT OF PRESIDENTIAL DECREE NO. 1096, OTHERWISE KNOWN AS THE NATIONAL BUILDING CODE OF THE PHILIPPINES.*

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*Introduced by COUNCILOR ANTHONY PETER D. CRISOLOGO.*

*Co-Introduced by Councilors Jose Mario Don S. De Leon, Ricardo T. Belmonte, Jr., Dorothy A. Delarmente, Lena Marie P. Juico, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Ramon P. Medalla, Estrella C. Valmocina, Allan Benedict S. Reyes, Gian Carlo G. Sotto, Eufemio C. Lagumbay, Jaime F. Borres, Jesus Manuel C. Suntay, Bayani V. Hipol, Godofredo T. Liban II, Allan Butch T. Francisco and Ricardo B. Corpuz.*

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*WHEREAS, Presidential Decree No. 1096, otherwise known as the National Building Code of the Philippines (NBCP) and its Implementing Rules and Regulations (IRR), provide for a framework of minimum standards and requirements to regulate and control their location, site, design, quality of materials, construction, occupancy and maintenance on buildings and structures uniformly enforceable nationwide;*

*WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code of 1991 pursuant to the mandate of devolution of powers, provides that the local government has the authority to manage territorial jurisdiction on behalf of the national government and to promulgate*

*rules and regulations necessary for the interest and improvement of administration of its affairs, proper delivery of services and facilities to the general public;*

*WHEREAS, while there is a Presidential Decree (P.D.) No. 1096 Entitled "Adopting A National Building Code of the Philippines (NBCP)" the same needs an amplification of its provision in order to properly address the current needs of the general public, address and conform with the developmental goals and infrastructure program of the Local Government and adequately provide for all the technological requirements of buildings and structures, in terms of up-to-date design and construction standards and criteria;*

*WHEREAS, the occurrence of fortuitous events in the City necessitates to rationalize the functions and responsibilities of the various stakeholders of the construction industry, ie, design professionals, constructors, building and lot owners, to ensure and safeguard life, health, property, and public welfare;*

*WHEREAS, Ordinance No. SP 1944, Series of 2009 entitled "An Ordinance Amending Ordinance No. SP 1517, S-2005, reorganizing and strengthening the office of the building official into a separate and distinct department from the department of engineering" has provided for the powers of the building official and the said office has been given the primary task in implementing the provisions of the National Building Code.*

*WHEREAS, the formulation of a Local Building Code of Quezon City of 2015, not only amplifies the NBCP but also strengthens the desire and policy of the Local Government of Quezon City to avail of and harness the technical expertise and professional know-how to men not only in the public but in the private sector as well.*

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

GENERAL PROVISIONS:

SECTION 1. TITLE. This Ordinance shall be known as the "LOCAL BUILDING CODE OF QUEZON CITY OF 2015".

SECTION 2. DECLARATION OF POLICIES. It is hereby declared to be the policy of the Local Government of Quezon City to safeguard life, health, property, and public welfare, consistent with the principles of sound environmental management and control; and to this end, make it the purpose of this Code to provide for all buildings and structures, a framework of minimum standards and requirements to regulate and control their location, site, design, quality of materials, construction, use, occupancy, and maintenance, adapting various techniques and technological developments designed to modernize such operations ensuring the ease in doing business within Quezon City.

SECTION 3. SCOPE AND APPLICATION.

- a.) The provisions of this Code shall apply to the design, location, site, construction, alteration, repair, conversion, use, occupancy, maintenance, moving, demolition of, and addition to public and private buildings and structures, except traditional indigenous family dwellings as defined herein.
- b.) Buildings and/or structures constructed before the approval of this Code shall not be affected thereby except when alterations, additions, conversions or repairs are to be made therein in which case, this Code shall apply only to the portions to be altered, added, converted

*or repaired, provided that all buildings which have been in existence and fully constructed for fifteen (15) years or more shall be subjected to a building audit.*

**SECTION 4. GENERAL BUILDING REQUIREMENTS.** All buildings and/or structures to be constructed within the jurisdiction of the local government of Quezon City, the following minimum standards shall be strictly complied with by any builder or developer without prejudice to any requirements that would be mandated by this code relative to zoning, safety, good maintenance and environmental concerns:

- (a) All buildings or structures as well as accessory facilities thereto shall conform in all respects to the principles of safe construction and must be suited to the purpose for which they are designed.*
- (b) Buildings or structures intended to be used for the manufacture and/or production of any kind of article or product shall observe adequate environmental safeguards.*
- (c) Buildings and structures and all parts thereof as well as all facilities found therein shall be maintained in safe, sanitary and good working condition.*

**SECTION 5. SITE REQUIREMENTS.**

- (a) The land or site upon which will be constructed any building or structure, or any ancillary or auxillary facility thereto, shall be sanitary, hygienic or safe. In the case of sites or buildings intended for use as human habitation or abode, the same shall be at a safe distance, as determined by competent authorities, from streams or bodies of water and/or sources of air considered to be polluted;*

- (b) Prior to any construction to be undertaken by any developer or builder the corresponding locational clearance must first be secured from the City Planning and Development and Zoning Administration of Quezon City which shall indicate therein that the site intended for construction or building has complied with the above mentioned minimum standards;
- (c) The owner of the building together with the design professional in charge of the construction project to be undertaken shall ensure that the proper locational clearance shall have been secured prior to any construction or operation would have been conducted.

**SECTION 6. RESPONSIBILITY FOR ADMINISTRATION AND ENFORCEMENT.** The administration and enforcement of the provisions of this Code including the imposition of penalties for administrative violations thereof is hereby vested in the City Building Official.

**SECTION 7. TECHNICAL STAFF.** The City Building Official is hereby authorized to constitute and provide in his Department a professional staff composed of highly qualified architects, engineers and technicians who possess diversified and professional experience in the field of building design and construction.

The Technical Staff shall have the minimum qualifications as prescribed by Ordinance No. SP 1944 S-2009 entitled "an Ordinance Amending Ordinance No. SP-1517, S-2005, reorganizing and strengthening the office of the building official into a separate and distinct department from the department of engineering." and shall be chosen by the City Building Official in accordance with existing ordinances and regulations.

**SECTION 8. GENERAL POWERS AND FUNCTIONS OF THE CITY BUILDING OFFICIAL** - For purposes of carrying out the provisions of this Code, consistent with the provision of existing Laws, the City Building Official shall exercise the following general powers and functions:

- (1) Formulate policies, plans, standards and guidelines on building design, construction, use, occupancy and maintenance in accordance with this Code.
- (2) Formulate a system of peer review and professional registry within the jurisdiction of Quezon City and thereafter exercise the authority to suspend, regulate and penalize erring professionals covered by the professional registry.
- (3) Issue and promulgate rules and regulations to implement the provisions of this Code and ensure compliance with policies, plans, standards and guidelines formulated under paragraph 1 of this section.
- (4) Provide Evaluation, consultation, review and recommendation in case of amendment and modification of the provisions of this Code.
- (5) Recommend the amount of fees and other charges that the Office of the Building Official shall collect in connection with the performance of regulatory functions;

**SECTION 9. PROFESSIONAL AND TECHNICAL ASSISTANCE** - The City Building Official may engage and compensate within appropriations available funds thereof, the services of such number of consultants, experts and advisers on full or part-time basis, as may be necessary coming from the government or private businesses, entities or associations to carry out the provisions of this Code.

**SECTION 10. CITY BUILDING OFFICIAL.** *The City Building Official shall be responsible for carrying out the provisions of this Code in the field as well as the enforcement of orders and decisions made pursuant thereto in all matters relating structures and buildings, infrastructure projects and such similar construction works which are undertaken or have been constructed by any private individuals or entities within the jurisdiction of Quezon City.*

**SECTION 11. QUALIFICATIONS OF THE CITY BUILDING OFFICIAL -** *No person shall be appointed as City Building Official unless he possesses the following qualifications:*

- 1. A Filipino citizen and of good moral character and resident of Quezon City*
- 2. A duly registered architect or civil engineer*
- 3. A member of good standing of a duly accredited organization of his profession for not less than five (5) years or recommended by the accredited professional organization.*
- 4. Has at least five years of diversified and professional experience in building design and construction.*
- 5. Attended and successfully completed a seminar workshop on Presidential Decree No. 1096 and its Implementing Rules and Regulations conducted by the Department of Public Works and Highways.*

**SECTION 12. DUTIES OF THE CITY BUILDING OFFICIAL.** *In his respective territorial jurisdiction, shall have the following primary duties:*

1. *He shall be primarily responsible for the enforcement of the provisions of this Code as well as of the implementing rules and regulations issued therefore.*
2. *He is the official charged with the duties of issuing building permits.*

*In the absence of the City Building Official the above mentioned duties and responsibilities shall be assumed by the Assistant Building Official or such person that may be recommended by the City Building Official, subject to the concurrence of the City Mayor, until the former is able to resume the same.*

*Provided, that implementation of this Code in all matters relating to structures and buildings, infrastructure projects and such similar construction works which are classified as Quezon City Infrastructures owned and controlled by the Local government of Quezon City, shall be under the control and jurisdiction of the City Engineer.*

*Provided finally, that in all matters relating to structures and buildings, infrastructure projects and such similar construction works which classified as National Infrastructures owned and controlled by the National government, shall be under the control and jurisdiction of the Department of Public Works and Highways.*

*A. RIGHT TO ENTER - In the performance of his duties, the City Building Official or his authorized representative may enter any building or its premises at all reasonable times to inspect and determine compliance with the requirements of this Code, and the terms and conditions provided for in the building permit as issued.*

*B. STOP ORDER - When any building work is found to be contrary to the provisions of this Code, the City Building Official may order the work stopped and prescribe the terms and/or conditions when the work will be allowed to resume. Likewise, the City Building Official*



*is authorized to order discontinuance of the occupancy or use of any building or structure or portion thereof found to be occupied or used contrary to the provision of this Code.*

*All Stoppage Orders from the City Building Official, the implementation of which shall be vested in the Office of the City Mayor or such department or office as may be designated, appointed or deputized by the latter.*

**SECTION 13. EXERCISE OF QUASI-JUDICIAL FUNCTIONS.** *The Local Government of Quezon City, through the Department of the Building Official, shall exercise quasi judicial functions corollary to the power and duties of the Local Building Official to ensure that the provisions of P.D. No. 1096, otherwise known as the National Building Code of the Philippines, are complied with.*

*The Department of the Building Official shall, either motu proprio or upon complaint, conduct an ocular inspection on the structure or activity to determine whether or not the provisions of the National Building Code had been violated. Whenever necessary, an order shall be issued based on the Inspection Report prepared by the Building Official Inspector. A corresponding Administrative/Clarificatory Hearing shall be conducted by the Department of the Building Official, through its investigation and Adjudication Division.*

*The Investigation and Adjudication Division shall conduct its investigation based on the Inspection Report prepared by the Building Official Inspector, and shall render a Resolution or issue an Order, as the case may be, on the matter in accordance with the provisions of the National Building Code, its Implementing Rules and Regulations, and its Referral Codes, subject to the approval of the Local Building Official. Further, the resolution or order, as the case may be, shall be without prejudice to the right of the aggrieved party to appeal the same to the Secretary to the Department of Public Works and Highways.*

**SECTION 14. APPLICATION PROCESS.** *The application process or issuance of any permits, licenses and certifications required under this Code shall be governed by the procedures and requirements laid down in the Citizens' Charter of Quezon City.*

**SECTION 15. FEES.** *The City Building Official shall keep a permanent record and accurate account of all fees and other charges fixed and authorized by the Secretary of the Department of Public Works and Highways in his capacity as the National Building Official, to be collected and received under this Code.*

*In accordance with Joint Memorandum Circular No. 001 issued by the Department of public Works and Highways and Department of the Interior and Local Government dated July 4, 2015 the Local treasurer in coordination with the Office of the Building official is authorized to open and maintain a Trust Fund Account and twenty percent (20%) of the income derived from building permit fees and other charges shall be allocated to the Department of Public Works and Highways provided that, subject to existing budgetary, accounting and auditing rules and regulations, the City Building Official is hereby authorized to retain fifteen percent (15%) thereof to cover all necessary and operating expenses of his office including the purchase of equipment, supplies and materials, traveling expenses, obligation expenses and sheriff's fees and payment of the other prior year's obligations not adequately funded. The remaining five percent (5%) shall be remitted to the Trust fund Account and the City Treasurer shall notify the Secretary of the Department of Public Works through the National Building Code Development Office that its 5% share has already been remitted.*

*The remaining eighty percent (80%) shall be deposited with the Quezon City Treasurer and shall accrue to the General Fund of Quezon City.*

**SECTION 16. EXEMPTIONS.** *- Public buildings and traditional indigenous family dwelling shall be exempt from payment of building permit fees.*

As used in this Code, the term "traditional indigenous family dwelling" means a dwelling intended for the use and occupancy by the family of the lot owner only and constructed of native materials such as bamboo, nipa, logs, or lumber, the total cost of which does not exceed fifteen thousand pesos.

In case of dwellings affected by calamities brought about by acts of God and fortuitous events, the repair and reconstruction shall also be exempted from the payment of fees relative to the same.

**SECTION 17. ADMINISTRATIVE FINES.** For the violation of any of the provision of this Code or any of the rules and regulations issued thereunder, the City building Official is hereby empowered to prescribe and impose fines which shall be determined in accordance with the provisions of the National Building Code and its Implementing Rules and Regulations particularly Section 212.

**SECTION 18. PENAL PROVISIONS.** It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure or cause the same to be done contrary to or in violation of any provisions of this Code.

Any person, firm or corporation who shall violate any of the provisions of this Code and/or commit any act hereby declared to be unlawful shall upon conviction, be punished by a fine of not more than twenty thousand pesos (P20,000.00) or by imprisonment of not more than two (2) years or by both such fines and imprisonment in accordance with Section 213 of the National Building Code of the Philippines: Provided, that in the case of a corporation firm, partnership or association, the penalty shall be imposed upon its officials responsible for such violation and in case the guilty party is an alien, he shall immediately be deported after payment of the fine and/or service of his sentence.

**SECTION 19. DANGEROUS, RUINOUS AND ILLEGALLY CONSTRUCTED BUILDINGS** - Dangerous buildings are those which are herein declared as such or are structurally unsafe, or not provided with safe egress and constitute a fire hazard as declared by the fire marshal or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health or public welfare because of inadequate maintenance, dilapidation, obsolescence, or abandonment, or which otherwise contribute to the pollution of the site or the community to an intolerable degree.

Illegally constructed buildings are those buildings/structures which have been constructed without securing or having the necessary clearances and permits as mandated by this Code and the National Building Code of the Philippines.

**19.1. PROCEDURE FOR THE DECLARATION OF DANGEROUS, RUINOUS AND ILLEGALLY CONSTRUCTED BUILDINGS.** The City Building Official shall serve a written Order to the Owner, Contractor, or person having controlling legal interest in the building or structure, informing him of his findings and directing him/it to vacate, and to repair, demolish and remove, as the case may be, the dangerous or ruinous building within a reasonable time indicated in the Order of the City Building Official.

If the above mentioned parties does not appeal the Order of the City Building Official and fails or refuse to comply therewith within the time given, the Office of the City Mayor or his authorized representative shall:

- a) *administratively eject the occupants of the building or structure, if any, or cause any occupants thereof to vacate the same and or undertake the repair thereof, if technically and financially feasible or*
- b) *demolish the subject building or structure or remove the same.*

*In either case, all expenses incurred in the enforcement of this Section shall be the liability of the Owner, Contractor or person claiming or having interest therein. The Owner, contractor or person claiming or having controlling legal interest in the building or structure shall be jointly and severally (solidary) liable for the aforesaid costs and expenses.*

*In case of illegally constructed building or structures, the City Mayor, upon the findings by the City Building Official that the Building or structure is illegal constructed shall order the Owner Contractor or the person claiming or having controlling legal interest therein to secure the appropriate Building permit within thirty (30) days from receipt of said Order.*

*If the Owner, Contractor, or the person claiming having controlling interest in the building or structure fails or refuses to secure the appropriate Building permit within the said period, the City Mayor or his authorized representative shall order the eviction of the occupants thereof if any, and the demolition or removal of the said house, building or structure, without prejudice to any civil or criminal liability of the owner, contractor or person claiming or having controlling legal interest in the building or structure.*

*19.2. APPEAL. The Owner, Contractor or person claiming or having controlling interest in the building or structure may appeal the Order to Vacate and Repair/Demolish and Remove issued by the City Building Official to the Secretary of the Department of Public Works and Highways within fifteen (15) days from receipt of the Order in accordance with P. D. No. 1096. The pendency of the*

*appeal shall restrain the Building Official from acting on the Order to Vacate and Repair/Demolish and Remove. The decision of the DPWH Secretary shall be final and executory.*

*With regard to illegally constructed buildings or structures, the City Mayor or his authorized representative shall issue the Order and Repair/Demolish and Remove. The said Order shall be final and immediately executory.*

*19.3. FINAL AND EXECUTORY– An Order to vacate and Repair/Demolish and Remove issued by the City Building Official shall be final and executory if no timely appeal has been taken.*

*D. ADAPTATION OF EXISTING ORDINANCES. The provisions laid down in Quezon City Ordinance No. SP 1800 S-2007 entitled AN ORDINANCE REGULATING THE CONSTRUCTION, REPAIR MODIFICATION, AND DEMOLITION OF BUILDINGS AND STRUCTURES INCLUDING ILLEGALLY CONSTRUCTED ABANDONDED, DANGEROUS OR UNFINISHED BUILDINGS AND STRUCTURES IN QUEZON CIY, AND IMPOSING REGULATION FEES AND PENALTIES FOR VIOLATION HEREOF” is hereby adapted and made part of this Ordinance.*

*E. ADAPTATION OF EXISTING PROCEDURES. The provision laid down in Ordinance SP-174 S-1994 entitled “AN ORDINANCE REQUIRING OWNERS, POSSESSORS AND ADMINISTRATORS OF BUILDINGS AND OTHER STRUCTURES TO MAKE IMMEDIATE REPAIRS ON THEIR BUILDINGS OR STRUCTURES WHICH ARE WHOLLY OR IN PART IN DANGER OF COLLAPSING OR FALLING*

*UPON NOTICE OF THE CITY BUILDING OFFICIAL AND PROVIDING PENALTIES THEREFOR IN CASE OF VIOLATION" is hereby adopted and made part of this Ordinance.*

**SECTION 20. DEPUTATION OF PUNONG BARANGAYS.**  
*Pursuant to Memorandum Circular No. 11, Series of 2011:*

- a) All Punong Barangays are hereby directed to monitor all construction being undertaken within their respective jurisdiction and report all illegal construction to the Department of the Building Official;*
- b) The City Building Official shall furnish the Punong Barangay who has jurisdiction over a particular construction, a copy of the Stop Order issued against contractors and/or owner(s) of the construction without Building Permits or found to be violating existing laws, ordinances, rules and regulations on buildings standards and safety measure;*
- c) Punong Barangays shall report to the City Building Official those wittingly or unwittingly continue to defy validly issued Stop Order;*
- d) The City Building Official Shall endorse to the Department of the Public Order and Safety (DPOS) the copy of the report of the Punong Barangay for their appropriate action;*
- e) On the basis of Reports and issued Stop Orders, the Department of Public Order and Safety and the Quezon City Hall Police Action Center shall cause the cessation or stoppage of any and all illegal engineering or construction activities.*



*For this purpose, all Punong Barangays are hereby deputized and directed to monitor compliance to Stop Orders issued by the City Building Official, those who take part or involve in illegal construction and other violations under this ordinance. The Department of Public Order and Safety is hereby directed to provide assistance in the execution of Stop Orders of the City Building Official in accordance to the mandate of this ordinance.*

**SECTION 21. ABATEMENT OF DANGEROUS BUILDINGS -**  
*When any building or structure is found or declared to be dangerous or ruinous, the City Building Official shall order its repair, vacation or demolition depending upon the degree of danger to life, health or safety. This is without prejudice to further action that may be taken under the provisions of Articles 482 and 694 to 707 of the Civil Code of the Philippines.*

*Consistent with the provisions of the Fire Code of the Philippines, the Bureau of Fire Marshall shall determine whether a building is considered to be a fire hazard.*

**SECTION 22. OTHER REMEDIES -***The right actions and remedies provided in this Code shall be in addition to any and all other rights of action and remedies that may be available under existing laws.*

**SECTION 23. NATURE AND PURPOSE OF REGISTRY OF PROFESSIONALS. -***All professionals, licensed Engineers and Architects, and similarly licensed professionals, engaged in the practice of their profession relative to the design, construction, alteration, repair, conversion, use, occupancy, maintenance, moving, demolition of, and addition to public and private buildings and structures to be conducted or have been conducted within jurisdiction of Quezon City must be registered with the Department of the Building Official of Quezon City.*

*This is for the purpose of allowing the Local Government of the Quezon City to monitor all professionals, licensed Engineers and Architects, and similarly licensed professionals, engaged in the practice of their profession in so far as their participation, direct or indirect, in the design, construction, alteration, repair,*



conversion, use, occupancy, maintenance, moving, demolition of, and addition to public and private buildings and structures within the jurisdiction of the local Government of the Quezon City.

**SECTION 24. REQUIREMENT OF REGISTRATION –** A professional, licensed engineer, Architects, or similarly licensed professionals, who desires to engage in the practice of his profession in Quezon City must first be registered with the Department of the Building Official by presenting the following:

1. A copy of his up to date Professional Regulations Commission ID.
2. Latest Professional Tax Receipt
3. Duly accomplished data sheet with 1x1 photo (to be furnished by the Department of the Building official.

The requirements, process and methodology in the registration of such professionals shall be defined in the Implementing Rules and Regulations of this Code.

**SECTION 25. RESPONSIBILITIES AND ACCOUNTABILITIES OF PROFESSIONALS, AND GROUNDS FOR LIABILITY.** In order to strengthen the duties and responsibilities of licensed Engineers and Architects, and similarly licensed professionals in so far as their participation and responsibility is concerned under the provisions of P.D. No. 1096, otherwise known as the National Building Code of the Philippines, its Implementing Rules and Regulations, and its Referral Codes, Engineers/Architects, as highly skilled professionals, shall be jointly and solidarily liable together with the owner of the structure based on the following grounds:

1. The occurrence of an untoward incident at the construction site;
2. Failure to supervise the construction activity at the construction site; and

3. *Any false declaration or misrepresentation in so far as the construction project is concerned.*

**SECTION 26. BUILDING PERMITS.-** *No person, firm or corporation, including any agency or instrumentality of the government shall erect, construct, alter, repair, move, convert or demolish any building or structure or cause the same to be done within Quezon City without first obtaining a building permit and/or ancillary permits therefore from the City Building Official.*

*The corresponding Notice to Proceed for all National and Local infrastructures project issued by the engineering department shall be considered as the building permit needed by the latter, provided further that the Certificate of Acceptance shall be considered as the Occupancy Permit required. The concerned agency however should see to it that the Notice to Proceed and Certificate of Acceptance are in accordance to the relevant provisions of this Code.*

**SECTION 27. APPLICATION FOR PERMITS.** *In order to obtain a building permit and/or ancillary permits, the applicant shall file an application therefore in writing and on the prescribed form with the Department of the Building Official. Every application shall provide at least the following information:*

- (1) A description of the work to be covered by the permit applied for;*
- (2) Description and ownership of the lot on which the proposed work is to be done as evidenced by TCT and/or copy of the contract of lease over the lot if applicant is not the registered owner or any other proof of ownership instruments;*

(3) *The use or occupancy for which the proposed work is intended;*

(4) *Estimated cost of the proposed work.*

*To be submitted together with such application are the corresponding plans and specifications prepared, signed and sealed by a duly registered technical professional/s and the owner thereof, except in those cases exempted or not required by the City Building Official under this Code.*

**SECTION 28. PROCESSING OF BUILDING PERMITS.** *The processing of building permits and/or ancillary permits shall be under the overall administrative control and supervision of the City Building Official and his technical staff of qualified professionals.*

*In processing an application for a building permit and/or ancillary permits, the City Building Official shall see to it that the applicant satisfied and conforms with the approved standard requirements of zoning and land use, line and grades, structural design, sanitary and sewerage, environmental health, electronics, electrical and mechanical safety as well as with other rules and regulations promulgated in accordance with the provisions of this Code.*

**SECTION 29. ISSUANCE OF CONSTRUCTION PERMITS.** *When satisfied that the work described in an application for building permit and the plans and specifications submitted therewith, conform to the requirements of this Code and other pertinent rules and regulations, the City Building Official shall, within fifteen working days from payment of the required fees by the applicant, issue the building permit applied for.*

*The City Building Official may issue a permit for the construction of only a part or portion of a building or structure whenever the plans and specifications submitted together with the application do not cover the entire building or structure.*

*The design professional, applicant/owner, shall see to it that the corresponding amendatory building permits are issued before commencement of any amendatory works from the previously issued building permit, in compliance with this Code.*

*Permitted plans and specifications shall not be changed, modified or altered without the approval of the City Building Official and the work shall be done strictly in accordance thereto.*

**SECTION 30. VALIDITY OF CONSTRUCTION PERMITS-**  
*The issuance of a building permit and/or ancillary permits shall not be construed as an approval or authorization to the permittee to disregard or violate any of the provisions of this Code.*

*Whenever the issuance of a building permit and/or ancillary permits is/are based on permitted plans and specifications which are subsequently found defective, the City Building Official is not precluded from requiring the permittee to effect the necessary corrections in said plans and specifications or from preventing or ordering the stoppage of any or all building operations being carried on hereunder which are in violation of this Code.*

*A building permit and/or ancillary permits issued under the provisions of this Code shall expire and become null and void if the building or work authorized therein is not commenced within such period from the date of such permit, thereafter one year from the date of such permit any building permit and/or ancillary permits shall be considered expired and become null and void.*

*If the building or work so authorized is suspended or abandoned at any time after it has been commenced, for a period of one hundred twenty days the building permit and/or ancillary permits shall likewise be considered revoked.*

*In case of revocation of permit the Building Owner or Design Professional may seek reconsideration for such revocation provided the same is based on justifiable reasons.*

**SECTION 31. NON-ISSUANCE, SUSPENSION AND REVOCATION OF PERMIT** - *The City Building Official may order or cause the non-issuance, suspension or revocation of building permits and/or ancillary permits on any or all of the following reasons or grounds:*

- (a) Errors found in the plans and specifications;*
- (b) Incorrect or inaccurate data or information supplied;*
- (c) Non-compliance with the provisions of this Code or of any rule or Code.*

*Notice of non-issuance, suspension or revocation building permits and/or ancillary permits shall always be made in writing, stating the reasons or grounds thereof.*

**SECTION 32. APPEAL.** *Within fifteen (15) days from the date of receipt of advice of the non-issuance, suspension or revocation of permits, the applicant/permittee may file an appeal with the Secretary of the Department of Public Works and Highways. The decision of the Secretary shall be final subject only to review by the Office of the President.*

**SECTION 33. INSPECTION AND SUPERVISION OF WORK.** - *The owner of the building who is issued or granted a building permit and/or ancillary permits under this Code shall engage the services of a duly licensed architect or engineer to undertake the full time inspection and supervision of the construction work.*

*Such architect or civil engineer may or may not be the same architect or engineer who is responsible for the design of the building, both should be duly registered and accredited*

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*with the Department of the Building Official as an authorized architect or engineer. Said architect or engineer designated by the owner to undertake full time inspection and supervision of the construction shall be the same professional on record in the application for building permit and/or ancillary permits; and shall ensure that the construction conforms with the plans and specifications corresponding to the issued building permit and/or ancillary permits.*

*In the instance where the professional on record in charge of construction is replaced, a written notice must be submitted to the City Building Official. The new professional in charge of construction shall assume all the responsibilities of the previous professional on record and must also be registered and accredited with the Department of the Building Official.*

*There shall be kept at the jobsite at all times a logbook wherein actual progress of construction including tests conducted, weather conditions and other pertinent data are to be recorded.*

*Upon completion of the construction, the said licensed architect or civil engineer shall submit the logbook, duly signed and sealed to the City Building Official. He shall also prepare and submit a Certificate of Completion of the project stating that the construction of building conforms to the provisions of this Code as well as with the approved plans and specifications. Otherwise, if there are any justifiable reason that they could not present the logbook, the professional in-charge of construction of work shall submit a certification under oath stating therein the content details of the said logbook and other pertinent documents.*

**SECTION 34. RANDOM INSPECTION.** *In addition to the mandatory inspection under pertinent laws and regulations, the City Building Official or his duly authorized representative shall conduct random inspection of buildings or structures or inspect constructions, repairs, renovations and demolitions and other permitted work at any time of the day from seven o'clock in the morning to six o'clock in the evening from Monday to Friday, including Saturdays, Sundays and holidays if there is*

*danger, except on officially declared non-working holidays, to ascertain compliance by the owner or contractor with the law, rules and regulations. Random inspections shall be particularly undertaken on buildings or structures suspected of being structurally unsafe, dangerous to persons, or hazardous to the public or which cause or contribute to the pollution or degradation of the environment because of abandonment, dilapidation or absence of our inadequate maintenance.*

*SECTION 35. CERTIFICATE OF OCCUPANCY. No building or structure shall be used or occupied and no change in the existing use or occupancy classification of a building or a portion thereof shall be made until the City Building Official has issued a Certificate of Occupancy therefore as provided in this Code.*

*A Certificate of Occupancy shall be issued by the City Building Official within thirty days if after final inspection and submittal of a Certificate of Completion referred to in the preceding section, it is found that the building or structure complies with the provisions of this Code.*

*The release of such Certificate of Occupancy shall be processed in the most expeditious manner in accordance with the time frame provided for in the citizen's charter relating thereto.*

*Existing buildings without valid permits may be issued a Certificate of Occupancy upon compliance to the minimum standards set forth by the National Building Code and this Ordinance.*

*The Certificate of Occupancy shall be posted or displayed in a conspicuous place on the premises and shall not be removed except upon order of the City Building Official. All Certificate of Occupancy shall state the maximum occupant load for each building.*

*The non-issuance, suspension and revocation of Certificates of Occupancy and the procedure for appeal thereof shall be governed in so far as applicable, by the provisions laid down in this Code.*

**SECTION 36. ANNUAL SAFETY INSPECTION.** To safeguard life, health, property, and public welfare, consistent with the principles of sound environment management and control, the City Building Official shall conduct Annual Safety Inspections on all existing buildings within Quezon City, except residential dwellings. Generally, all existing buildings covered by a permit and/or certificate shall be subject to Annual Inspection.

*Existing buildings subjected to annual safety inspection but without the necessary permits shall be required to comply with the provisions of the National Building Code and this Ordinance;*

*The Annual Safety Inspection shall focus on the architectural, structural, plumbing/sanitary, electrical, mechanical and electronics compliance to sound maintenance and safety standards.*

*In case of failure to comply with the findings and orders issued by the City Building official, the owner of the building shall be held accountable in accordance with the provisions of this code.*

**SECTION 37. TYPES OF CONSTRUCTION.** The rapid technological transfer in the construction industry necessitates updates on the standards for each types of construction relating to structural framework, exterior walls and openings, interior walls and openings, floors, exits and stairs construction, decks and roofs reflected in the design plan specifications and the latest provisions of the Fire Code the Philippines



*SECTION 38. FIRE SAFETY REQUIREMENTS. The provisions as provided in the Fire Code of the Philippines (RA 9514) as referral code of the National Building Code and this Ordinance shall govern. This provision under the NBC and its IRR shall be administered and enforced by the Bureau of Fire Protection (BFP), under the direct supervision and control of the Chief of the Bureau of Fire Protection.*

*SECTION 39. FIRE-RESISTIVE REQUIREMENTS IN CONSTRUCTION. The provisions as provided in the Fire Code of the Philippines (RA 9514) as referral code of the National Building Code and this Ordinance shall govern. This provision under the NBC and its IRR shall be administered and enforced by the Bureau of Fire Protection (BFP), under the direct supervision and control of the Chief of the Bureau of Fire Protection.*

*SECTION 40. CLASSIFICATION AND GENERAL REQUIREMENT OF ALL BUILDING BY USE OR OCCUPANCY. Subject to the provisions in Article 6, Section 476 of R.A. No. 7160 otherwise known as the Local Government Code of 1991 the comprehensive zoning classification as provided in Ordinance No. SP-918, S-2000, also known as the QC Zoning Ordinance shall govern. This Section shall be administered and enforced by the City Planning and Development Office (CPDO), under the direct supervision of the Chief of the City Planning and Development Office.*

*Other provisions of the National Building Code and its IRR, not covered by the QC Zoning Ordinance shall be included in the IRR of this Code.*

*All other responsibilities related to the design requirements and standards is vested to the design professional and shall be in accordance to the applicable technical referral codes of NBC (PD1096).*

**SECTION 41. GENERAL REQUIREMENTS OF LIGHT AND VENTILATION.** *The following shall be the general requirements of light and ventilation:*

- (a) Subject to the provisions of the Civil Code of the Philippines on easement of light and view, and to provisions of this part of the Code, every building shall be so designed, constructed, and equipped as to provide adequate light and ventilation.*
- (b) All building shall face a street or public alley or private street which has been duly approved.*
- (c) No building shall be altered nor arranged so as to reduce the size of any room or the relative area of windows to less than that provided for buildings under this Code, or so as to create an additional room, unless such additional room conforms to the requirements of this Code.*
- (d) No building shall be enlarged, so that the dimensions of any required court yard would be less than that prescribed for any such building.*

*The provisions as provided in the National Building Code of the Philippines and its IRR and this Ordinance shall govern. This Section shall be administered and enforced by the City Planning and Development Office (CPDO), under the direct supervision of the Chief of the City Planning and Development Office.*

*All other responsibilities related to the design requirements and standards is vested to the design professional and shall be in accordance to the applicable technical referral codes of NBC (PD1096).*

*Specific guidelines and provisions of this Section shall be included in the IRR.*

**SECTION 42. GENERAL SANITARY REQUIREMENTS.**  
*Subject to the provisions of Book 11 of the Civil Code of the Philippines on Property, Ownership and Modification, all buildings hereafter erected, altered, remodeled, relocated or repaired for human habitation shall be provided with adequate and potable water supply, plumbing installation, and suitable wastewater treatment or disposal system and storm water drainage. This is without prejudice to the provisions of Ordinance PO2006-85 (SP-1735, S-2006 otherwise known as the Sanitation Code Quezon City and SP-2350, 2-2014 otherwise known as the Environment Code of Quezon City.*

*All other responsibilities related to the design requirements and standards is vested to the design professional and shall be in accordance to the applicable technical referral codes of NBC (PD 1096).*

**SECTION 43. GENERAL REQUIREMENTS FOR THE PROTECTION OF PEDESTRIANS DURING CONSTRUCTION OR DEMOLITION AND PROTECTION OF ADJOINING PROPERTIES.**  
*The following shall be the general requirements in any construction or demolition activities in order to ensure the protection of pedestrians and adjoining properties:*

- (a) No person shall use or occupy a street, alley, or public sidewalk for the performance of work covered by a building permit except in accordance with the provisions of this Code..*
- (b) No person shall perform any work on any building or structure adjacent to a public way in general use by the public for pedestrian travel, unless the pedestrians are protected as specified in this Code..*

- (c) Any material or structure temporarily occupying public property, including fences, canopies, and walkways, shall be adequately lighted between sunset and sunrise.
- (d) All construction, demolition, excavation, renovation activities within Quezon City shall be provided with appropriate installation of safety devices and support temporary structures and any other equipment to protect the workers and civilians during the said stated activities as prescribed in the implementing rules and regulations
- (e) For construction activity where the aerial right of the adjacent property is compromised, the Installation of temporary safety measures adequate to ensure safety of the adjacent owner not exceeding one meter over the aerial rights of said adjacent property shall be a mandatory requirement, subject to adjacent property owner's consent.

**SECTION 44. GENERAL DESIGN AND CONSTRUCTION REQUIREMENTS.** Buildings proposed for construction shall comply with all the regulations and specifications herein set forth governing quality, characteristics and properties of materials, methods of design and construction, type of occupancy, and classification of construction.

All other matters relative to the architectural, structural, sanitary/plumbing, electrical, mechanical, electronics and communication design of all buildings and other structures not provided for in this Code shall conform with the provisions of their respective technical referral codes.

As additional safeguard for structural integrity of any building or structure, the City Building Official may require peer review.

*All other responsibilities related to the design requirements and standards is vested to the design professional and shall be in accordance to the applicable technical referral codes of NBC (PD 1096)*

**SECTION 45. ELECTRICAL, MECHANICAL AND SANITARY/PLUMBING REGULATIONS.** *All electrical, sanitary/plumbing and mechanical systems, equipment and installations mentioned in this Code shall conform to the latest provisions of the Philippine Electrical Code, Sanitary / Plumbing Code, and Mechanical Code of the Philippines respectively.*

**SECTION 46. USE OF COMPUTERS.** *The use of computer for all or any part of the design of building under this Code is permitted provided that all documented outputs must contain all relevant information as may be required by the City Building Official for purposes of evaluation.*

*All building plans and construction drawings shall utilize the standard forms type A0, A1, A2 and A3. Matrix / sample figures are to be included in the annexes.*

*To ensure compliance with this Code, preliminary plans in electronic copy may be submitted to the Department of the Building Official for pre-evaluation. The City Building Official also has an option to require consultations relative to the submitted plans.*

**SECTION 47. PROGRAM DOCUMENTATION.** *Documenting a program under this Code consist of filing with the City Building Official a reference to a publication or publications accessible to him where the detailed description of the program or a brief statement on the theoretical background of the program including a description of the algorithms used are found.*

**SECTION 48. SUBMISSION OF COMPUTER GENERATED COMPUTATIONS.** A copy of the output sheets for computer generated computations shall be submitted as part of the design computations. The printout sheets shall be accompanied by a certification of a designer and/or consultants that the output sheets are the results obtained through the use of documented programs. The certification shall include the identification of the specific program used for each portion of the computer generated computations being submitted.

**SECTION 49.** The provisions of Ordinance No. SP-2109, Series of 2011 otherwise known as the "Quezon City Billboard Ordinance of 2011" are hereby adopted and made part of this Code.

**SECTION 50. EXISTING BUILDING AND STRUCTURE.** All buildings or structures constructed under R.A. No. 6541 or existing city or municipal building codes or ordinances, if legally done in accordance therewith, shall be respected subject to such limitations established in this Code.

However, alterations, additions, conversions and/or repairs to be made in such buildings or structures shall be subject to the provisions of this Code

**SECTION 51. INTERIM RULES AND REGULATIONS.** Interim rules and regulations on buildings promulgated by the Secretary before the adoption of this Code pursuant to existing laws or decrees shall continue to have binding force and effect, when not in conflict with the provisions of this Code.

**SECTION 52. SEPARABILITY CLAUSE.** If any provision of this decree or the application thereof is to any person or circumstance declared unconstitutional or invalid for any reason, the same shall not affect the validity of the other provisions.

**SECTION 53. REPEALING CLAUSE.** All ordinances, rules and regulations or parts thereof contrary to or inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

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**SECTION 54. IMPLEMENTING RULES AND REGULATIONS.**  
*In the implementation of the provisions of this Code, the Office of the City Mayor in consultation with the City Building Official shall formulate necessary rules and regulations and adopt design and construction standards and criteria for buildings and other structures. The Implementing Rules and Regulations of this Code shall be passed within 90 days from the passage of this Code. Such standards, rules and regulations shall take effect after the publication once a week for three consecutive weeks in a newspaper of general circulation.*

**SECTION 55. EFFECTIVITY.** *This decree shall take effect upon its promulgation*

*ENACTED: March 14, 2016.*

MA. JOSEFINA G. BELMONTE  
Vice Mayor  
Presiding Officer

**ATTESTED:**

Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept. Head III

APPROVED: \_\_\_\_\_

HERBERT M. BAUTISTA  
City Mayor

**CERTIFICATION**

*This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 14, 2016 and was PASSED on Third/Final Reading \_\_\_\_\_.*

Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept. Head III