



Ordinance No. NC- 180, S-90.

ORDINANCE

PENALIZING THE CONSTRUCTION OF DWELLING UNITS AND STRUCTURES FOR ANY PURPOSE IN QUEZON CITY WITHOUT DULY NOTARIZED WRITTEN CONSENT OF THE OWNER OF PRIVATE LAND OR THE APPROVAL OF THE HEAD OF OFFICE, BUREAU OR AGENCY OF THE GOVERNMENT HAVING JURISDICTION OVER THE GOVERNMENT LAND AND PROVIDING PENALTY FOR VIOLATION THEREOF.


Introduced by Councilors Isidro R. Saludes, Alberto M. Galarpe, Teodoro N. Ramos, Alfredo A. Francisco (Fred Montilla), Herminio "Butch" C. Bautista, Norberto C. Cabigao, Dante V. Liban, Reynaldo A. Calalay, Emilio G. Tamayo, Alicia A. Herrera, Melencio M. Castelo, Edgardo S. Serrano, Eduardo F. David, Jesse J. Paculdo, Mitchell Y. Gumabao (Dennis Roldan), Elizabeth O. Gaba, Cielito "Mahal" Del Mundo, Guillermo C. Altuna, Ricardo R. Del Rosario, Jesus M. Cellano, Jr. and Roberto A. Miguel.

WHEREAS, survey indicates that there are more than one hundred twenty thousand (120,000) squatter families in Quezon City;

WHEREAS, there is an urgent need to abate let alone arrest further influx of squatters which causes widespread disturbance of the peace and order condition in the community, create unsanitary environment posing hazard to the health and life of the inhabitants emanating from the lack of sanitation and other basic health facilities;

WHEREAS, there are professional squatters who continue building houses and other structures and have them rented thereby appropriating the land of another to their own use and benefits to the prejudice of the owners thereof as well as of the government which is unable to impose property tax thereon;

WHEREAS, unless abated the continued proliferation of squatters in our area of responsibility



will create heavy burden to the City fund to answer for the delivery of basic services and needs of these people who will join the present mass of unemployed in our City;

NOW, THEREFORE,

Be it enacted by the City Council of Quezon City in session assembled:

SECTION 1. It is hereby declared unlawful and illegal for any person or persons to construct any dwelling unit or structure for any purpose on any private land in Quezon City without duly notarized written consent of the owner thereof and the certification of the Barangay Captain where the land is located.

The written consent of the owner of the land shall be authenticated before a notary public or any person authorized by law to administer oath.


It is the duty and responsibility of the Barangay Captain to stop the construction if it does not comply with the requirements hereof.

SECTION 2. It is hereby declared unlawful and illegal for any person or persons to construct dwelling unit or structure for any purpose on government land in Quezon City without the written approval of the Head of Office, Bureau of agency of the City or National Government who has jurisdiction over the land. The said person or persons shall notify the Barangay Captain before undertaking the construction.

It is the duty and responsibility of the Barangay Captain where the land is located to investigate and verify whether the construction is with the approval of the Head of the Office concerned and to prevent or stop the construction if it does not comply with the requirements hereof.

SECTION 3. It shall be the duty and responsibility of the Barangay Captain to report in writing to the City Building Official any and all dwelling units and structures constructed in his barangay in violation of this Ordinance.

Upon receipt of the written report, the City Building Official shall conduct an investigation



and upon verification of the violation shall immediately cause the demolition in accordance with law.

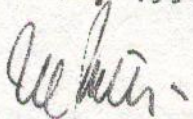
SECTION 4. Any and all dwelling units and structures already constructed prior to the approval hereof are exempted from the provisions of this Ordinance.

SECTION 5. Any person or persons who shall construct dwelling unit or structure in violation of this Ordinance shall, upon conviction, suffer the penalty of imprisonment of thirty (30) days of arresto menor and a fine of One Thousand Pesos (P1,000.00). The construction and building materials shall be confiscated and forfeited in favor of the government.

SECTION 6. The Barangay Captain and/or the City Building Official who fails to comply with the duties and responsibilities imposed upon him in this Ordinance shall, upon investigation, be subject to administrative sanction that may be imposed by the City Mayor in accordance with law.

SECTION 7. This Ordinance shall take effect upon its approval.

ENACTED December 12, 1990.


VICENTE C. SOTTO, III
Vice Mayor
Presiding Officer

ATTESTED:


VICENTE A. ALVAEZ
City Secretary

APPROVED: _____


BRIGIDO R. SIMON, JR.
City Mayor