



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
17th City Council

PO2009-150

83rd Regular Session

ORDINANCE NO. SP-**2006**S-2010

AN ORDINANCE REQUIRING ALL REAL ESTATE AND/OR PROPERTY DEVELOPER, WHOSE PROJECT COSTING P150 MILLION AND ABOVE, TO SUBMIT ADDITIONAL REQUIREMENT FOR BUILDING PERMIT APPLICATION, AN INITIAL ENVIRONMENTAL EXAMINATION OR ENVIRONMENTAL IMPACT STATEMENT WITH EMPHASIS ON EFFECTS OF EFFLUENTS GENERATION AND STORM DRAINAGE OUTFLOW TO ADJACENT PROPERTIES OR ANY BODY OF WATER AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Introduced by Councilors BERNADETTE HERRERA-DY, ANTONIO E. INTON, JR., RESTITUTO B. MALANGEN and JAIME F. BORRES.

WHEREAS, the people of Quezon City has witnessed the catastrophic effects of natural calamities aggravated by climate change or global warming;

WHEREAS, aside from Climate Change and Global warming, rapid development and progress in Quezon City worsens the effects of natural calamities;

WHEREAS, in the advent of TYPHOON ONDOY on September 26, 2009 so many destructions by floods have affected many communities and establishments in Quezon City as well as deaths and physical injuries have been inflicted on human lives as a result of huge volumes of water constricted water ways and water pollution that affected the health (leptospirosis diseases) and sanitation of people;

WHEREAS, consistent with the National Building Code, City Ordinance No. SP-918, S-2000 and the Department of Environment and Natural Resources- Environmental Management Bureau (DENR-EMB) Administrative and Memorandum Circulars on Environmental Protection and Pollution Control measures.

NOW, THEREFORE,

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

SECTION 1. PURPOSES.

1.1.) Quezon City needs to mitigate and address through feasible and necessary means the effects of natural calamities and worsening consequences of global warming and/or climate change to properties and human lives.

1.2.) Quezon City needs to promote public health, safety, comfort, convenience and general welfare of inhabitants.

1.3.) Quezon City needs to provide effective human habitation guides in accordance to acceptable standards for future growth and development in line with the Environmental, Human habitation and Pollution compliance mechanism.

1.4.) Quezon City needs to provide adequate natural light, air, privacy, convenience of flood free environment, fires and other dangers.

1.5.) Quezon City needs to regulate haphazard approvals of building permits without clear community and neighborhood environmental impact assessment and professional flood hazards review measures so as to obviate the dangers to public safety.

SECTION 2. IMPOSITIONS:

2.1. Building Permits Application for real estate and/or property development involving the amount of P150 Million and above must be accompanied by Initial Environmental Examination (IEE) or Environmental Impact Statement (EIS) duly prepared by Professionals of related fields (Hydrology etc) specifically indicating and addressing its impact on water ways, drainage outfall, carrying capacity of drainage outlet that its storm water outfall direction.

2.2. Approval of Building Permit of real estate and /or property development shall be the subject of a public consultation with the homeowner associations, barangay officials and adjacent community, neighborhood property owners within radius of two hundred (200) meters in distance to be affected by drainage outfall direction, noise pollution, air and sunlight deprivation and fire safety concerns and the like.

SECTION 3. FINAL PROVISIONS AND PENALTIES:

3.1. *Penalties* – Any person violating any provision of this Ordinance, shall, upon conviction, be penalized by a fine of not more than Five Thousand Pesos (P5,000.00) or by imprisonment for not more than one (1) year, or both, such fine and/or imprisonment, at the discretion of the Court.

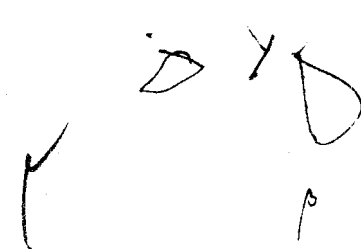
If the violation is committed by a firm, corporation or partnership or any other juridical person, the manager, managing partner, director or any other person charged with the management of such firm, corporation, partnership or juridical person shall be held criminally responsible therefore. Furthermore, any person or government official if found to have committed any violation of this Ordinance directly or indirectly, shall be held criminally as provided heretofore.

3.2. *Other Provisions* – The provisions of this Ordinance shall be without prejudice to the application of other laws, presidential decrees, letter of instructions and other executive or administrative orders vesting national agencies with jurisdiction over specific land areas, which shall remain in force and effect, provided that land use decisions of the national agencies concerned shall be consistent with the Comprehensive Land Use Plan of Quezon City.

This Ordinance shall be likewise enforced and applicable to real estate and/or property development that are under construction and without the Occupancy Permit yet in order for the development to have its necessary corrective measures prior to completion.

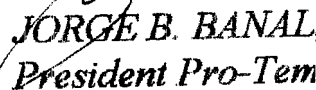
3.3. *Separability Clause* – Should any section or provisions of this Ordinance be declared by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

3.4. *Repealing Clause* – All Ordinances, rules or regulations in conflict with the provisions of this Ordinance are hereby repealed; provided that the rights that are vested before the effectivity of this Ordinance shall not be impaired.

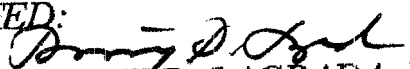


SECTION 4. EFFECTIVITY. - *This Ordinance shall take effect after its publication for three (3) consecutive weeks in a newspaper of general circulation in Quezon City.*


ENACTED: March 8, 2010.


JORGE B. BANAL, JR.
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

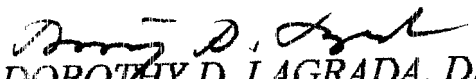

DOROTHY D. LAGRADA, DPA
City Secretary

APPROVED: April 12, 2010


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on March 8, 2010 and was PASSED on Third/Final Reading under Suspended Rules on the same date.


DOROTHY D. LAGRADA, DPA
City Secretary

