



ORDINANCE NO. SP - J 128 , S-2002

AN ORDINANCE REPEALING ORDINANCE NO. SP-651, S-98, REQUIRING OWNERS, OPERATORS, LESSEES, OCCUPANTS AND CONCESSIONAIRES OF BUSINESS ESTABLISHMENTS, CONTRACTORS AND DEVELOPERS AND PERSONS REQUIRED TO SECURE BUSINESS AND/OR BUILDING PERMIT IN DOING BUSINESS OR UNDERTAKING CONSTRUCTION OR REPAIR WORK IN QUEZON CITY TO SECURE PUBLIC LIABILITY INSURANCE, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES.

Introduced by Councilors RAMON P. MEDALLA, RESTITUTO B. MALANGEN, VICTOR V. FERRER, JR., VOLTAIRE GODOFREDO L. LIBAN III, ROMMEL R. ABESAMIS, ERIC Z. MEDINA, ALMA F. MONTILLA, ANTONIO E. INTON, JR. and JANET M. MALAYA.

Co-Introduced by Councilors Elizabeth A. Deiarmente, Bernadette R. Cruz-Herrera, Jorge L. Banal, Julian M.L. Coseteng, Wenecerom Benedict C. Lagumbay and Jesus "Bong" C. Suintay.

WHEREAS, Ordinance No. SP-651, S-98, was enacted principally to allow a more expedient and prompt indemnification of injuries and damages resulting from "accidents and disasters occurring in business establishments" or in on-going infrastructure works;

WHEREAS, statistics show that injuries and damages of that nature had seldom occurred in the past and while isolated cases might had happened it was due more to the inability of the Office of the Building Official, for one reason or another, to strictly enforce the pertinent provisions of the National Building Code on the protection of the public;

WHEREAS, the continued implementation, in the meantime, of said Ordinance has aroused the ire of the business sector and discouraged potential investors inasmuch as compliance therewith becomes an unnecessary burden that tends to stifle rather than regulate business activities in Quezon City;

WHEREAS, prior compliance with said Ordinance before any building and/or business permit is issued would only perpetuate laxity or complacency on the part of the City government in the enforcement of existing laws and regulations on buildings and similar structures;

WHEREAS, an effective mechanism has already been put in place under "Katarungang Pambarangay" of the Local Government Code for prompt and expedient indemnification for injuries and damages of such nature, among other cases.

NOW, THEREFORE,

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

SECTION 1. Ordinance No. SP-651, S-98, an Ordinance requiring owners, operators, lessees, occupants and concessionaires of business establishments, contractors and developers and persons required to secure business and/or building permit in doing business or undertaking construction or repair work in Quezon City to secure public liability insurance, providing penalties for violations thereof and for other purposes is hereby repealed in its entirety.

SECTION 2. The Chief of the Business Permits and Licensing Office (BPLO) is hereby ordered to immediately inform all the Barangay Officials and other local agencies implementing Ordinance No. SP-651, S-98, to cease and desist from requiring all business establishments to secure a Public Liability Insurance as a requisite for permit.

SECTION 3. This Ordinance shall take effect upon its approval.

ENACTED: February 26, 2002.

ATTESTED:

EUGENIO V. JURILLA
City Council Secretary

HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

APPROVED: April 19, 2002

FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on February 26, 2002, was finally PASSED by the City Council on March 12, 2002.

EUGENIO V. JURILLA
City Council Secretary