



Republic of the Philippines
CITY COUNCIL
Quezon City
15th City Council

Indexed
11-04-03

PO2002-225

67th Regular Session

ORDINANCE NO. SP-1273, S-2003

AN ORDINANCE PROHIBITING THE CONSTRUCTION, USE AND/OR MAINTENANCE OF WING WALLS, PARTITION WALLS, PARTY WALLS AND ANY OTHER WALL ON THE GROUND FLOOR OF ALL ESTABLISHMENTS WITHIN THE CITY.

Introduced by Councilors JULIAN M. L. COSETENG, WILMA AMORANTO-SARINO, ELIZABETH A. DELARMENTE, BERNADETTE HERRERA-DY, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, RAMON P. MEDALLA, ERIC Z. MEDINA, JORGE L. BANAL, WENCEROM BENEDICT C. LAGUMBAY, DANTE M. DE GUZMAN, JESUS MANUEL C. SUNTAY, JANET M. MALAYA and RESTITUTO B. MALAÑGEN.

WHEREAS, Section 458, (2) (vi) of Republic Act No. 7160, as amended, otherwise known as the Local Government Code of 1991, empowers the local government units to prescribe reasonable limits and restraints on the use of property within the jurisdiction of the city;

WHEREAS, one of the major programs of the City government, under the leadership of the Honorable City Mayor Feliciano R. Belmonte, Jr., is the clearing of obstructions from the maintenance of hazard free sidewalks, towards the end of making Quezon City a "Walkable City" and the "Most Livable City" in the country;

WHEREAS, Section 305 of Presidential Decree No. 1096 provides that "the issuance of a prior building permit does not preclude the City Building Official from requiring the building owner to effect necessary corrections when the prior plans are subsequently found defective";

WHEREAS, it is necessary to impose a mandatory five (5) meter public parking easement for all commercial and industrial establishments and religious and educational institutions in the City.

NOW, THEREFORE,

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

SECTION 1. No wall shall project or extend from the building line on the ground floor of any building or structure which will obstruct, hinder or otherwise impede the free flow of pedestrian traffic within the mandated parking or yard provisions or easements of all commercial structures and establishments in Quezon City.

SECTION 2. This prohibition shall apply to all wing walls, partition walls, party walls and any other wall on the ground floor, whether or not it serves as a mere demarcation or partition walls separating two (2) or more buildings, structures, units or edifices, whether erected on or forming part of one property and whether bearing or non-bearing.

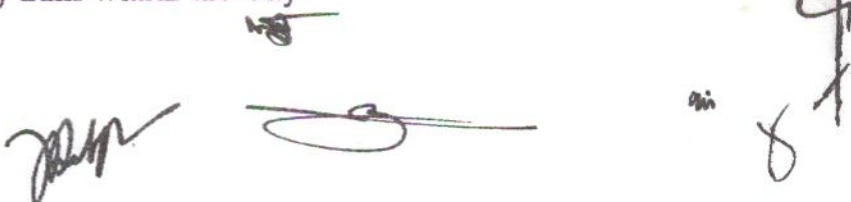
SECTION 3. All establishments and structures affected/covered by this Ordinance are hereby given a period of one (1) year from approval hereof to voluntarily comply herewith.

Nonetheless, any wing wall, partition wall, party wall or any other wall on the ground floor which is constructed without the necessary permit from the City Engineer's Office shall subject the owner thereof to the penalty of immediate demolition and a fine of Two Thousand Pesos (P2,000.00) and the full cost of demolition.

SECTION 4. Upon the lapse of the one (1) year period for voluntary compliance with this Ordinance, the City Engineer shall summarily demolish all walls found in violation of this Ordinance.

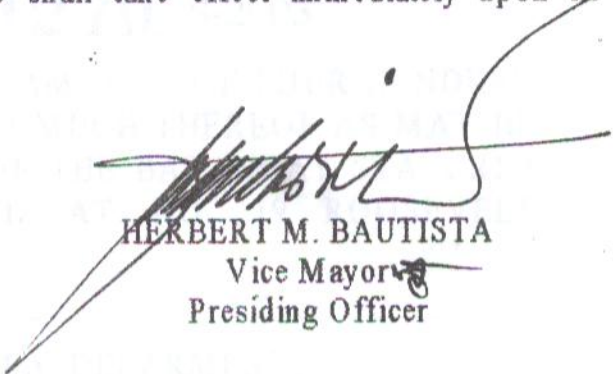
SECTION 5. The City Engineer, the City Public Affairs and Information Services Officer and the Business Permits and Licensing Office Chief are hereby tasked to conduct an information campaign among all affected commercial establishments regarding the implementation of this Ordinance.

SECTION 6. The City Council Secretary is directed to cause the publication once in a newspaper of general circulation and posting of copies of this Ordinance for three (3) consecutive weeks at the City Council bulletin board and in all barangay halls within the City.




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

ENACTED: June 3, 2003.



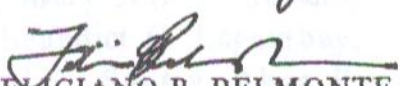
HERBERT M. BAUTISTA
Vice Mayor
Presiding Officer

ATTESTED:



EUGENIO V. JURILLA
City Council Secretary

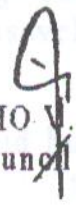
APPROVED: July 4, 2003



FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on June 03, 2003 was finally PASSED on Third Reading by the City Council on July 1, 2003.



EUGENIO V. JURILLA
City Council Secretary

hw in 8