

65th Regular Session

ORDINANCE NO. SP-440, S-96

AN ORDINANCE CREATING A UNIT UNDER THE DEPARTMENT OF ENGINEERING OF QUEZON CITY TO BE KNOWN AS "THE OFFICE OF THE BUILDING OFFICIAL", AND PROVIDING FOR ITS ORGANIZATION, DUTIES AND FUNCTIONS AS WELL AS THE NECESSARY FUNDS THEREFOR.

Introduced by Councilors EMILIO G. TAMAYO, ALBERTO M. GALARPE, MA. FRESCA M. BIGLANG-AWA, GODOFREDO T. LIBAN II, CESAR A. DARIO, JR., JOSEPH PETER S. SISON, NANETTE CASTELO DAZA and BONIFACIO M. RILLON.

WHEREAS, it is acknowledged in P.D. No. 1096, otherwise known as the National Building Code of the Philippines, specifically in Section 205 thereof, that the practice of designating incumbent District Engineers, City Engineers and Municipal Engineers to act as Building Officials in their respective areas of jurisdiction is "due to the exigencies of the service" and shall "continue until regular positions of Building Official are provided";

WHEREAS, Republic Act No. 7160 otherwise known as the Local Government Code of 1991, instead of providing for regular position of Building Official, opted to institutionalize the said practice by stipulating in Section 477 thereof that "the City and Municipal Engineer shall also act as the Local Building Official";

WHEREAS, the framers of said R.A. 7160 may have inadvertently overlooked the requirements and impositions of two separate and equally demanding public offices, that of the City Engineer and the Building Official, particularly in first-class municipalities and highly-urbanized cities, such as Quezon City;

WHEREAS, to rectify the apparent oversight, without necessarily amending the Local Government Code, which would require an act of Congress, it is imperative to have a specialized and highly professional unit within the Department of Engineering of Quezon City to exclusively assist the City Engineer in his additional function as Building Official;

WHEREAS, the existing office currently performing said task is a mere division of the Department of Engineering and does not satisfactorily conform to the requirements of the National Building Code and its implementing rules and regulations;

WHEREAS, a specialized and highly professional office operating directly under the City Engineer/Building Official and detached from the line command of the Department of Engineering would enhance the delivery of service to the public vis-a-vis the administration and enforcement of the National Building Code and increase revenue-generating prospects of the City government arising therefrom;

WHEREAS, under Section 454 of said Local Government Code, the sangguniang panlungsod is empowered to "create such other offices as may be necessary to carry out the purpose of the City government";

NOW, THEREFORE,

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

SECTION 1. There is hereby created a unit under the Department of Engineering of Quezon City which shall be known and referred to as the "Office of the Building Official".

SECTION 2. The newly-created office shall be headed by an "Assistant Building Official" with the rank of City Government Assistant Department Head III (Grade 26). He shall directly assist the City Engineer in his capacity as Building Official and shall sign for and by authority of the Building Official all building permits, occupancy permits and other ancillary permits, to be issued henceforth by the new office.

SECTION 3. The Assistant Building Official shall have the following qualifications:

- A. A Filipino citizen, bonafide resident of Quezon City and of good moral character;
- B. A duly registered architect or civil engineer;
- C. Has at least five (5) years of diversified and proficient experience in building design and construction.

SECTION 4. The Office of the Building Official shall have the following duties and functions:

- A. Generally, shall be responsible for enforcing the provisions of the National Building Code as well as the implementing rules and regulations issued therefor;

- B. Specifically, shall be responsible for processing and issuing building permits, occupancy permits and other ancillary permits;
- C. Shall be responsible for inspecting and determining compliance of any building or structure with the requirements of the National Building Code and the terms and conditions provided for in the building permit as issued;
- D. Shall be responsible for stopping any building work found to be contrary to the provisions of the National Building Code and prescribing the terms and/or conditions when the works will be allowed to resume; and
- E. Shall be responsible for discontinuing the occupancy or use of any building or structure or portion thereof found to be occupied or used contrary to the provisions of the National Building Code.

SECTION 5. In the performance of its duties and functions, the office of the Building Official shall have the following manpower complement:

<u>NO.</u>	<u>TITLE</u>	<u>GRADE</u>	<u>QUALIFICATION</u>
1	Assistant Department Head III	26	Reg. Architect or C.E.
<u>Enforcement Division</u>			
1	Engineer V	24	Reg. Architect or C.E.
1	Engineer IV	22	Reg. Architect or C.E.
6	Engineer III	19	Reg. Architect or C.E.
5	Engineer II	16	Reg. Architect or C.E.
30	Building Inspector	11	Arch'l. or Eng'g. Grad.
<u>Processing Division</u>			
1	Engineer V	24	Reg. Architect or C.E.
1	Engineer IV	22	Reg. Architect or C.E.
5	Engineer II	16	Reg. Architect or C.E.
5	Engineer I	12	Reg. Architect or C.E.
<u>Administrative Division</u>			
1	Engineer III	19	Reg. Architect or C.E.
1	Legal Officer II	17	
3	Clerk III	6	
6	Clerk II	4	
4	Driver I	3	
1	Security Guard II	5	
1	Utility Worker II	2	
73	Total Staffing Requirement		

SECTION 6. The current Building Permits and Inspection Division of the Department of Engineering is hereby abolished, Provided however, that its qualified personnel shall be given first priority in filling up the newly-created positions; and Provided, further, that other personnel not selected shall be re-assigned in appropriate positions within the Department of Engineering.

SECTION 7. An Ad-Hoc Committee composed of the City Engineer/Building Official as Chairman, and the Assistant Building Official-Designate and the Chairman of the Committee on City Planning, Building and Zoning Regulations as members, shall evaluate, determine and recommend to the Personnel Selection Board the lateral entries of the said personnel of the defunct Building Permits & Inspection Division to the newly-created Office.

SECTION 8. There is hereby appropriated the amount of Two Million Five Hundred Thousand Pesos (P2,500,000.00) from any available funds to cover the personnel and operating expenses of the newly-created unit for the last quarter of 1996. Regular annual budgetary requirements shall be included in the budget of the Department of Engineering beginning calendar year 1997.

SECTION 9. This Ordinance shall take effect upon its approval.

ENACTED: September 10, 1996.

(SGD.) CONNIE S. ANGELES
Acting Vice-Mayor
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

(SGD.) BENIO V. JURILLA
City Secretary

A. ROVEL

(SGD.) HERBERT M. TUTISTA
Acting City Mayor