Commonwealth of the Philippines
Department of the Interior

QUEZON CITY

City Council

ORDINANCE Numbered 38

AN ORDINANCE PROVIDING CERTAIN RESTRICTIONS IN THE LOCATION AND CONSTRUCTION OF BUILDINGS PARTICULARLY IN RELATION TO STREETS AND PROPERTY LINES, AND FIXING THE WIDTH OF STREETS AND SIDEWALKS; AND PRESCRIBING PENALTIES THEREFOR.

Section 1. Undivided Property, plans of street systems.- No building shall be erected on undivided property, except buildings owned and used by the owner of such property. No permit for the construction or erection of a building shall be issued unless the roadway of an approved street is first properly constructed and finished for its entire length in front of the lot on which the proposed building is located with properly finished gutters or canals following or in accordance with the development plan as approved.

Suspended, Ordi. 72

Section 2. Location restrictions.- Buildings shall be built on every lot so as to secure proper natural light and ventilation for the occupants thereof, and for this purpose, as well as for better fire protection, no building shall be erected in industrial sections unless it conforms with limitations classified as follows:

Class "A" industrial buildings - within 3 meters from the street-lot lines or within 2 meters from the adjacent lot lines of the adjoining property.

Class "B" industrial buildings - within 10 meters from the street-lot lines or within 10 meters from the adjacent lot lines of the adjoining property.

Class "C" industrial buildings - within 20 meters from the street-lot lines or within 20 meters from the adjacent lot lines of the adjoining property.

Class "A" industrial buildings shall include all buildings intended or used for the manufacture of soft drinks, dairy products and similar refreshments, bakeries and allied food products, furniture without machinery, watchmakers, printers, bookbinders and similar light industries.

Class "B" industrial buildings shall include all buildings intended or used for the manufacture of soap either by hand or by machinery, toyo, textiles, household utensils and effects, shoes, slippers, food products not mentioned in "A"; also ice plants, public laundries, cleaning and dyeing establishments, warehouses, and other buildings of allied nature.

Class "C" industrial buildings shall include all buildings intended for heavy industries or used for the manufacture of liquors or other distilled or fermented

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liquors; establishments for the storage of inflamable or highly combustible materials; for the manufacture and storage of film products; ironworks; shops with forge and blacksmith equipment; all mills, sawmills, carpentry shops with machineries; fabrication of drugs; or any building for any trade or industry or for any use that is noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise.

In commercial sections, no building to be erected shall be located within 3 meters from the street-lot line of all adjacent streets.

In residential sections, no buildings to be erected shall be located:

Within 4 meters from the street-lot lines of streets 10 meters wide, or less;

Within 5 meters from the street-lot lines of streets more than 10 but not exceeding 15 meters in width;

Within 7.5 meters from the street-lot lines of streets more than 15 but not exceeding 20 meters in width;

Within 10 meters from the street-lot lines of streets more than 20 but not exceeding 30 meters in width; and

Within 15 meters from the street-lot lines of streets more than 30 meters in width.

Suspended, Ordi. 7

Section 3. Percentage of occupancy of sites.- No building to be erected shall occupy more than 90 per centum of the area of a corner lot, nor more than 80 per centum of any inside lot. Buildings for domestic use shall occupy not more than seventy per centum of any lot. The measurement of occupancy of lots shall be taken at the ground level and shall be exclusive of courts, yards, and light wells.

Arcades, but not balconies, of buildings shall be considered in computing the total area of occupancy of sites.

In commercial and residential sections, no building shall be constructed within 2 meters from the adjoining lot line, unless a concrete fire wall approved by the City Engineer is constructed between the building and the adjacent property, in which case, no window openings in the wall shall be provided.

Section 4. Area of windows.- No cubicle or room shall be constructed or maintained in buildings intended for human habitation, unless such cubicle or room is provided with a window or windows or sky-light having a total area of not less than one-tenth (1/10) of the floor area of such cubicle or room and opening directly to the external air.

Section 5. Height of floor from the ground for human habitation.- Every building or structure of strong materials erected and intended for human habitation, if provided with a wooden floor, shall be so constructed as to leave a clear space of s[illegible]enty-five centimeters between the undersurface of the [illegible] and the surface of the ground or the paved surface. If a building is to be constructed entirely with masonry walls, the space between the floor joists and the ground shall be vented by

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means of air vents or air bricks, protected by suitable gratings so as to prevent the passage of rodents. And where buildings are to be erected on sloping ground, permission may be granted by the City Engineer to level up the ground of the building site in order that uniform height of foundation or posts may be used.

Section 6. Projections over streets.- No balconies, media aguas or other permanent projections shall be permitted to extend over and beyond any portion of the street-lot line, provided that this prohibition shall not apply to arcades where construction in certain sections of the City may be made compulsory by ordinance.

Section 7. Width of streets.- No development plan of any subdivision shall be approved by the City Engineer unless it provides for the following minimum widths of right-of-way for roads and streets, inclusive of sidewalks and shoulders:

(a) For industrial sections ---------- 20 meters
(b) For commercial sections ---------- 30 meters
(c) For residential sections ---------- 10 meters

Section 8. Sidewalks.- The width and grade for the sidewalk in any street in Quezon City shall be determined by the City Engineer in general conformity with the following requirements:

One-fifth (1/5) of the entire width between property lines shall be the minimum width alloted for sidewalks on each side of a street inclusive of shoulders or sodded space; Provided, however, that in wide boulevards which are provided with safety center islands not less than three (3) meters wide, the width of this center strip shall be excluded in the computation of the width of sidewalks and shoulders.

Section 9. Revocation of Permit.- When the work for which any building permit was issued is not being performed in accordance with the plans and specifications on file, it shall be the duty of the City Engineer to notify the owner or his agent that the work is being carried on in violation of the permit and that such work must be suspended until a permit for such deviation from the plans or specifications be obtained or that such work shall be made to conform to the plans and specifications as filed. If the owner or his agent fails to comply with said notice on the service thereof, it shall be the duty of the City Engineer to revoke the permit. Written notice of such revocation signed by the City Engineer shall be immediately served upon the owner or his agent and shall be posted on the premises, and it shall be unlawful for any person to perform any work in or about such structure thereafter.

With the previous approval of the City Mayor in each case, the City Engineer may order the removal of buildings and structures erected in violation of this ordinance or the removal of the materials employed in the construction or repair of any building or structure thereof.

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Section 10. Right of entry by City Engineer and assistants.- The City Engineer, his assistants, and other representatives shall have the right to enter, upon any building site or premises, or to enter any new or unoccupied building or any building under construction, repair, or removal, or any building alleged to be unsafe or damaged. In case a house is occupied, the occupant shall be duly notified in advance of the intended inspection.

Section 11. Final inspection by the City Engineer.- It shall be the duty of the City Engineer to make or cause to be made a final inspection of all buildings of strong materials before any such building may be occupied. If such building is found to have been constructed in conformity with the provisions of this ordinance, the City Engineer shall issue to the owner or his agent a written certificate to that effect. The owner or his agent shall notify the City Engineer when the building is ready for the final inspection.

Sec. 11(a) (Inserted by Ordinance No. 176) - Deposit for

Section 12. General building penalties.- Any person, association, corporation who shall violate any of the provisions of this Ordinance, or shall fail to comply therewith, or who shall build in violation of any detailed statement contained in the plans and specifications submitted and approved thereunder shall for each and every such violation or noncompliance be punished by a fine of not less than ten (₱10.00) pesos nor more than two hundred (₱200.00) pesos or by imprisonment for not more than six months, or by both such fine and imprisonment in the discretion of the court: provided, that in the case of a corporation or association, the manager or the person in charge with the management of the business shall be responsible therefor.

Amended by Ord No. 449 of 1949

Section 13. Effectivity.- This ordinance shall take effect upon its passage.

Unanimously passed, March 25, 1940.

(SGD.) TOMAS B. MORATO
Mayor

ATTESTED:

(SGD.) A. D. WILLIAMS
City Secretary

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