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Republic of the Philippines
Quezon City
CITY COUNCIL N-325(2)

ORDINANCE NO. 9378, S-72

ORDINANCE

PROVIDING FOR AN OPTION TO OWNERS OF BUILDINGS AND OTHER CONSTRUCTION WORKS ERECTED, REPAIRED OR ALTERED AND WHICH ARE NOT DULY COVERED BY A BUILDING PERMIT, TO EITHER DEMOLISH OR SECURE THE NECESSARY BUILDING PERMIT THEREFOR, SUBJECT TO CERTAIN CONDITIONS; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Introduced by Councilors Paredes & Sarino
Sponsored by Councilors Alinea Jr., J. Perlas Jr., Castelo, David, de la Cruz, Genito Jr., Gonzales, Montenegro, Paculdo, Vera Perez, Roces and Sarino.

Be it ordained by the Council of Quezon City in session assembled:

SECTION 1. Construction works involving the erection, repair, or alteration of any structure, including the erection of any signboard or sign device upon any building, which are completed or made before the approval of this Ordinance, without the necessary building permit upon due verification and certification by the Committee on Zonification, must immediately be demolished by the owner thereof unless the owner elects to apply for and secure the corresponding building permit as favorably recommended by the Committee on Zonification and upon payment of fees prescribed under existing city ordinances plus 100 per centum SURCHARGE IN CASE OF RESIDENTIAL BUILDINGS AND 200 per centum surcharge in cases of commercial and industrial buildings; PROVIDED, That such election shall be subject to the following conditions:

a. that the structure or sign device is not constructed on a public land or on a private lot where the builder does not have a contract of lease from, or the consent of, the owner thereof;

b. that the structure complies with the land use limitations of the existing zoning regulations;

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c. that in cases of non-conforming side and rear yards, a reinforced concrete framed firewall shall be constructed on any abutting building side or on any building side which is less than 2.00 meters from the side or rear lot line; and

d. that in cases of non-conforming front yards, the conditions imposed under Ordinance No. 8215, S-70, shall be complied with.

SEC. 2. The Committee on Zonification shall meet regularly once every week. It shall, if necessary, make field inspection of buildings, structures, and/or signboards for which a special building permit is being requested. The four Councilors of any particular councilor district in which the site of the building, structure, and/or sign board is situated shall sit with the Committee and participate in the deliberations. The Councilors concerned may also join in the field inspections of the Committee. The City Engineer, upon the favorable recommendation of the Committee on Zonification and the Councilors of the district concerned, shall issue to an applicant the corresponding building permit as provided for in Section One hereof.

SEC. 3. Non-conforming structures which have not been constructed but which have pending applications for special permit received by the City Council prior to the approval of this Ordinance may likewise be issued the corresponding building permit as provided for under Section One and Section Two hereof.

SEC. 4. The City Secretary, after the approval of this Ordinance, shall cause the same to be published in at least two (2) newspapers of general circulation and posted in the bulletin boards of all barrio halls and in other conspicous places.

SEC. 5. The City Engineer shall, upon failure of the owner of the non-conforming structure and/or sign failing to secure the building permit as provided for in Section One hereof on or before December 31, 1972, effect the demolition thereof. He shall serve notice

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of demolition in writing to such owners, and if within ninety (90) days after receipt of such notice the owner still fails to either demolish or secure the corresponding building permit for his structure, the demolition shall be or caused to be undertaken by the City Engineer and the expenses incurred in connection therewith shall be chargeable against the owner concerned without prejudice to the penal sanction provided for under this Ordinance.

SEC. 6. Any violation of this Ordinance shall, upon conviction, be punished by a fine of not less than One Hundred Pesos (₱100.00) but not more than Two Hundred Pesos (₱200.00) or by imprisonment of not less than thirty (30) days but not more than six (6) months, or by both such fine and imprisonment at the discretion of the court. If the offender is an association, corporation, partnership or other juridical entity, the manager, managing partner, or person in charge of the management of such association, corporation, partnership, or other juridical entity shall be held criminally liable therefor.

SEC. 7. After the approval of this Ordinance, application for special permit for new constructions shall be entertained by the City Council only in those cases where the lots are exceptionally irregular, narrow, shallow or steep, or possessed of other exceptional physical conditions, whereby the strict application of the zoning regulations would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved. The lots involved herein must conform with existing subdivision regulations.

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SEC. 8. Ordinance No. 8030, S-70 and any of its amendments are hereby repealed accordingly.

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

ENACTED June 19, 1972.

(SGD.) RONALD S. KOOKOORITCHKIN
(Ronald Remy)
Acting Vice Mayor & Presiding Officer

ATTESTED:

(SGD.) FELIPE L. TING
City Secretary

APPROVED: Sept. 20, 1972

(SGD.) N. S. AMORANTO
City Mayor

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