

Republic of the Philippines
Department of Public Works and Highways
Manila

Pursuant to the authority vested in the Secretary of the Department of Public Works and Highways (DPWH) under Chapter 2 of the National Building Code of the Philippines (PD 1096), the following Rules and Regulations are hereby promulgated and issued:

*Annotation: The 2004 Revised IRR text and graphics are **as originally published by the DPWH on April 1, 8 and 15, 2005 in The Manila Standard Today, with supplied emphases, underscoring and annotations.***

RULE I - GENERAL PROVISIONS

SECTION 101. Title

These Rules shall be known and cited as the “**Revised Implementing Rules and Regulations of the National Building Code of the Philippines (P.D. 1096)**” and shall be referred to as the “**IRR**”.

SECTION 102. Declaration of Policy

It is hereby declared to be the policy of the State to safeguard life, health, property, and public welfare, consistent with the principles of sound environmental management and control; and to this end, make it the purpose of the Code to provide for all buildings and structures, a framework of minimum standards and requirements to regulate and control their location, site, design, quality of materials, construction, use, occupancy, and maintenance.

SECTION 103. Scope and Application

1. The scope of this **IRR** shall cover the following disciplines: **architectural**, civil/structural, electrical, mechanical, sanitary, plumbing, and electronics. This shall also apply to the design, location, siting, construction, alteration, repair, conversion, use, occupancy, maintenance, moving, demolition of, and addition to public and private buildings and structures, **except** traditional indigenous family dwellings, and those covered by **Batas Pambansa Bilang 220** otherwise known as the “Economic and Socialized Housing Projects”.
2. Existing buildings or structures without appropriate building permits/certificates of occupancy may be legalized and issued the necessary permits and certificates, provided, they are made to conform to these rules and regulations. However, they shall be subject to the imposition of penalties, surcharges, fines and other appropriate measures.
3. The applicable and consistent provisions of the **allied professional codes and other government agency codes as approved by the DPWH Secretary** shall serve as the **referral codes** of PD 1096 and this IRR.

SECTION 104. General Building Requirements

1. **All buildings** or structures as well as accessory facilities thereto shall conform in all respects to the principles of safe construction and must be suited to the purpose for which they are designed.
2. **Buildings** or structures intended to be used for the manufacture and/or production of any kind of article or product shall observe adequate environmental safeguards.

3. **Buildings** or structures and all parts thereof as well as all facilities found therein shall be maintained in safe, sanitary and good working condition.

SECTION 105. Site Requirements

The land or site upon which will be constructed **any building** or structure, or any ancillary or auxiliary facility thereto, shall be sanitary, hygienic or safe. In case of sites or **buildings intended for use as human habitation** or abode, the same shall be at a safe distance, as determined by competent authorities, from streams or bodies of water and/or sources of air considered to be polluted; from a volcano or volcanic site and/or any other building considered to be a potential source of fire or explosion.

SECTION 106. Definitions

1. For purposes of this **IRR**, the following definitions shall apply:

ADDITION – Any new construction which increases the height and/or floor area of existing **buildings/structures**.

AGENCY OF THE GOVERNMENT – Refers to **any** of the various units of the government including a department, bureau, office, instrumentality, or government owned or controlled corporation.

ALTERATION – Works in **buildings/structures** involving changes in the materials used, partitioning, location/size of openings, structural parts, existing utilities and equipment but does **not** increase the building height and/or floor area.

APPLICATION FORMS – A preformatted prescribed application form duly accomplished and notarized by the **respective design professional** with validation matrices related to other **building** rules and regulations.

APPLICANT/ PERMITTEE – **Any** person, firm, partnership, corporation, head of government or private institution, organization of any character applying for the issuance of permits and certificates.

BUILDING OFFICIAL – the **Executive Officer** of the **OBO appointed** by the Secretary.

BUILDING PERMIT – A document issued by the **Building Official (BO)** to an owner/applicant to proceed with the construction, installation, addition, alteration, renovation, conversion, repair, moving, demolition or other work activity of a specific project/building/structure or portions thereof after the accompanying principal plans, specifications and other pertinent documents with the duly notarized application are found **satisfactory and substantially conforming** with the National Building Code of the Philippines (the **Code**) and its Implementing Rules and Regulations (**IRR**).

CODE – **PD 1096**, otherwise known as the **National Building Code of the Philippines**.

CONSTRUCTION – All on-site work done in the site preparation, excavation, foundation, assembly of all the components and installation of utilities, machineries and equipment of **buildings/structures**.

CONVERSION – A change in the use or occupancy of **buildings/structures** or any portion/s thereof, which has different requirements.

DEMOLITION – The systematic dismantling or destruction of a **building/structure**, in whole or in part.

DEPARTMENT – The **Department of Public Works and Highways (DPWH)**.

EXECUTIVE DIRECTOR – The **Executive Officer** or Head of the **NBCDO**.

MOVING – The transfer of **buildings**/structures or portion/s thereof from original location or position to another, either within the same lot or to a different one.

OFFICE OF THE BUILDING OFFICIAL (OBO) – The Office authorized to **enforce** the provisions of the **Code** and its **IRR** in the field as well as the enforcement of orders and decisions made pursuant thereto.

REFERRAL CODES – The applicable provisions of the various agency and **technical professional codes** that are **supplementary** to the Code.

RENOVATION – **Any** physical change made on **buildings**/structures to increase the value, quality, and/or to improve the aesthetic.

REPAIR – Remedial work done on any damaged or deteriorated portion/s of **building**/structure to restore to its original condition.

SECRETARY – Head or **Chief Executive Officer** of DPWH.

STAFF – The personnel of the **National Building Code Development Office (NBCDO)**.

2. As used in this **IRR**, other words, terms and phrases enumerated in the Glossary hereof shall have the meaning or definition correspondingly provided therein.

(emphases, underscoring and annotations supplied)

Rule II follows.

RULE II - ADMINISTRATION AND ENFORCEMENT

SECTION 201. Responsibility for Administration and Enforcement

The administration and enforcement of the provisions of the **Code** and this **IRR**, including the imposition of penalties for administrative violations thereof, is hereby vested in the Secretary.

SECTION 202. Technical Staff

The **National Building Code Development Office (NBCDO)** created through DPWH Department Order, shall serve as the **technical staff** of the Secretary. The functions thereof are as follows:

1. Assist the Secretary in the **administration and enforcement of the provisions of the Code and its IRR**.
2. Review, evaluate and **take final action** on various technical and legal problems forwarded to the Office of the Secretary.
3. **Conduct seminar/workshops** on the **Code**, its **IRR**, and **Batas Pambansa Blg. 344** (Accessibility Law).
4. Undertake such other duties and tasks as may be assigned by the Secretary from time to time.

SECTION 203. General Powers and Functions of the Secretary

1. Formulate **policies, plans, standards and guidelines** on **building design, construction, use, occupancy and maintenance**, in accordance with the **Code**.
2. Issue and promulgate **additional** rules and regulations in the form of **Memorandum Circulars** to implement the provisions of the **Code** and ensure compliance with policies, plans, standards and guidelines and issue office guidelines or Memorandum Circulars to **guide** the actions of the Building Official in the performance of his duties and responsibilities.
3. Exercise **appellate jurisdiction** over the decisions and orders of the Building Official. The order or decision of the Secretary shall be **final and executory** subject only to **review** by the **Office of the President** of the Republic.
4. Evaluate, review, approve and/or **take final action** on **changes and/or amendments to existing Referral Codes** as well as on the incorporation of other referral codes, which are not yet expressly made supplementary to the **Code** and its **IRR**.
5. Prescribe and impose the **amount of fees** and other charges as may be deemed necessary that the Building Official shall collect in connection with the performance of regulatory functions.
6. **Appoint a Building Official, separate and distinct** from the Office of the City/Municipal Engineers in all Cities and Municipalities.

*Annotation: Many Building Officials appointed by the DPWH Secretary simultaneously hold the office of City/Municipal Engineer, a position created under **R.A. No. 7160**, The Local Government Code. This situation has resulted in only one (1) individual overseeing both the horizontal and vertical developments for local government units (LGUs). **R.A. No. 9266**, The Architecture Act of 2004 provides that positions in government requiring the expertise of architects shall only be filled by **registered and licensed architects (RLAs)**. **R.A. No. 9266** also expressly provides that **all national and local government officials, such as Building Officials and Municipal/City Engineers shall implement the said law.***

SECTION 204. Professional and Technical Assistance

The Secretary **may secure** professional, technical, scientific and other services including testing laboratories and facilities from other agencies of the National Government when deemed necessary. He may also engage and compensate within available appropriations, such number of **consultants**, experts and advisers on full or part-time basis, as may be necessary, coming from the **government or private** business, entities or associations to carry out the provisions of the **Code** and this **IRR**.

SECTION 205. Building Officials

Except as otherwise provided herein, the **Building Official** shall be responsible for carrying out the provisions of the **Code** in the field as well as the enforcement of orders and decisions made pursuant thereto.

All Building Officials appointed or designated other than by the Secretary, shall **continue** to act as the Building Official until such time that the Secretary appoints the Building Official. Offices of the Building Officials already established, separate and distinct from the office of the City/Municipal Engineers in cities and municipalities **may continue to exist** until such time that a regular office is created. (*Fig. II.1.*)

SECTION 206. Qualifications of Building Officials

No person shall be appointed as **Building Official** unless he possesses the following qualifications:

1. A Filipino citizen and of good moral character.
2. A **duly registered** architect or civil engineer.
3. A member of good standing of a duly accredited organization of his profession for not less than five (5) years endorsed or recommended by the accredited professional organization.
4. Has at least five (5) years of **diversified and professional** experience in building design and construction.
5. Has attended and successfully completed a **seminar workshop on PD 1096 and its IRR** conducted by the **DPWH**.

SECTION 207. Duties of the Building Official

The **Building Official** shall have the following duties:

1. Be **primarily responsible** for the **enforcement** of the provisions of the **Code** and its **IRR**, as well as **circulars, memoranda, opinions and decisions/orders** issued pursuant thereto. His actions shall **always be guided by appropriate orders/directives** from the Secretary.
2. Have overall administrative control and/or supervision over **all** works pertinent to **buildings/structures** in his area of responsibility and shall be charged with the processing of **all** permit applications and certificates as well as the issuance of the same.
3. Ensure that **all** changes, modifications, and alterations in the **design plans** during the construction phase shall **not** start until the modified design plan has been evaluated and the necessary **amendatory permit** issued.
4. Undertake **annual** inspections of **all buildings/structures** and keep an up-to-date record of their status.

OFFICE OF THE BUILDING OFFICIAL ORGANIZATION

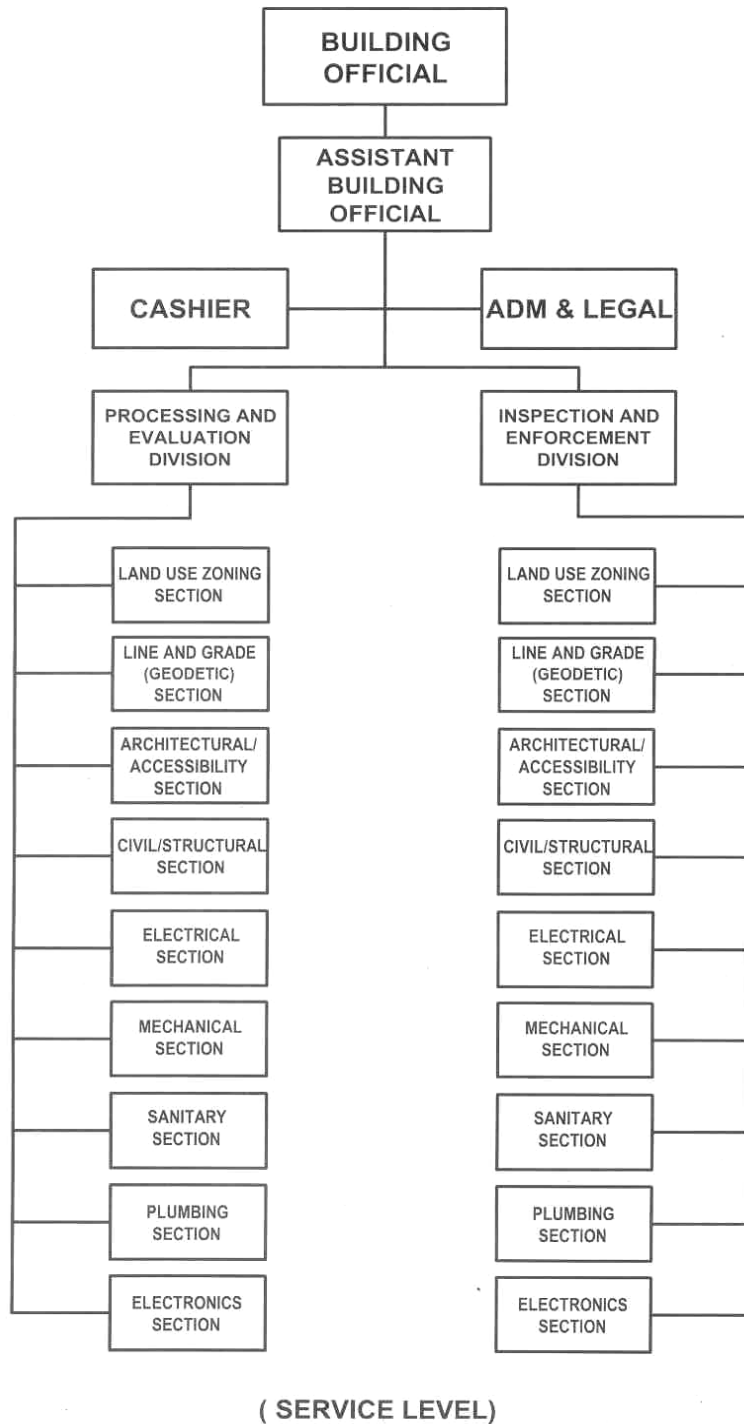


Figure II.1.

*Anotation: The Architectural/Accessibility Section for both workflows i.e. processing and evaluation and inspection and enforcement, is a requirement under these Revised IRR. The **review** of **architectural** plans, designs, drawings, specifications, estimates and contract documents submitted as part of a building permit application should only be undertaken by a **registered and licensed architect (RLA)** in full accordance with **R.A. No. 9266**.*

5. Upon complaint or *motu proprio* and after due notice/s and hearing, **initiate action** towards:
 - a. **Non-issuance**, suspension, revocation and/or invalidation of a building permit or certificate of occupancy;
 - b. Issuance of **work stoppage order**, or an **order for discontinuance** of the use or occupancy of the building/structure or portion thereof;
 - c. **Declaration** of a building/structure as ruinous or dangerous; and/or
 - d. The **imposition** of appropriate fines/penalties.
6. Submit a **quarterly situational report** to the Secretary through the **NBCDO**, on the **status** of all existing, on-going, and proposed public as well as private **building/structure** activities. (See Communication Flow Chart, **Fig. II.2.**)
7. Undertake such other duties and tasks as may be assigned by the Secretary from time to time.

SECTION 208. Fees

1. The Secretary, thru Memorandum Circulars, shall prescribe the **rates of fees** and formulate guidelines in the imposition and collection of fees.
2. Subject to existing budgetary, accounting and auditing rules and regulations, the **Building Official shall retain not more than 20% of the income**/collection derived from permit fees and other charges for the operating expenses of his office. The remainder of 100% shall accrue to the **general fund** of the respective city/municipality.
3. Every Building Official shall keep a **permanent record** and accurate account of all fees and other charges fixed and authorized to be collected and received.

SECTION 209. Exemption

Public buildings and traditional **indigenous** family dwellings shall be **exempt** from payment of building permit fees.

As used in the **Code**, the term “traditional **indigenous** family dwelling” means a dwelling intended for the use and occupancy by the family of the owner **only** and constructed of **native** materials such as bamboo, *nipa*, logs, or lumber, the total cost of which does not exceed **fifteen thousand pesos** (P 15,000.00).

SECTION 210. Use of Income from Fees

The procedure for the proper reporting and recording of collections and disbursements of the funds of the **General Fund Special Account 151** of the Office of the Secretary of the Department of Public Works and Highways (**DPWH**) is hereby prescribed.

1. Recording of Collections
 - a. Every **Building Official** shall keep a **permanent record** and accurate account of **all** fees and other charges fixed and authorized to be collected by him.
 - b. The **Order of Payment** issued by the **Building Official** shall show the breakdown of the total collections indicating the share of the **local** government concerned - **80%** and the share of the **national** government - **20%**.

COMMUNICATION FLOW OF QUARTERLY REPORT

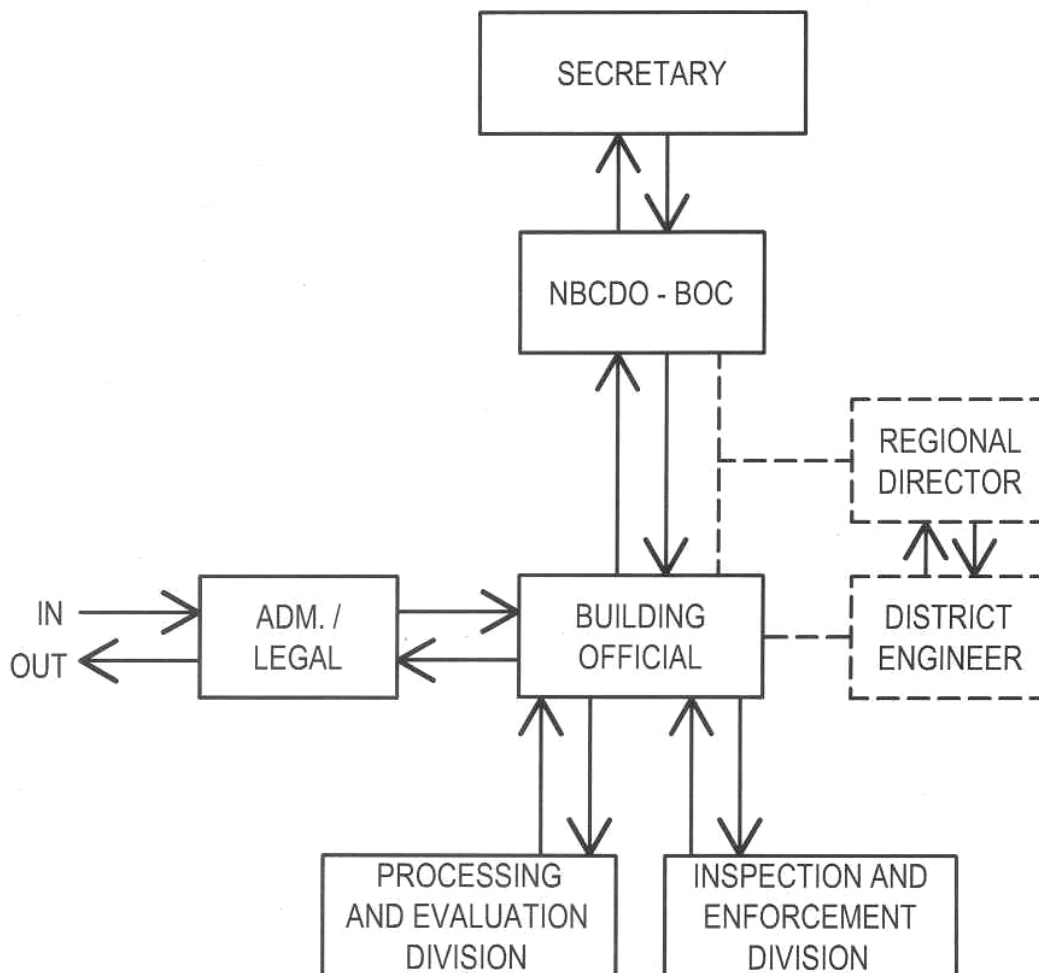


Figure II.2.

*Anotation: As with **Figure II.1.**, the Architectural/Accessibility Section for both workflows i.e. processing and evaluation and inspection and enforcement, is a requirement under these Revised **IRR**. Again, the **review** of architectural plans, designs, drawings, specifications, estimates and contract documents submitted as part of a building permit application should only be undertaken by a **registered and licensed architect (RLA)** in full accordance with **R.A. No. 9266**.*

- c. Every **Building Official** shall keep a **separate record** from the **DPWH** Central Office of all allotments [Special Allotment Release Order (**SARO**) and Notice of Cash Allocation (**NCA**), or Funding Checks], received by him out of budgeted amounts released by the Department of Budget and Management (**DBM**). The funds shall cover all the necessary **operating** expenses of the OBO, including the purchase of equipment, supplies and materials, traveling expenses, obligation expenses and sheriffs' fees and payment of other prior years' obligations not adequately funded, subject to existing budgetary and auditing rules and regulations.
- d. He shall render the reports required under the **Centralized Accounting System**.

2. Disposition of Collections

- a. The collection shall be made by the Local Treasurer, and the Official Receipt shall show the breakdown of the total collections indicating the share of the local government concerned - 80% and the share of the national government - 20%.
- b. Subject to existing budgetary, accounting and auditing rules and regulations, the Local Treasurer shall remit to the Bureau of the Treasury, the 20% of his collection. The remaining 80% shall be deposited with the Authorized Government Depository Bank (**AGDB**) for the account of the Local Government and shall accrue to the general funds of the City or Municipality concerned.
- c. Pursuant to Sec. 21, Volume I of the New Government Accounting System (**NGAS**) Manual as provided under COA Circular No. 2001-004 dated October 30, 2001, the Local Treasurer thru his collecting officer or cashier shall deposit the 80% share of collections to the **AGDB** for the account of the Local Government concerned. He shall remit the 20% of the collections to the Bureau of the Treasury thru any **AGDB** branch nearest the locality to the credit of the Department of Public Works and Highways (**DPWH**), Office of the Secretary with **Code No. B5702 and Special Account No. 151**.
- d. Distribution of validated remittance advices and deposit slips of the 20% collections thru any Authorized Government Depository Bank shall be in accordance with **COA Circular 2001-004**, to wit:
 - Original - to be retained by the bank branch.
 - Duplicate - to be submitted by the Local Treasurer to the OBO.
 - TriPLICATE - to be retained by the bank branch for submission to the Provincial Treasury Fiscal Examiner assigned to the province where the bank is located.
 - Quadruplicate - to be returned to the Local Treasurer for submission to the DPWH-Central Office (**CO**) Chief Accountant with his monthly report of collections.
 - Quintuplicate - to be returned to the Local Treasurer for submission to the Field/Local Auditor.
- e. The Local Treasurers and the Treasury Vault/Bank Auditor shall have the following responsibilities:
 - i. Local Treasurer. Since the distribution of copies of the validated remittance advices and deposit slips for the Agency/Field Auditor of the Local Treasurers shall be undertaken by the National/Treasury/Bank Branch thru its Treasury Vault Auditor/Bank Auditor, all Local Treasurers shall indicate on the face of the remittance advice, the name and office address of their respective Agency/Field Auditors to facilitate matters.
 - ii. Treasury Vault/Bank Auditor. Upon receipt of the validated remittance advices, the Treasury Vault Auditor/Bank Auditor shall confirm and transmit said remittance advices every end of the week to the corresponding agency/field auditor of the Local Treasurer concerned. In cases where there is no bank auditor assigned in a particular locality, confirmation shall be undertaken by the officer designated by the Head of the Bank branch.

f. Reporting of Collections and Deposits

At the close of each business day, the collecting officers (Local Treasurers) shall accomplish the Report of Collections and Deposits (RCD) in accordance with the NGAS Manual. The reports shall be prepared by the Local Treasurer in five copies, distributed as follows after verification by the field auditor:

Original	to the DPWH-CO Auditor (thru the DPWH- CO Accountant for recording).
Duplicate (with duplicate official receipts and validated quintuplicate remittance advices)	- to the Field/Local Auditor for final custody.
Triplicate (with validated quadruplicate remittance advices)	to the DPWH-CO Accountant (for posting to the corresponding subsidiary ledgers).
Quadruplicate	to be retained by the Local Treasurer.
Quintuplicate	local office accounting file.

The Local Treasurer shall certify all the copies of the report and submit the first three (3) copies to his Field Auditor within three (3) days after the end of the month for audit. The **Field Auditor** shall verify the report, cross-check the remittances indicated therein against the quintuplicate copies of remittance advices he receives/received from the Bank Auditor and indicate his certification thereon and finally submits the original and triplicate copies thereof to the **DPWH-CO Auditor** thru the **DPWH-CO Chief Accountant** within five (5) days from date of receipt from the Local Treasurer.

g. Crediting of Accounts of Local Treasurer

In the monthly report of collections, specifically at the back thereof, is a statement of account current showing the accountability of the Local Treasurer. The **DPWH-CO Chief Accountant** shall cross-check the validated quadruplicate remittance advices attached to the duplicate copy of the monthly report of collections against the remittances made by the Local Treasurer with the National Treasury or any of its authorized depository banks as appearing in the statement of account current. After the crosschecking, and in the absence of any discrepancy, the **DPWH-CO Chief Accountant** shall credit the account of the Local Treasurer even without the monthly abstract of remittances from the National Treasury.

h. Safeguards

- i. Upon receipt of the monthly abstract of remittances from the National Treasury, the remittances appearing therein shall be counter checked by the **DPWH-CO Chief Accountant** against the credits already given the collecting officers concerned and any discrepancies discovered in the process shall be verified and adjusted immediately.
- ii. In case of retirement or resignation by the Local Treasurers, their clearances shall be held in abeyance until their remittances have been fully cleared by the National Treasury.

i. Centralized Accounting System

- i. A centralized accounting system shall be maintained in the Office of the DPWH Secretary. Said office shall set up and maintain a separate set of books of accounts to

be used solely for transactions pertaining to the implementation of the provisions of the National Building Code and its Implementing Rules and Regulations.

ii. Upon receipt of the **SARO** and the corresponding **NCA**, the Office of the DPWH Secretary shall in turn allocate the same together with the **NCA** or Funding Check to the Building Officials, and at the same time obligate the allotment for the amount of expenditures.

iii. All deputized disbursing officers shall render the following reports:

Report of Checks Issued together with duplicate copies of checks issued for submission to the Treasury Provincial Fiscal Examiner in the region.

Report of Checks Issued as required by the **NGAS** for entry in the Checks Disbursement Journal by **DPWH-CO Chief Accountant**.

iv. The Department Chief Accountant shall adjust obligations quarterly to actual liquidations as required.

v. Deputized disbursing officers shall keep a record to control NCA/Funding Check separate from other funds in his custody.

vi. Deputized disbursing officers shall prepare other statements or reports as may be required from time to time by the proper authorities.

vii. The Deputized Disbursing Officer (**DDO**) shall render a monthly report of accountability for checks issued during the month and the balance at the end of the month. Copies of said report shall be distributed as follows :

Original - to the Treasury Provincial Fiscal Examiner
(Cash Operation Service)

Duplicate - to the **DPWH-CO Chief Accountant**

Triplicate - to the **Auditor, DPWH-CO**

Quadruplicate - **Field Auditor**

Quintuplicate - File of Disbursing Officer

viii. The deputized disbursing officer authorized to requisition blank Modified Disbursement System (**MDS**) or Commercial checks shall prepare and submit requisition and issue voucher, and the Invoice and Receipt of **Accountable Forms** which shall be distributed as follows:

Original - Treasury Provincial Fiscal Examiner

Duplicate - Cash Operations Service, Bureau of the Treasury

Triplicate - COA Auditor of the **DDO's** Agency

Quadruplicate - Accounting Unit of **DDO**

Quintuplicate - **DDO** file

Sextuplicate - Office of the Provincial/City Auditor Concerned

j. Turnover of Accountability

- i. In case of change, transfer, resignation or retirement from the service of the Building Official, an inventory of all money and property accountabilities shall be taken jointly by the outgoing and incoming **Building Official** and a receipt passed on the basis of such inventory. Such inventory shall be certified as accurate by the said officers, witnessed by the local auditor thereat.
- ii. The preceding procedure shall also apply to a deputized disbursing officer other than the **Building Official** with respect to money and property accountabilities in his custody.
- iii. Application for clearance of the **Building Official** and other deputized disbursing officers shall be coursed to the Office of the **DPWH Secretary**, to check their unpaid obligations with the **OBO**.

k. Other Provisions

- i. Compensation of consultants, experts and advisers whose services were secured shall be funded from the 20% income derived from the building permit fees and other charges.
- ii. Any circular/s that may subsequently be issued by the proper authorities revoking or amending provisions or certain portions of circular/s incorporated in the above rules and regulations shall automatically revoke or amend such corresponding portions that are inconsistent therewith.

SECTION 211. Implementing Rules and Regulations

In the implementation of the provisions of the **Code** and its **IRR**, the Secretary shall formulate necessary rules and regulations and adopt design and construction standards and criteria for **buildings** and other structures. Such standards, rules and regulations shall take effect after their publication **once a week for three consecutive weeks** in a newspaper of general circulation.

SECTION 212. Administrative Fines

1. Imposition of Administrative Fines

- a. The Secretary or his duly authorized representative may prescribe and impose **fines** not exceeding **ten thousand** pesos (P10, 000.00) in the following cases, subject to the terms and procedures as hereunder provided:
 - i. Erecting, constructing, altering, repairing, moving, converting, installing or demolishing a private or public **building/structure** if **without** building/demolition permit.
 - ii. Making any alteration, addition, conversion or repair in **any building/structure/** appurtenances thereto constructed or installed before the adoption of the **Code**, whether public or private, **without** a permit.
 - iii. **Unauthorized** change, modification or alteration during the construction in the duly submitted plans and specifications on which the building permit is based.
 - iv. **Non-compliance** with the work stoppage order or notice and/or orders to effect necessary correction in plans and specifications found defective.

- v. **Non-compliance** with order to demolish **building**/structure declared to be nuisance, ruinous or dangerous.
 - vi. **Use or occupancy** of a **building**/structure **without** Certificate of Occupancy/Use even if constructed under a valid building permit.
 - vii. **Change** in the existing use or occupancy classification of a building/structure or portion thereof **without** the corresponding Certificate of Change of Use.
 - viii. Failure to post or display the certificate of occupancy/use/operation in a conspicuous place on the premises of the building/structure/appurtenances.
 - ix. Change in the type of construction of any building/structure without an amendatory permit.
- b. In addition to the imposed penalty, the owner shall **correct/remove** his violations of the provisions of the Code.

2. Determination of Amount of Fines

- a. In the determination of the amount of fines to be imposed, violations shall be classified as follows:
 - i. Light Violations
 - (a) Failure to post Certificate of Occupancy/Use/Operation.
 - (b) Failure to post Building Permit construction information sign.
 - (c) Failure to provide or install appropriate safety measures for the protection of workers, inspectors, visitors, immediate neighbors and pedestrians.
 - ii. Less Grave Violations
 - (a) **Non-compliance** with the work stoppage order for the alteration/addition/conversion/repair without permit.
 - (b) **Use or occupancy** of building/structure **without** appropriate Certificate of Occupancy/Use/Operation.
 - iii. Grave Violations
 - (a) **Unauthorized** change, modification or alteration during construction in the duly submitted plans and specifications on which the building permit is based.
 - (b) **Unauthorized** change in type of construction from more fire-resistive to less fire-resistive.
 - (c) **Non-compliance** with order to abate or demolish.
 - (d) **Non-compliance** with work stoppage order for construction/demolition without permit.
 - (e) **Change** in the existing use or occupancy without Certificate of Change of Occupancy/Use/Operation.

- (f) **Excavations left open** without any work being done in the site for more than one hundred twenty (120) days.

b. Amount of Fines

The following amount of fines for violations of the Code and this IRR is hereby prescribed:

Light Violations	-	P 5,000.00
Less Grave Violations	-	P 8,000.00
Grave Violations	-	P 10,000.00

c. Penalty

- i. Without prejudice to the provisions of the preceding Sections, the **Building Official** is hereby also **authorized** to impose a **penalty or surcharge** in the following cases in such amount and in the manner as hereunder fixed and determined:

For constructing, installing, repairing, altering or causing any change in the occupancy/use of **any building**/structure or part thereof or appurtenances thereto **without** any permit, there shall be imposed a surcharge of 100% of the building fees; Provided, that when the work in the building/structure is started pending issuance of the Building Permit by the Building Official, the amount of the surcharge shall be according to the following:

Excavation for foundation.....	-	10% of the building permit fees
Construction of foundation (including pile driving and laying of reinforcing bars).....	-	25% of the building permit fees
Construction of superstructure up to 2.00 meters above established grade.....	-	50% of the building permit fees
Construction of superstructure above 2.00 meters.....	-	100% of the building permit fees

- 3. For **failure** to pay the annual inspection fee within thirty (30) days from the prescribed date, a **surcharge** of 25% of the inspection fee shall be imposed.

SECTION 213. Penal Provisions

It shall be unlawful for **any** person, firm or corporation, to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy, or maintain **any building** or structure or cause the same to be done contrary to or in violation of any provision of the **Code**.

Any person, firm or corporation who shall violate **any** of the provisions of the **Code** and/or commit any act hereby declared to be unlawful shall upon conviction, be punished by a fine of not more than **twenty thousand** pesos or by imprisonment of not more than **two years** or by **both** such fine and imprisonment; Provided, that in the case of a corporation firm, partnership or association, the penalty shall be imposed upon its **officials responsible** for such violation and in case the guilty party is an alien, he shall immediately be deported **after** payment of the fine and/or service of his sentence.

SECTION 214. Dangerous and Ruinous Buildings or Structures

Dangerous **buildings** are those which are herein declared as such or are structurally unsafe or not provided with safe egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health or public welfare because of inadequate maintenance, dilapidation, obsolescence, or abandonment; or which otherwise contribute to the pollution of the site or the community to an intolerable degree.

SECTION 215. Abatement of Dangerous Buildings

When **any building** or structure is found or declared to be dangerous or ruinous, the **Building Official** shall **order** its repair, vacation or demolition depending upon the degree of danger to life, health, or safety. This is without prejudice to further action that may be taken under the provisions of **Articles 482 and 694 to 707 of the Civil Code of the Philippines**. The condition or defects that render **any building**/structure dangerous or ruinous are as follows: *(See Procedure for Abatement/Demolition of Dangerous/Ruinous **Buildings**/Structures at the end of this Rule)*

1. Structural Hazards

- a. Whenever **any building**/structure or portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was **before** the catastrophe and is less than the minimum requirements of the National Structural Code of the Philippines (**NSCP**) for **new buildings** of similar structure, purpose or location.
- b. Whenever **any** portion or member or appurtenances thereof is likely to fall, or to become detached or dislodged or to collapse and thereby injure persons or damage property.
- c. Whenever **any** portion of a **building**/structure or any member, appurtenance or ornamentation on the exterior thereof is **not** of sufficient strength or stability, or is not anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the **NSCP** for such type of buildings.
- d. Whenever **any** portion thereof has been wrecked, warped, buckled or settled to such an extent that the walls or other structural portions have materially less resistance to wind or earthquake than is required in the case of similar new construction.
- e. Whenever the **building**/structure or any portion thereof, because of: (1) dilapidation, deterioration or decay; (2) faulty construction; (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such **building**; (4) the deterioration, decay or inadequacy of its foundation; or (5) any other cause, is likely to partially or totally collapse.
- f. Whenever the exterior walls or other vertical structural member lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
- g. Whenever the **building**/structure, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its non-supporting members, enclosing or outside walls or coverings.
- h. Whenever the **building**/structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become: (1) an attractive nuisance to public; (2) a harbor for vagrants, criminals or immoral persons; or (3) a resort for purposes of committing unlawful or immoral acts.

- i. Whenever the **building**/structure which, whether or not erected in accordance with all applicable laws or ordinances, has in any non-supporting part, member or portion, less than 50% or in any supporting part, member or portion less than 66% of the: (1) strength; (2) fire-resisting qualities or characteristics; (3) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.
- j. Whenever **any** portion of a **building**/structure remains on the site after its demolition or whenever any **building**/structure or portion thereof is abandoned for a period in excess of twelve (12) months so as to make it a nuisance or hazard to the public.

2. Fire Hazards

- a. Any **building**/structure or portion thereof, device, apparatus, equipment material, or vegetation which may cause fire or explosion, or provide a ready fuel or augment the speed and intensity of fire or explosion arising from any cause.
- b. All **buildings**/structures or portions thereof not provided with the required fire-resistive or fire-protective construction or fire-extinguishing system or equipment.
- c. Whenever **any** door, aisle, passageway, stairway, or other means of exit is **not** of sufficient width or size, or is **not** so arranged as to provide safe and adequate means of exit in case of fire and panic.
- d. Whenever **any building**/structure, because of obsolescence, dilapidated condition, deterioration, damaged, inadequate exits, **lack** of sufficient fire-resistive construction, hazardous electric wiring, gas connections or heating apparatus, or other cause, in violation of the **Fire Code of the Philippines (PD 1185)**.

3. Unsafe Electrical Wiring

- a. All wiring systems or installations which do **not** conform to the rules and regulations embodied in the latest **Philippine Electrical Code**.
- b. Inadequately maintained or improperly used electrical wirings, outlets, devices and/or equipment.

4. Unsafe Mechanical Installation

- a. Mechanical systems or installations which do **not** conform to the rules and regulations embodied in the **Philippine Mechanical Code**.
- b. Inadequately maintained or improperly used mechanical outlets, devices and/or equipment.
- c. Lack of or improper operation of required ventilating equipment or air-conditioning systems.
- d. Improperly installed or lack of protection and safety provisions on steam, gas and fuel supply lines.

5. Inadequate Sanitation/Plumbing and Health Facilities

- a. All sanitation and plumbing systems or installations which do not conform to the rules and regulations embodied in the **Code on Sanitation of the Philippines** and the **Revised National Plumbing Code**.
- b. Inadequately maintained or improperly used sanitation and plumbing facilities.

- c. Infestation of insects, vermin or rodents and lack of adequate control for the same.
 - d. Lack of adequate garbage and rubbish storage and removal or disposal facilities.
 - e. Source of pollution.
6. Architectural Deficiency
- a. All buildings/structures or portion thereof used or occupied for purposes other than their intended uses.
 - b. Improper/Unauthorized Occupancy/Location.
 - c. Insufficient amount of natural light and ventilation due to inadequate open spaces such as courts and yards as required.
 - d. Inadequate sizes of rooms and space dimensions and window openings.
 - e. Dilapidated, blighted and other unpresentable **buildings**/structures against generally accepted aesthetic standards.

SECTION 216. Other Remedies

The rights, actions and remedies provided in the **Code** and in the **IRR** shall be in addition to any and all other rights of action and remedies that may be available under existing laws.

PROCEDURE FOR ABATEMENT/ DEMOLITION OF DANGEROUS/ RUINOUS BUILDINGS/ STRUCTURES

1. There must be a finding or declaration by the **Building Official** that the **building**/structure is a nuisance, ruinous or dangerous.
2. Written notice or advice shall be served upon the owner and occupant/s of such finding or declaration giving him at least **fifteen** (15) days within which to vacate or cause to be vacated, repaired, renovated, demolished and removed as the case may be, the nuisance, ruinous or dangerous **building**/structure or any part or portion thereof.
3. Within the **fifteen** (15) day period, the owner may, if he so desires, appeal to the Secretary the finding or declaration of the **Building Official** and ask that a re-inspection or re-investigation of the **building**/structure be made.
4. In case the owner should ask the **Building Official** for a reconsideration on his order, same shall be given not more than not more than **fifteen** (15) days within which to render his final decision appealable to the Office of the Secretary.
5. If the appeal is meritorious, the Secretary may designate a competent representative/s other than the **Building Official** to undertake the re-inspection or re-investigation of the **building**/structure. The representative/s so designated shall make or complete his/their report/s within the period of **thirty** (30) days from the date of termination of re-inspection or re-investigation.
6. If after re-inspection, the finding is the same as the original one, the Secretary through the **Building Official** shall notify the owner, giving him not more than **fifteen** (15) days from receipt of notice with affirmed finding to vacate or cause to be vacated and make necessary repair,

renovation, demolition and removal of the subject **building**/structure or parts thereof, as the case may be.

7. If the **Building Official** has determined that the building/structure must be repaired or renovated, the **Order** to be issued shall require that all necessary permits therefor be secured and the work be commenced physically within such reasonable time as may be determined by the **Building Official**.
8. If the **Building Official** has determined that the building/structure must be demolished, the **Order** shall require that the building/structure be vacated within **fifteen** (15) days from the date of receipt of the **Order**; that all required permits be secured therefor within the same fifteen (15) days from the date of the **Order**, and that the demolition be completed within such reasonable time as may be determined by the **Building Official**.
9. The decision of the Secretary on the appeal shall be final.
10. Upon failure of the owner to comply with the **Order** of the **Building Official** or of the Secretary, in case of appeal, to repair, renovate, demolish and remove the **building**/structure or **any** part thereof after **fifteen** (15) days from the date of receipt of the **Order**, the **Building Official** shall cause the **building** or structure to be repaired, renovated, demolished and removed, partly or wholly, as the case may be, with all expenses therefor chargeable to the owner.
10. The **building**/structure as repaired or in case of demolition, the building materials gathered after the demolition thereof shall be held by the **OBO** until full reimbursement of the cost of repair, renovation, demolition and removal is made by the owner which, in no case, shall extend beyond **thirty** (30) days from the date of completion of the repair, renovation, demolition and removal. After such period, said building materials of the building thus repaired, renovated or removed shall be sold at public auction to satisfy the claim of the **OBO**. Any amount in excess of the claim of the government realized from the sale of the building and/or building materials shall be delivered to the owner.
11. The procedures, actions and remedies herein are without prejudice to further action that may be taken by the **Building Official** against the owner/occupants of the **building**/structure found or declared to be nuisance/s, dangerous, and/or ruinous under the provisions of **Articles 482 and 694 to 707 of the Civil Code of the Philippines**.

(emphases, underscoring and annotations supplied)

Rule III follows

RULE III - PERMITS AND INSPECTION

SECTION 301. Building Permits

1. No person, firm or corporation, including any agency or instrumentality of the government shall construct, alter, repair, convert, use, occupy, move, demolish and add **any building/structure** or any portion thereof or cause the same to be done, without first obtaining a building permit therefor from the **Building Official** assigned in the place where the subject building/structure is located or to be done. The prescribed application for building permit form (**NBC Form B-01**) shall be used by all applicants.
2. Permits supplementary to a **Building Permit** shall be applied for and issued by the **Building Official**. These include **Ancillary and the Accessory Permits**.

a. **Ancillary Permits**

The **Ancillary Permits** duly signed and sealed by the corresponding professionals and the plans and specifications shall be submitted together with the duly notarized application for **Building Permit**. The **Building Permit** is null and void if not accompanied by the **Ancillary Permits**. The prescribed **Ancillary and other Accessory Permits/forms** shall likewise be used whenever applicable. The **Ancillary Permits** are the following:

- i. **Architectural Permit**
- ii. Civil/Structural Permit
- iii. Electrical Permit
- iv. Mechanical Permit
- v. Sanitary Permit
- vi. Plumbing Permit
- vii. Electronics Permit

b. **Accessory Permits**

- i. **Accessory Permits** are issued by the **Building Official** for accessory parts of the project with very special functions or use which are indicated in the plans and specifications that accompany the building permit application. These may include, among others: bank and records vaults; swimming pools; firewalls separate from the building/structure; towers; silos; smokestacks; chimneys; commercial/industrial fixed ovens; industrial kilns/furnaces; water/waste treatment tanks, septic vaults; concrete and steel tanks; booths, kiosks and stages; and tombs, mausoleums and niches.
- ii. **Accessory Permits** are issued by the **Building Official** for activities being undertaken prior to or during the processing of the building permit. The coverage is spelled out in the accessory permit form including the expiry period. These shall be signed by the concerned owner/applicant and by the concerned professionals. These permits include, among others, ground preparation and excavation, encroachment of foundation to public area, fencing, for fence not exceeding 1.80 meters high, sidewalk construction, temporary sidewalk enclosure and occupancy, erection of scaffolding, erecting, repair, removal of sign; and demolition.

3. **Exemption** From Building Permits

A building permit shall **not** be required for the following **minor** constructions and repairs, provided these shall not violate any provision of the **Code and this IRR**.

a. **Minor** Constructions

- i. Sheds, outhouses, greenhouses, children's playhouses, aviaries, poultry houses and the like, not exceeding 6.00 sq. meters in total area, provided they are completely detached from any other building and are intended only for the private use of the owner.
- ii. Addition of open terraces or patios resting directly on the ground, not exceeding 20.00 sq. meters in total floor area, exclusively for the private use of the owner.
- iii. Installation of window grilles.
- iv. Garden pools for the habitation of water plants and/or aquarium fish not exceeding 500 millimeters in depth and exclusively for private use.
- v. Garden masonry walls other than party walls not exceeding 1.20 meters in height, footpaths, residential garden walks and/or driveways.

b. **Repair** Works

- i. Repair works not affecting or involving any structural member, such as replacement of deteriorated roofing sheets or tiles, gutters, downspouts, fascias, ceilings and/or sidings.
- ii. Repair and/or replacement of non load-bearing partition walls.
- iii. Repair and/or replacement of any interior portion of a house not involving addition or alteration.
- iv. Repair and/or replacement work of doors and windows.
- v. Repair and/or replacement work of flooring.
- vi. Repair of perimeter fence and walls.
- vii. Repair and/or replacement of plumbing fixtures, fittings or pipings, such as toilet bowls, sinks, lavatories, urinals, bidets, pipes, faucets, valves for single detached dwellings and duplexes.

SECTION 302. Application for Permits

1. **Any** person desiring to obtain a **building permit** and any ancillary/accessory permit/s together with a **Building Permit** shall file application/s therefor on the prescribed application forms.
2. Together with the accomplished prescribed application form/s, the following shall be submitted to the **OBO**:
 - a. In case the applicant is the registered owner of the lot:

- i. Certified true copy of **OCT/TCT**, on file with the Registry of Deeds,
 - ii. Tax Declaration, and
 - iii. Current Real Property Tax Receipt.
- b. In case the applicant is not the registered owner of the lot, in addition to the above; duly notarized copy of the **Contract of Lease, or Deed of Absolute Sale**.
3. **Five (5) sets** of survey plans, design plans, specifications and other documents prepared, signed and sealed over the printed names of the duly licensed and registered *professionals* (**Figs. III.1. and III.2.**):
- a. Geodetic Engineer, in case of lot survey plans;
 - b. **Architect, in case of architectural documents; in case of architectural interior/interior design documents**, either an architect or interior designer may sign;

*Anotation: The preparation, signing and dry-sealing of **ALL architectural documents (plans, designs, drawings, specifications, estimates and the like) and of architectural interiors** form part of the **exclusive** scope of work of **registered and licensed architects (RLAs)** as defined under **R.A. No. 9266, The Architecture Act of 2004 and its 2004 IRR**. Interior design (specifically **excluding architectural interiors done by RLAs**) is the work of registered and licensed interior designers (**RLIDs**) under R.A. No. 8534, The Interior Design Act of 1987. Strictly speaking, the respective practices of RLAs and RLIDs should **not** overlap.*

***R.A. No. 9266 and its IRR** clearly state that **architectural documents** e.g. perspectives, architectural floor plans/ sections/ elevations/ reflected ceiling plans/ roof plans, schedules of finishes/ hardware, detailed designs, architectural specifications/ estimates, architectural contract/ tender documents, etc. are all part of the scope of the regulated practice of architecture. **Architectural documents** are **not** part of the scope of the practice of the regulated profession of civil engineering (under R.A. No. 1582 of 1956, amending R.A. No. 544 of 1950). As such, **only registered and licensed architects (RLAs)** shall prepare, sign and seal **architectural documents**. Moreover, any **executive issuance** such as this **2004 Revised IRR of P.D. No. 1096** (1977 NBCP) cannot alter any part of a **statute** such as **R.A. No. 9266**, that expressly state that **architectural documents** are only for **RLAs** to prepare, sign and seal.*

***R.A. No. 9266 and its IRR** also clearly state that **architectural interior documents** are part of the scope of the regulated practice of architecture. **Architectural interiors** are **not** part of the scope of the practice of the regulated profession of interior design (under R.A. No. 8534). As such, **only registered and licensed architects (RLAs)** shall prepare, sign and seal **architectural interior** documents. Again, any **executive issuance** such as this **2004 Revised IRR of P.D. No. 1096** (1977 NBCP) cannot alter any part of a **statute** such as **R.A. No. 9266**, that expressly state that **architectural interior documents** are only for **RLAs** to prepare, sign and seal.*

*To be clear, the DPWH is **not** the agency tasked with the regulation of the state-*

*regulated professions such as architecture, civil engineering and interior design. Only the **Professional Regulation Commission (PRC)**, by virtue of **R.A. No. 8981** (The PRC Modernization Act of 2000) and the concerned professional regulatory boards/ **PRBs** (such as the **Professional Regulatory Board of Architecture/ PRBoA**) by virtue of the pertinent professional regulatory laws (such as R.A. No. 9266) have sole/ joint jurisdiction over the practice of state-regulated professions.*

- c. Civil Engineer, in case of civil/structural documents;

*Anotation: Before the approval of R.A. No. 9266, the limited preparation of civil/structural documents formed part of the scope of work of **registered and licensed architects (RLAs)** as defined under **R.A. No. 1581**, which amended **R.A. No. 545**, The Organic Architecture Act of 1950 and its 1979 IRR. Interior design is the work of registered and licensed interior designers (**RLIDs**) under R.A. No. 8534, The Interior Design Act of 1987. With the approval of R.A. No. 9266 that limited **RLAs** only to structural **conceptualization**, there is now **no** overlap between the respective practices of **RLAs** and civil engineers (**CEs**).*

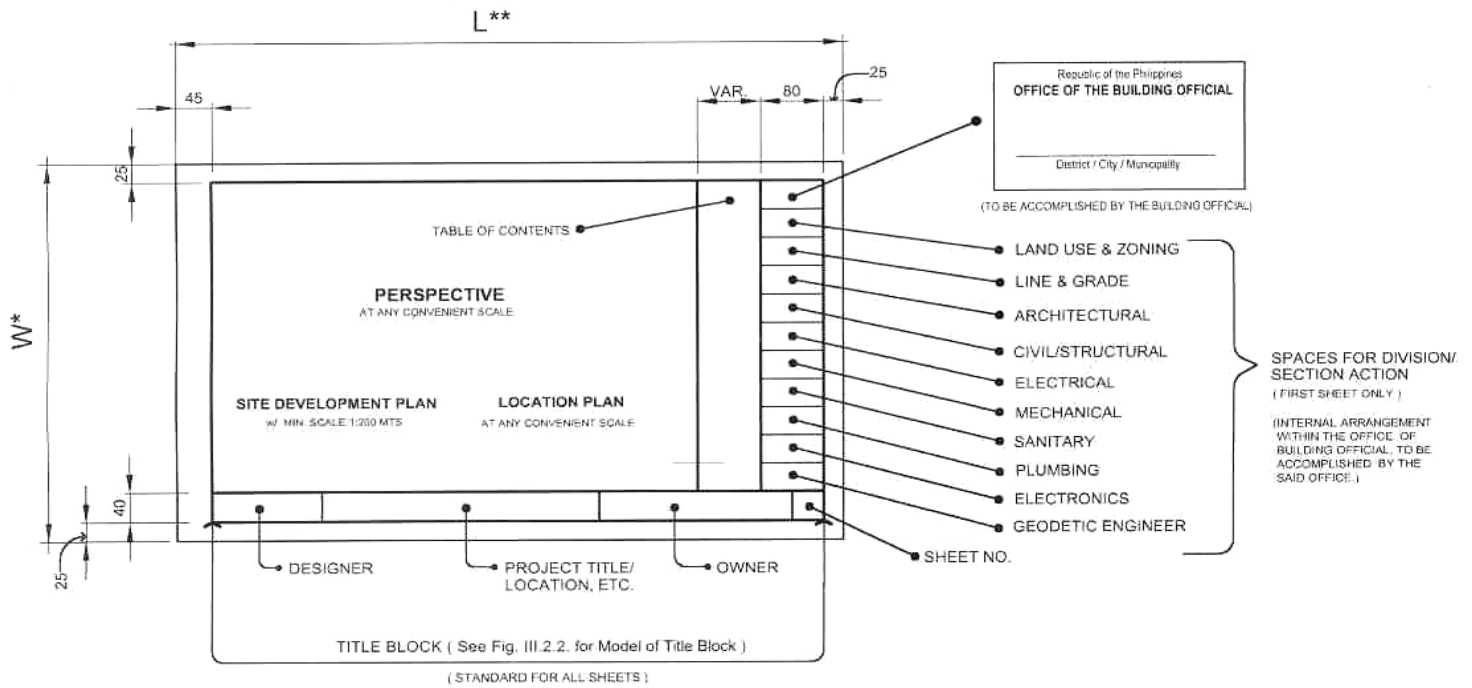
- d. Professional Electrical Engineer, in case of electrical documents;
- e. Professional Mechanical Engineer, in case of mechanical documents;
- f. Sanitary Engineer, in case of sanitary documents;
- g. Master Plumber, in case of plumbing documents;
- h. Electronics Engineer, in case of electronics documents.

4. Architectural Documents

a. Architectural Plans/Drawings

- i. **Vicinity Map/Location Plan** within a 2.00 kilometer radius for commercial, industrial, and institutional complex and within a half-kilometer radius for residential buildings, at any convenient scale showing prominent landmarks or major thoroughfares for easy reference.
- ii. **Site Development Plan** showing technical description, boundaries, orientation and position of proposed building/structure in relation to the lot, existing or proposed access road and driveways and existing public utilities/services. Existing buildings within and adjoining the lot shall be hatched and distances between the proposed and existing buildings shall be indicated.
- iii. **Perspective** drawn at a convenient scale and taken from a vantage point (bird's eye view or eye level).
- iv. **Floor Plans** drawn to scale of **not** less than 1:100 showing: gridlines, **complete identification of rooms or functional spaces**.
- v. **Elevations**, at least four (4), same scale as floor plans showing: gridlines; natural ground to finish grade elevations; floor to floor heights; door and window marks, type of material and exterior finishes; adjoining existing structure/s, if any, shown in single hatched lines.

- vi. **Sections**, at least two (2), showing: gridlines; natural ground and finish levels; outline of cut and visible structural parts; doors and windows properly labeled reflecting the direction of opening; partitions; built-in cabinets, etc.; identification of rooms and functional spaces cut by section lines.
- vii. **Reflected ceiling plan** showing: design, location, finishes and specifications of materials, lighting fixtures, diffusers, decorations, air conditioning exhaust and return grills, sprinkler nozzles, if any, at scale of at least 1:100.



SIZES OF DRAWING SHEETS		
TYPE	W* (mm)	L** (mm)
A0	841	1189
A1	594	841
A2	420	594
A3	297	420

NOTE:
FOR EXTRAORDINARY CASES SUCH AS PROJECTS OF LARGE MAGNITUDE, EXEMPTION IN THE USE OF STANDARD SHEET MAY BE GRANTED BY THE BUILDING OFFICIAL ON CASE TO CASE BASIS.

**STANDARD FORM (Type A0, A1, A2 and A3)
FOR BUILDING PLANS / CONSTRUCTION DRAWINGS**
Figure III.1.

Anotation: The box for the architectural section should be accomplished only by a duly registered and licensed architect (RLA) who is the only entity authorized by law (R.A. No. 9266 and its IRR) to review architectural plans, designs, drawings, specifications, estimates and the like.

MODEL TITLE BLOCK FOR BUILDING PLANS/CONSTRUCTION DRAWINGS

<p>JOHN DE LA CRUZ ARCHITECT</p> <p>123 Rizal St., Diliman Quezon City, Tel. 987654</p>	<p>(Signature & Seal) John De La Cruz, RLA</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>PRC No.</td><td> </td></tr> <tr><td>IAPOA No.</td><td> </td></tr> <tr><td>PTR No.</td><td> </td></tr> <tr><td>Place</td><td> </td></tr> </table>	PRC No.		IAPOA No.		PTR No.		Place		<p>IMPORTANT: These drawings as prepared and signed by the architect or any other person without the written consent of the Architect or author of said documents, is duplicate or copy and instruments.</p>	<p>Space block in drawings prepared, signed and sealed by design professional/engineer for any corresponding branch of the work (Structural, Electrical, Mechanical, Sanitary, Plumbing, Electronics, Interior Design, etc. See samples below).</p>	<p>SPACE FOR PROJECT TITLE / LOCATION, ETC.</p>	<p>OWNER</p>	<p>SHEET NO.</p>								
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<p>Space block for the Design Architect (individual practitioner) / Architect in Charge (associates or collaborative consultants) and / or the Design Professional is only repair, renovation etc., and provided it does not involve the service of an Architect</p>		<p>(Signature & Seal) Jessy Oban, CE Structural Engineer</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>PRC No.</td><td> </td></tr> <tr><td>IAPOA No.</td><td> </td></tr> <tr><td>PTR No.</td><td> </td></tr> <tr><td>Place</td><td> </td></tr> </table>	PRC No.		IAPOA No.		PTR No.		Place		<p>NOTE:</p> <ol style="list-style-type: none"> The model title block shown shall be used for building plans / construction drawings. Space for the design architect / architect in charge may be omitted and in place the design professional / engineer for any branch of the work provided that the scope of the work does not involve the service of an architect. Space for design professional / engineer, legally recognized and accredited by the Professional Regulation Commission (PRC), shall be provided for drawings of such branch of the work which a professional may be asked by the architect / architect in charge to actually perform, sign and seal. The space for design professional / engineer shall be omitted in drawings for any branch of the work, provided that the architect in charge shall sign, seal and be fully responsible for plans and specifications of such branch of the work. Width of title block is 40 mm but the length is variable. 											
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		<p>(Signature & Seal) Marilyn Oza Mechanical Engineer</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>PRC No.</td><td> </td></tr> <tr><td>IAPOA No.</td><td> </td></tr> <tr><td>PTR No.</td><td> </td></tr> <tr><td>Place</td><td> </td></tr> </table>	PRC No.		IAPOA No.		PTR No.		Place													
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		<p>(Signature & Seal) Mariano T. Luninggan Master Plumber</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>PRC No.</td><td> </td></tr> <tr><td>IAPOA No.</td><td> </td></tr> <tr><td>PTR No.</td><td> </td></tr> <tr><td>Place</td><td> </td></tr> </table>	PRC No.		IAPOA No.		PTR No.		Place													
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		<p>(Signature & Seal) Sean Iwaih Elorago Electronics Engineer</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>PRC No.</td><td> </td></tr> <tr><td>IAPOA No.</td><td> </td></tr> <tr><td>PTR No.</td><td> </td></tr> <tr><td>Place</td><td> </td></tr> </table>	PRC No.		IAPOA No.		PTR No.		Place													
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		<p>(Signature & Seal) Philip Cruz Geologic Engineer</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>PRC No.</td><td> </td></tr> <tr><td>IAPOA No.</td><td> </td></tr> <tr><td>PTR No.</td><td> </td></tr> <tr><td>Place</td><td> </td></tr> </table>	PRC No.		IAPOA No.		PTR No.		Place													
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Figure III.2.

Anotation: The box for the signature and dry seal of an architect shall be filled only by a duly registered and licensed architect (RLA) who is the only entity authorized by law (R.A. No. 9266 and its IRR) to prepare, sign and dry-seal architectural plans, designs, drawings, specifications, estimates and the like. The signature of the RLA as Architect-of-record (Aor) signifies the RLA's assumption of professional responsibilities under R.A. No. 9266 and R.A. No. 8981, The PRC Modernization Act of 2000 and of the mandated civil liability under Art. 1723 of the New Civil Code.

viii. Details, in the form of plans, elevations/sections:

- (a) Accessible ramps
- (b) Accessible stairs
- (c) Accessible lifts/elevators
- (d) Accessible entrances, corridors and walkways
- (e) Accessible functional areas/comfort rooms
- (f) Accessible switches, controls
- (g) Accessible drinking fountains
- (h) Accessible public telephone booths
- (i) Accessible audio visual and automatic alarm system
- (j) Accessible access symbols and directional signs
- (k) Reserved parking for disabled persons
- (l) Typical wall/bay sections from ground to roof
- (m) Stairs, interior and exterior
- (n) Fire escapes/exits
- (o) Built-in cabinets, counters and fixed furniture
- (p) All types of partitions

- ix. **Schedule of Doors and Windows** showing their types, designations/marks, dimensions, materials, and number of sets.
 - x. **Schedule of Finishes**, showing in graphic form: surface finishes specified for floors, ceilings, walls and baseboard trims for all building spaces per floor level.
 - xi. **Details** of other major Architectural Elements.
- b. **Architectural Interiors/Interior Design**
- Anotation: The preparation, signing and dry-sealing of **ALL architectural interior plans, designs, drawings, specifications, estimates and the like** form part of the **exclusive** scope of work of **registered and licensed architects (RLAs)** as defined under **R.A. No. 9266, The Architecture Act of 2004 and its 2004 IRR**. Interior design is the work of registered and licensed interior designers (**RLIDs**) under R.A. No. 8534, The Interior Design Act of 1987. Strictly speaking, the respective practices of RLAs and RLIDs should **not** overlap.*
- i. **Space Plan/s or layout/s of architectural interior/s.**
 - ii. **Architectural interior perspective/s.**
 - iii. Furniture/furnishing/equipment/process **layout/s.**
 - iv. **Access plan/s, parking plan/s** and the like.
 - v. **Detail design** of major architectural interior elements.
 - vi. Plan and layout of interior, wall partitions, furnishing, furniture, equipment/appliances at a scale of at least 1:100.
 - vii. **Interior wall elevations** showing: finishes, switches, doors and convenience outlets, cross window sections with interior perspective as viewed from the main entrance at scale of at least 1:100.
 - viii. Floor/ceiling/wall **patterns and finishing details.**
 - ix. List of materials used.
 - x. Cost Estimates.
- c. Plans and specific locations of all accessibility facilities of scale of at least 1:100.
- d. **Detailed design** of all such accessibility facilities outside and around buildings/structures including parking areas, and their safety requirements all at scale of 1:50 or any convenient scale.
- e. **Fire Safety Documents**
- i. Layout plan of each floor indicating the fire evacuation route to safe dispersal areas, standpipes with fire hose, fire extinguishers, first aid kits/cabinets, fire alarm, fire operations room, emergency lights, signs, etc.
 - ii. Details of windows, fire exits with grilled windows and ladders.
 - iii. Details of fire-resistive construction of enclosures for vertical openings.

- iv. Details of fire-resistive construction materials and interior decorative materials with fire-resistive/fire-retardant/fire-spread ratings
 - v. Other Related Documents
 - f. Other related documents
5. Civil/Structural Documents
- a. Site Development Plan

Site Development Plan showing technical description, boundaries, orientation and position of proposed non-architectural horizontal structure such as: sewerage treatment plan (STP), silos, elevated tanks, towers, fences, etc. building/structure in relation to the lot, existing or proposed access road and driveways and existing public utilities/services. Existing buildings within and adjoining the lot shall be hatched and distances between the proposed and existing buildings shall be indicated.
 - b. Structural Plans
 - i. Foundation Plans and Details at scale of not less than 1:100.
 - ii. Floor/Roof Framing Plans and Details at scale of not less than 1:100.
 - iii. Details and Schedules of structural and civil works elements including those for deep wells, water reservoir, pipe lines and sewer system.
 - c. Structural Analysis and Design for all buildings/structures except for one storey and single detached building/structure with a total floor area of 20.00 sq. meters or less.
 - d. Boring and Load Tests

Buildings or structures of **three** (3) storeys and higher, boring tests and, if necessary, load tests shall be required in accordance with the applicable latest approved provisions of the National Structural Code of the Philippines (**NSCP**). However, adequate soil exploration (including boring and load tests) shall also be required for lower buildings/structures at areas with potential geological/geotechnical hazards. The written report of the civil/geotechnical engineer including but not limited to the design bearing capacity as well as the result of tests shall be submitted together with the other requirements in the application for a building permit. Boring test or load test shall also be done according to the applicable provisions of the **NSCP** which set forth requirements governing excavation, grading and earthwork construction, including fills and embankments for any building/structure and for foundation and retaining structures.
 - e. Seismic Analysis
 - f. Other related documents
6. Electrical Documents
- Electrical plans and technical specifications containing the following:
- a. Location and Site Plans
 - b. Legend or Symbols

- c. General Notes and/or Specifications
 - d. Electrical Layout
 - e. Schedule of Loads, Transformers, Generating/UPS Units (Total kVA for each of the preceding items shall be indicated in the schedule)
 - f. Design Analysis
 - g. One Line Diagram
7. Mechanical Documents
- a. Location Plan and Key Plan
 - b. General Layout Plan for each floor, drawn to a scale of not less than 1:100, indicating the equipment in heavier lines than the building outline with names of machinery and corresponding brake horsepower shall be indicated.
 - c. Longitudinal and Transverse Sections of building and equipment base on the section lines drawn to scale of at least 1:100 showing inter-floor relations and defining the manner of support of machines/equipment. Sections shall run longitudinally and transversely through the building length or width other than particularly detailed section for each machinery/equipment (fired and unfired pressure vessel, elevator, escalator, dumbwaiter, etc.).
 - d. Isometric drawing of gas, fuel, oil system showing: Assembly of pipes on racks and supports, Legend and General Notes, Capacity per outlet and Complete individual piping system.
 - e. Plans drawn to scale of 1:100 indicating location of store rooms, fuel tanks, fire extinguishing systems, fire doors, fire escape ladders and other protective facilities.
 - f. Detailed drawings of all duct work installations, indicating dampers, controls, filters, fireproofing, acoustical and thermal insulation.
 - g. Detailed Plans of machinery foundations and supports drawn to scale of at least 1:50.
 - h. Detailed Plans of boilers and pressure vessels with a working pressure of above 70 kPa regardless of kilowatt rating.
 - i. Design Computations and Detailed Plans of elevators, escalators, and the like drawn to scale of 1:50.
 - j. For all installations, additions or alterations involving machinery of at most 14.9 kW, the signature of a duly licensed Mechanical Engineer shall be sufficient except fired and unfired pressure vessels, elevators, escalators, dumbwaiters, central/split/package type air conditioners and piping systems of steam, gas or fuels.
 - k. Detailed plans of fire suppression systems, location of automatic and smoke detectors and alarm and initiating devices use to monitor the conditions that are essential for the proper operation including switches for the position of gate valves as well as alert and evacuation signals; the detailed layout of the entire safe area to be protected and the heat/smoke ventilation system.

8. Sanitary Documents

- a. For deepwell, water purification plants, water collection and distribution systems, reservoirs, drainage and sewer systems, sewage treatment plants, malaria control structures, and sewage disposal systems:
 - i. Location Plan and Site Plan
 - ii. Detailed Plan and layout drawings of minimum scale 1:100
 - iii. Design Analysis and Technical Specifications
 - iv. Cost Estimates
- b. For pest and vermin control, sanitation, and pollution control facilities:
 - i. Detailed plan, layout and drawing of abatement and control device of minimum scale 1:100
 - ii. Design analysis and technical specification
 - iii. Cost Estimates

9. Plumbing Documents

For all plumbing installations, additions and/or alterations involving hot and cold water supply, fixtures, sewage drainage and vent system, storm drainage and sewerage system within or adjacent to the building:

- a. Location Plan and Site Plan of minimum scale 1:2000
- b. Plumbing Plans, Layouts and Details, of minimum scale 1:50
- c. Legend and General Notes
- d. Isometric drawings of the systems
- e. Design analysis and technical specifications
- f. Cost Estimates

10. Electronics Documents

Electronic plans and technical specifications for wired or wireless telecommunications systems, broadcasting systems, including radio and TV broadcast equipment for commercial and training purposes, cable or wireless television systems, information technology (IT) systems, security and alarm systems, electronic fire alarm systems, sound-reinforcement systems, navigational aids and controls, indoor and outdoor signages, electronically-controlled conveyance systems, electronic/computerized process controls and automation systems, building automation, management and control systems, including, but not limited to the following:

- a. General layout plans with legends
- b. Single line diagram
- c. Riser diagram
- d. Isometry of the system
- e. Equipment specifications

- f. Design analysis, as applicable
- g. Cost estimates

11. Geodetic documents

Lot Survey Plans, including but not limited to:

- a. Vicinity Map/Location Plan
- b. Lot Plan
- c. Relocation Survey Plan and Report
- d. Line and Grade
- e. Detailed Topographic Plan of the site and immediate vicinity

12. Clearances from Other Agencies

- a. A **locational clearance** shall be obtained by the owner/ permittee from the City/Municipal Zoning Administration.
- b. Whenever necessary, written clearances shall be obtained from the various authorities exercising and enforcing regulatory functions affecting **buildings/structures**. Application for said clearances shall be requested by the owner/applicant and failure to receive reply within **seven (7)** days from receipt of the application for building permit shall be sufficient **not** to cause further delay in processing the **building permit** application by the Building Official. Such authorities who are expected to enforce their own regulations are:
 - i. Department of Public Works and Highways (**DPWH**)
 - ii. Air Transportation Office (**ATO**)
 - iii. Housing and Land Use Regulatory Board (**HLURB**)
 - iv. Local Government Unit (**LGU**)
 - v. Department of Tourism (DOT)
 - vi. Department of Environment and Natural Resources (**DENR**)
 - vii. Department of Transportation and Communication (DOTC)
 - viii. Department of Interior and Local Government (DILG)
 - ix. Philippine Ports Authority (PPA)
 - x. Department of Education (DepEd)
 - xi. Department of Health (DOH)
 - xii. Philippine Institute of Volcanology and Seismology (PHIVOLCS)
 - xiii. Laguna Lake Development Authority (LLDA)
 - xiv. Manila Waterworks and Sewerage System (MWSS)
 - xv. National Water Resources Board (NWRB)
 - xvi. Department of Agrarian Reform (DAR)
 - xvii. Department of Agriculture (DA)
 - xviii. Department of Labor and Employment (DOLE)
 - xix. National Housing Authority (NHA)
 - xx. National Council for the Welfare of Disabled Persons (NCWDP)

SECTION 303. Processing of Building Permits

The flow of processing of building permit shall follow the procedure shown in Figure III.3.

1. Building Permit Application

- a. When satisfied that **all** plans, specifications and other documents are in order, the **Building Official** gives due course to the application.

- b. The **OBO** verifies conformity of the **proposed buildings**/structures with the land use zoning ordinance of the city/municipality. If the project has been issued a development permit such as residential, commercial, industrial, institutional, memorial parks and other development by the **HLURB** or the **Sangguniang Bayan/Panglungsod**, an individual **locational clearance** shall not be required.
- c. The **Building Official** verifies whether applicants have secured the required section clearances from other agencies mentioned in the preceding section.
- d. The owner/permittee for **any existing building**/structure that shall undergo alterations, additions, conversions, renovations and/or repair not covered by **Section 301, Sub-Section 3 of this IRR** shall submit, in addition to other documents, the most recent Certificate of Occupancy when applying for a building permit. Under any of this case, the **Locational Clearance** shall **not** be required.

2. Line and Grade Verification

The Line and Grade Section/Unit of the **OBO**:

- a. Verifies the lot plan as reflected in the **Torrens Title, Original Certificate of Title (OCT)/Transfer Certificate of Title (TCT)** and its relation to the proposed buildings/structures.
- b. Checks compliance to establish easements/setbacks and determines grades in relation to road lots, property lines, streets or highways, whether existing or proposed as reflected in the land use zoning or development plan of the city/municipality including road widening, construction of various public utilities/services and other infrastructure projects along creeks, *esteros*, waterways, subject to a written **clearance** from the **DPWH**.
- c. Verifies that at least one (1) side of the lot has **direct** access to a street/alley and that grades in relation to road lots and streets or highways, whether existing or proposed conform to the requirements.

3. Architectural

The **Architectural Section/Unit** evaluates **building**/structure documents as to compliance to technical requirements for:

- a. **Types of Construction**
- b. **Requirements of Fire Zones** and Fire Resistive Regulation
- c. **Building projections** over public streets
- d. **Access Streets/Roads** and Alleys
- e. **Architectural Interior/Interior Design**
- f. **Classification and General Requirements of all Buildings** by Use or Occupancy
- g. **Maximum Height of Buildings/Structures**
- h. **Parking** and Loading/Unloading Space Requirement

Fire Code and Accessibility laws are fully complied with and properly addressed by the subsequent engineering plan and design preparation.

- i. Corner Buildings with Chafans
- j. Occupant Load
- k. Glazing of Opening
- l. **Architectural Accessibility Features**
- m. **Light and Ventilation**
- n. Construction of Buildings/Structures within the obstacle limitation surfaces of Aerodromes
- o. Buildings and other Ancillary Structures within Cemeteries and Memorial Parks

4. Civil/Structural

The Civil/Structural Section/Unit evaluates building/structure documents as to compliance to technical requirements for:

- a. General Design and Construction Requirements
- b. Structural Design Requirements
- c. Excavations, Foundations and Retaining Walls
- d. Prefabricated Construction
- e. Protection and Safety Requirements for Construction, Demolition and Excavation
- f. Abatement/Demolition of Buildings
- g. Plastics
- h. Signs

5. Electrical

The Electrical Section/Unit evaluates building/structure documents as to compliance to technical requirements for Electrical Regulations.

6. Mechanical

The Mechanical Section/Unit evaluates building/structure documents as to compliance to technical requirements for Mechanical Regulations.

7. Sanitary

The Sanitary Section/Unit evaluates building/structure documents as to compliance to technical requirements under the Sanitary Engineering Law (RA 1364).

8. Plumbing

The Plumbing Section/Unit evaluates building/structure documents as to compliance to technical requirements under the Plumbing Law (RA 1378).

9. Electronics

The Electronics Section/Unit evaluates building/structure documents as to compliance to technical requirements.

10. Fire Safety Requirements

The Building Official shall refer one (1) set of plans and specifications to the City/Municipal Fire Marshall (**C/MFM**), Bureau of Fire Protection (**BFP**), for his review and recommendations with respect to fire safety and control requirements. The **C/MFM** shall submit his report and recommendations to the **Building Official** within **five (5)** working days from date of referral. Failure of the **C/MFM** to act within said period shall mean that the plans and specifications **conform** to all the requirements of the Fire Code of the Philippines (**FCP**). In case of non-issuance, suspension or revocation of the said requirements by the **C/MFM**, he shall so state in writing the reasons or grounds therefor.

SECTION 304. Issuance of Building Permit

1. When the application for building permit and the plans and specifications submitted herewith conforms to the requirements of the **Code and its IRR**, the **Building Official** shall within **fifteen (15)** days from payment of the required fees by the applicant, issue the building permit applied for.
2. The **Building Official** may issue a permit for the construction of only a **part or portion** of a **building/structure** whenever the plans and specifications submitted together with the application do not cover the entire **building/structure**.
3. The **Building Official** may issue a **Ground Preparation and Excavation Permit** even while the building permit application is still being processed subject to payment of the corresponding fees.
4. For excavations more than 50.00 cu. meters and more than 2.00 meters in depth, the owner/permittee shall post a **cash bond of fifty thousand pesos (P50,000.00)** for the first 50.00 cu. meters and three hundred pesos (P300.00) for every cu. meters in excess of 50 cu. meters until the building permit is issued, said excavations shall **not** exceed 100.00 cu. meters or 3.00 meters in depth and shall not be left open without any work being done in the site for more than **one hundred twenty (120) days**, otherwise the **cash bond shall be forfeited** in favor of the government to cover the expense for the backfilling of the excavation should the owner/permittee fail to restore the same. If the bond is insufficient to effect the necessary restoration, additional cost to be incurred to complete the restoration shall be charged to the account of the owner/permittee or to whoever shall assume ownership of the property. If the owner/permittee refuses backfilling of the excavation, the **Building Official** shall initiate legal proceedings.
5. Terms and Conditions of Permits

The issued building permit shall be subject to the following terms and conditions:

- a. That under **Article 1723 of the Civil Code** of the Philippines, the engineer or **architect** who drew up the **plans and specifications for a building/structure** is liable for damages if within **fifteen (15)** years from the completion of the building/structure, the same should collapse due to defect in the plans or specifications or defects in the ground. The engineer or **architect** who supervises the construction shall be **solidarily** liable with the contractor should the edifice collapse due to defect in the construction or the use of **inferior** materials.
- b. This permit shall be accompanied by the various applicable ancillary and accessory permits, plans and specifications signed and sealed by the corresponding design professionals who shall be responsible for the comprehensiveness and correctness of the plans in compliance to the **Code and its IRR** and to all **applicable referral codes** and **professional regulatory laws**.

- c. That the proposed construction/erection/addition/alteration/renovation/conversion/repair/moving/demolition, etc. shall be in conformity with the provisions of the National Building **Code, and its IRR.**
 - i. That prior to commencement of the proposed projects and construction an actual relocation survey shall be conducted by a duly licensed Geodetic Engineer.
 - ii. That before commencing the excavation the person making or causing the excavation to be made shall notify in writing the owner of adjoining property not less than ten (10) days before such excavation is to be made and show how the adjoining property should be protected.
 - iii. That the **supervising Architect/Civil Engineer** shall keep at the jobsite at all times a **logbook** of daily construction activities wherein the actual daily progress of construction including tests conducted, weather condition and other pertinent data are to be recorded, same shall be made available for scrutiny and comments by the **OBO** representative during the conduct of inspection his/her inspection pursuant to **Section 207 of the Code.**
 - iv. That upon completion of the construction, the Owner shall submit the logbook duly signed and sealed to the **Building Official** including as-built plans and other documents and shall also prepare and submit a **Certificate of Completion** of the project stating that the construction of the building/structure conform to the provision of the **Code, its IRR** as well as the plans and specifications.
 - v. All such changes, modifications and alterations shall likewise be submitted to the **Building Official** and the subsequent **amendatory permit** therefor issued **before** any work on said changes, modifications and alterations shall be started.
- d. That **no building/structure shall be used until the Building Official has issued a Certificate of Occupancy** therefor as provided in the **Code.** However, a **partial Certificate of Occupancy** may be issued for the Use/Occupancy of a portion or portions of a **building/structure** prior to the completion of the entire building/structure.
- e. That this permit shall not serve as an exemption from securing written clearances from various government authorities exercising regulatory function affecting **buildings/structures.**
- f. When the construction is undertaken by contract, the work shall be done by a **duly licensed and registered contractor** pursuant to the provisions of the Contractor's License Law (**RA 4566**).
- g. The Owner/Permittee shall submit a duly accomplished prescribed "**Notice of Construction**" to the **Office of the Building Official** prior to any construction activity.
- h. The Owner/Permittee shall put a **Building Permit sign** which complies with the prescribed dimensions and information, which shall remain posted on the construction site for the duration of the construction. (**Figs. III.4. and III.5**).

SECTION 305. Validity of Building Permits

The issuance of a building permit shall not be construed as an approval or authorization to the permittee to disregard or violate any of the provisions of the Code.

Whenever the issuance of a permit is based on approved plans and specifications which are subsequently found defective, the Building official is not precluded from requiring permittee to effect

the necessary corrections in said plans and specifications or from preventing or ordering the stoppage of any or all building operations being carried on thereunder which are in violation of the Code.

A building permit issued under the provisions of the **Code** shall **expire** and become null and void if the building or work authorized therein is not commenced within a period of **one (1)** year after the issuance of the building permit, or is suspended or abandoned at any time after it has been commenced for a period of **one hundred twenty (120)** days.

SECTION 306. Non-issuance, Suspension or Revocation of Building Permits

The **Building Official** may order or cause the non-issuance, suspension or revocation of building permits on any or all of the following reasons or grounds:

1. Errors found in the plans and specifications;
2. Incorrect or inaccurate data or information supplied;
3. Non-compliance with the provisions of the Code or any rules or regulations.

Notice of non- issuance, suspension or revocation of building permits shall always be made in writing, stating the reason or grounds thereof.

0.90 Mts.

Building Permit No. _____
Date Issued _____

Name of Project _____
Owner _____
Architect _____

DESIGN PROFESSIONALS :	PRC No.
Architect: _____	_____
Civil Engineer: _____	_____
Professional Electrical Engineer: _____	_____
Professional Mechanical Engineer: _____	_____
Sanitary Engineer: _____	_____
Master Plumber: _____	_____
Electronics Engineer: _____	_____

PROFESSIONALS INCHARGE OF FULL TIME INSPECTION AND SUPERVISION WORKS :

Architect / Engineer: _____

0.60 Mts.

STANDARD SIGNBOARD
(Residential Buildings for Exclusive use of Owners or Non-leasing Occupants)

Figure III.4.

*Anotation: The space for Architect should only be filled by the name of a duly **registered and licensed architect (RLA)** who shall act as the **architect-of-record (Aor)**, in full accordance with **R.A. No. 9266, The Architecture Act of 2004**. Otherwise, there may be a willful (and culpable) violation of the pertinent provisions of **R.A. No. 9266** by the concerned party/ parties.*

REQUIRED STANDARD SIGNBOARD
(Commercial, Industrial, Educational, Social, Institutional, Recreational Buildings and others)

Figure III.5.

*Anotation: The space for Architect should only be filled by the name of a duly **registered and licensed architect (RLA)** who shall act as the **architect-of-record (Aor)**, in full accordance with **R.A. No. 9266, The Architecture Act of 2004**. Otherwise, there may be a willful (and culpable) violation of the pertinent provisions of **R.A. No. 9266** by the concerned party/ parties.*

SECTION 307. Appeal

Within **fifteen** (15) days from the date of receipt of advice of the non- issuance, suspension or revocation of permits, the applicant/permittee may file an appeal with the Secretary who shall render his decision within **fifteen** days from date of receipt of notice of appeal. The decision of the Secretary shall be final subject only to review by the Office of the President.

SECTION 308. Inspection and Supervision of Work

1. The owner of the Building who is issued or granted a building permit under the **Code** shall engage the services of a **duly licensed architect** or civil engineer to undertake the **full time inspection and supervision of the construction work**.
2. Such **architect** or civil engineer may or **may not** be the same **architect** or civil engineer who is responsible for the design of the building.
3. It is understood however that in either case, the **designing architect** or civil engineer is not precluded from conducting inspection of the construction work to check and determine compliance with the plans and specifications of the building submitted.
4. There shall be kept at the jobsite at all times a logbook wherein the actual progress of construction including tests conducted, weather conditions and other pertinent data are to be recorded.
5. Upon completion of the construction, the said **licensed architect** or civil engineer shall submit the logbook, duly signed and sealed, to the Building Official. He shall also prepare and submit a Certificate of Completion of the project stating that the construction of building conforms to the provisions of the **Code** as well as with the approved plans and specifications.

SECTION 309. Certificate of Occupancy

1. The owner/permittee shall submit to the **OBO** an application of **Certificate of Occupancy** together with a duly notarized **Certificate of Completion** together with the construction logbook, **as-built plans** and specifications and the **Building Inspection Sheet** all signed by whoever is the contractor (if the construction is undertaken by contract) and signed and sealed by the Owner's **duly licensed Architect** or Civil Engineer who undertook the **full time inspection and supervision of the construction works**. Said Plans and Specifications shall reflect faithfully **all** changes, modifications and alterations made on the originally submitted Plans and Specifications on file with the **OBO** which are the basis of the issuance of the **original** building permit. The **as-built Plans** and Specifications may be just an orderly and comprehensive compilation of all the documents, which include the originally submitted plans and specifications and all amendments thereto as actually built or they may be an entirely new set of plans and specifications accurately describing and/or reflecting therein the building/structure as actually built.
2. A notification to conduct final inspection shall be endorsed by the **OBO** to the **C/MFM, BFP**, who shall issue a **Fire Safety Inspection Certificate** within **five (5)** workings days if the Fire Safety requirement shall have been complied. If, after the prescribed period no action is taken by the **C/MFM**, the **Building Official may issue the Certificate of Occupancy** with the condition that the Fire Safety requirements shall be complied with, within the prescribed period set forth in the Fire Code of the Philippines (**PD 1185**).
3. The **OBO** undertakes the final inspection, verification and/or review of the building/structure based on the **Certificate of Completion**, construction logbook, building inspection sheets, original and as-built plans and specifications, as the case may be and specifications on the prescribed standard form according to the requirements set forth under **Section 303**.
4. Prior to the issuance of the **Certificate of Occupancy**, the **OBO** shall prepare the corresponding fees and order of payment. The **Building Official** then issues the **Certificate of Occupancy** in the form prescribed therefor after all fees are paid.
 - a. A **partial Certificate of Occupancy** may be issued for the use or occupancy of a portion or portions of a building or structure prior to the completion of the entire building or structure, through the proper phasing of its major independent portions without posing hazards to its occupants, the adjacent building residents and general public.
 - c. A building for which a **Certificate of Occupancy** has been issued may further be issued other Certificates of Occupancy due to changes in use, whether partly or wholly, provided, that the new use/s or character/s of occupancy conforms with the requirement of the **Code and its IRR**.

(emphases, underscoring and annotations supplied)

Rule IV follows

RULE IV - TYPES OF CONSTRUCTION

SECTION 401. Types of Construction

For purposes of the **Code and its IRR**, all buildings proposed for construction shall be classified according to the following types:

1. **Type I** - shall be of **wood** construction. The structural elements may be any of the materials permitted by the Code.
2. **Type II** - shall be of **wood** construction with protective fire-resistant materials and one-hour fire-resistive throughout, except, that permanent non-bearing partitions may use fire-retardant treated wood within the framing assembly with one-hour resistivity.
3. **Type III** - shall be of **masonry and wood** construction. Structural elements may be any of the materials permitted by the Code provided, that the building shall be one-hour fire-resistive throughout. Exterior walls shall be of incombustible fire-resistive construction.
4. **Type IV** - shall be **steel, iron, concrete, or masonry** construction and walls, ceiling and permanent partitions shall be of incombustible fire-resistive construction, except, that permanent non-bearing partitions of one-hour fire-resistive construction may use fire-retardant treated wood within the framing assembly.
5. **Type V** - shall be four-hour fire-resistive throughout and the structural elements shall be of **steel, iron, concrete, or masonry** construction.

SECTION 402. Changes in Types

No change shall be made in the type of construction of **any building** which would place the building in a different sub- type or type of construction unless such building is made to comply with the requirements for such sub- type of construction: *Except*, when the changes is approved by the **Building Official** upon showing that the new or proposed construction is less hazardous, based on life and fire risk, than the existing construction.

SECTION 403. Requirements on Type of Construction

The following standards are prescribed:

1. **Fire Resistive Requirements**
 - a. Exterior bearing and non-bearing walls of Types II and III Constructions shall have one hour fire-resistive rating, while those of Types IV and V shall have four-hour fire-resistive rating.
 - b. Interior bearing walls, permanent partitions, floors, and roofs of Types II, III and IV Construction shall have one-hour fire-resistive rating while those of Type V shall have three-hour fire-resistive rating for bearing walls and one-hour fire-resistive rating for vertical openings, floors and roofs.
 - c. Structural **frames** of **Types II and III** Construction shall have one-hour fire-resistive rating, while those of Type IV shall have two-hour fire-resistive rating and those of **Type V** shall have three hour fire-resistive rating.
 - d. Exterior doors and windows shall have one hour fire-resistive rating for all Types.
2. Interior Wall and Ceiling Finishes

- a. Finishes for interior walls and ceilings of any building shall be classified according to their **flame-spread characteristic** using generally accepted engineering standards. The **smoke density** shall **not** be greater than that obtained from burning of untreated wood under similar conditions when tested in accordance with the “**Tunnel Test**” in the way intended for use. The products of combustion shall be **no** more toxic than the burning of untreated wood under similar conditions. These finishes include: interior wainscoting, paneling, or other finish applied structurally or for decoration, acoustical correction, frames and trims of doors and windows, surface insulation or similar purposes.
 - b. Requirements for flame-spread characteristics of finishes shall **not** apply to frames and trim of doors and windows and to materials which are less than 1.00 millimeter in thickness cemented to the surface of walls or ceilings.
 - c. Materials required to be flame-spread proofed shall be treated with a **flame-retardant** having a flame-spread of **fifty** (50) or less as determined by the “**Tunnel Test**”.
3. Standards for materials use in structural framework, exterior walls and openings, floors, exits, stairs & roofs shall be governed by the pertinent provision of the **Fire Code of the Philippines**.

(emphases, underscoring and annotations supplied)

Rule V follows

RULE V - REQUIREMENTS OF FIRE ZONES

SECTION 501. Fire Zones Defined

Fire zones are areas within which only certain types of **buildings**/structures are permitted to be constructed based on their use or occupancy, type of construction, and resistance to fire.

SECTION 502. Buildings Located in More Than One Fire Zone

A **building**/structure which is located partly in one (1) fire zone and partly in another shall be considered to be in the more highly restrictive fire zone, when more than one third (1/3) of its total floor area is located in such zone.

SECTION 503. Moved Buildings

1. **Any building**/structure moved within or into any fire zone shall be made to comply with all the requirements for buildings/structures in that fire zone.
2. This shall also apply to pre-engineered or pre-fabricated **buildings**/structures that may be dismantled and re-assembled.

SECTION 504. Temporary Buildings/Structures

1. Temporary buildings such as reviewing stands and other miscellaneous structures conforming to the requirements of the Code, and sheds, canopies and fences used for the protection of the public around and in conjunction with construction work, may be erected in the fire zones by special permit from the **Building Official** for a limited period of time, and such buildings or structures shall be completely removed upon the expiration of the time limit stated in such permits.
2. Erection of temporary buildings/structures to be located in restrictive and highly restrictive zones and which do not conform with the type of construction allowed or permitted within such zones may be allowed by the Building Official for a given period of time provided that, fire protective/preventive measures and fire suppression facilities are adequate.

SECTION 505. Center Lines of Streets

The center line of adjoining street or alley may be considered an adjacent property line. Distances shall be measured at right angles to the street or alley.

SECTION 506. Restrictions on Existing Buildings

1. Existing buildings or structures in fire zones that do not comply with the requirements for a new building erected therein shall not hereafter be enlarged, altered, remodeled, repaired or moved except as follows:
 - a. Such building is entirely demolished;
 - b. Such building is to be moved outside the limits of the more highly restrictive Fire Zone to a zone where the building meets the minimum standards;
 - c. Changes, alterations and repairs may be made provided that in any 12- month period, the value of the work does not exceed 20% of the value of the existing building, and provided that, such changes do not add additional combustible material, and do not, in the opinion of the **Building Official**, increase the fire hazard;

- d. Additions thereto are separated from the existing building by **fire walls**, as set forth in Section 506 (b);
- e. Damage from fire or earthquake, typhoons or any fortuitous event may be repaired, using the same kind of materials of which the building or structure was originally constructed, provided that, the cost of such repair shall **not** exceed 20% of the replacement cost of the building or structure.

SECTION 507. Designation of Fire Zones

The **legislative body of the LGU** may enact **ordinances** for the purpose of **designating fire zones** based on the parameters and guidelines set forth in this Section.

1. Designation of Fire Zones is purposely for management, prevention, control and suppression of conflagration that may occur in population centers. The designation of fire zones is as follows:
 - a. **Non-Fire Restricted Zones:** These are areas where siting of buildings/structures are permitted **without fire-resistivity** measures, often located in the country sides or rural areas where commercial and industrial and other buildings are sparsely constructed, or may be clustered in small groups like farm lands wherein dwellings are built of indigenous materials such as bamboo, *sawali*, *nipa*, cogon, palm leaves and wood up to **Types I and II** Construction as classified in **Section 401 of the Code**.
 - b. **Fire Restrictive Zones:** Areas wherein siting of buildings/structures are permitted within prescribed fire-resistivity measures for exterior walls of **at least two-hour fire resistivity**. Usual locations in suburban areas are permitted to be built with at least **one-hour fire-resistivity throughout** as **Types II, III to IV** Constructions as prescribed in **Section 401 of the Code**.
 - c. **Highly Fire Restrictive Zones:** Areas wherein highly fire- resistive or non-combustible buildings/structures and/or construction assemblies of **no less than three to four-hour fire-resistive** construction materials are used throughout, including exterior walls. Only **Types IV and V** Constructions are permitted in the areas.

(emphases supplied)

Rule VI follows

RULE VI - FIRE-RESISTIVE REQUIREMENTS IN CONSTRUCTION

SECTION 601. Fire- Resistive Rating Defined

Fire-resistive rating means the degree to which a material can withstand fire as determined by generally recognized and accepted testing methods.

SECTION 602. Fire- Resistive Time Period Rating

Fire-resistive time period rating is the length of time a material can withstand being burned which may be one- hour, two- hours, four- hours, etc.

SECTION 603. Fire-Resistive Standards

All materials of construction, and type of materials and assemblies or combinations thereof shall conform to the following fire-resistive ratings:

Type of Assembly and Material	Minimum thickness (in millimeter) for the given fire resistance			
	4 hrs.	3 hrs.	2 hrs.	1hr.
Floor Construction				
Solid R.C. slab				
- Average cover to reinforcement	25	25	20	15
- Overall Depth	150	150	125	100
Solid pre-stressed				
Concrete slab				
- Average cover to tendons	65	50	40	25
- Overall Depth	150	150	125	100
Partitions				
- Solid concrete	175	175	150	125
- Solid masonry	200	175	150	125
- Hollow unit masonry	300	250	200	150
Protection for metal structural members				
- Concrete	75	50	38	25
- Masonry	100	75	55	38
- Metal lath with vermiculite or perlite gypsum plaster	50	38	20	12
Exterior Wall				
- Solid concrete	180	150	125	75
- Solid masonry	200	175	150	100
- Hollow masonry	300	250	200	150
Column (all faces exposed)				
- Reinforced concrete	450	400	300	200

SECTION 604. Fire- Resistive Regulations

The Secretary shall prescribe standards and promulgate rules and regulations on the **testing** of construction materials for **flame-spread characteristics**, tests on fire damages, fire tests of building construction and materials, door assemblies and tinclad fire doors and window assemblies, the installation of fire doors and windows and smoke and fire detectors for fire protective signaling

system, application and use of controlled interior finish, **fire-resistive protection** for structural members, **fire-resistive** walls and partitions, **fire-resistive** floor or roof ceiling, **fire-resistive** assemblies for protection of openings and **fire-retardant** roof coverings.

(emphases, underscoring and annotations supplied)

Rule VII follows