



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



ORDINANCE NO. 2020-052

AN ORDINANCE MANDATING STRICT COMPLIANCE WITH THE PROVISION OF THE NATIONAL BUILDING CODE ON THE USE OF SAFETY NETS IN THE COURSE OF CONSTRUCTION AND REQUIRING PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR THE CONSTRUCTION WORKERS AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Sponsored by:

Hon. Coun. Louisito A. Arciaga
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadea
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Ma. Dhesiree G. Arevalo
Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Walter A. Arcilla
Hon. Coun. Kenichi D. Takagi, Jr.

WHEREAS, Article 99 of Rules and Regulations Implementing the Local Government Code of 1991, states that, ***"shall enact ordinance, approved resolutions and appropriate funds for the general welfare of the city and its inhabitants."***;

WHEREAS, Article 99(4) of Rules and Regulations Implementing the Local Government Code of 1991, requires that, ***"the Sanggunian to regulate activities relative to the use of land buildings, and other structures within the city in order to promote the general welfare."***;

WHEREAS, Section 16 of Republic Act 7160, otherwise known as the Local Government of 1991, states that, every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those essential to the promotion of the general welfare;

WHEREAS, Section 24 of Republic Act 7160 otherwise known as the Local Government Code of 1991, states that, "local government units and their officials are not exempt from liability for death or injury to person or damage to property".

WHEREAS, there is a need to require all contractors/developers to provide safety nets for the safety of employees and people/constituents living near or adjacent to the projects;



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



Page 2
Ordinance No. 2020-052

WHEREAS, Rules XI, Chapter 11, Section 1101, of Revised Implementing Rules and Regulations of National Building Code of the Philippines (PD1096) states that,

1. No person shall use or occupy a street, alley or public sidewalk for the enforcement of work covered a building permit except in accordance with the provisions of this Chapter;
2. No person shall perform any work on any building or structure adjacent to a public way in general used for pedestrian travel, unless the pedestrians are protected xxx;
3. Any material or structure temporary occupying public property, including fence, canopies, and walkways, shall be adequately lighted, between sunset and sunrise.;

WHEREAS, Rules XI, Chapter 11, Section 1106, of Revised Implementing Rules and Regulations of National Building Code of the Philippines (PD1096) state that, **"Canopies – the protective canopy shall have a clear high of 2.40 meters above the railway, and be structurally safe. Every canopy shall have a solid fence build a long its entire length on the construction side. If materials are stored or work is done on top of the canopy, the edge along the street shall be protective by a tight curb board not less than 300 millimeters and a railing not less than 1.00meter high shall be provided. The entire structure shall be designed to carry the loads imposed upon it; Provided that the live load shall be not less than 600kilograms per square meter."**

WHEREAS, Rules XI, Chapter 11, Section 1104, 1106 and 1107, of Revised Implementing Rules and Regulations of National Building Code of the Philippines (PD1096) states that:

Section 1104. Protection of Utilities:

1. All public or private utilities and services above or below the ground shall be protected from any damage by any work being done under the permit;
2. The protection shall be maintained while such work is being done and shall not obstruct the normal functioning of any such utility.

Section 1106. Pedestrian Protection:

1. Where the walkway occupies part of the roadway or is adjacent to an excavation, protective railings on the street side or on the side of the excavation shall be required.
2. Canopies (g) when a wall of the building abuts or fronts a street, fans or catch platform shall be erected along that wall at the level of the first floor of the building or above the street level. Fans or catch platforms shall be erected at the level of other floors of the building as may be necessary to prevent nuisance from dust or danger from failing debris or materials.

Section 1107. Maintenance and Removal of Protective Devices.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



Page 3
Ordinance No. 2020-052

h. Scaffolds.

ix. when used over public sidewalks or other places of public use, scaffolds used for minor building repairs, alterations, or painting, shall be equipped with drop cloths to effectively prevent the falling of paint or debris.

WHEREAS, the city government of Muntinlupa wants to protect and for the safety of the people in community within the area of the project and the employees of the contractors and developer;

NOW THEREFORE, BE IT ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa in Session assembled that:

SECTION 1. Title -- This ordinance shall be known as the "An Ordinance Mandating Strict Compliance with The Provision of the National Building Code On the Use of Safety Nets in the course of construction and requiring Personal Protective Equipment (PPE) For The Construction Workers and Prescribing Penalties in Violation Thereof".

SECTION 2. Coverage -- this ordinance shall cover local, national and private contractors/developers who shall hold **vertical projects** within the City of Muntinlupa.

SECTION 3. Definition of Terms -- the phrases, words and paragraph that will be used in this ordinance shall mean

1. **Canopy** -- is an overhead roof or else a structure over which a fabric or metal covering is attached, able to provide shade or shelter from weather conditions such as sun, hail, snow and rain. Can also be a tent, generally without a floor.
2. **Structure** -- refers to the arrangement of and relations between the parts or elements of something complex.
3. **Building** -- refers to structure with a roof and walls, such as house, school, store or factory.
4. **Projects** -- refers to an individual or collaboration enterprise that is carefully planned and designed to achieve a particular aim.
5. **Roads** -- a wide way leading from one place to another, especially one with a specially prepared surface which vehicles can use.
6. **Hard Hat** -- refers to a rigid protective helmet, as worn by factory and building workers.
7. **Safety Shoes/footwear** -- refers to a durable boot or shoe that has a protective reinforcement in the toe which protects the foots from falling objects or compression, usually combined with a mid-sole plate to protect against punctures from below.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



Page 4

Ordinance No. 2020-052

8. **Glove** – refers to covering for the hand worn for protection against cold or dirt and typically having separate parts for each finger and the thumb.
9. **Ladder** – refer to a structure consisting of a series of bars or steps between two uprights of wood, or metal, or rope, used for climbing up or down something.
10. **Scaffolding** – refers to a temporary structure on the outside of a building, made usually of wooded planks and metal poles, used by workers while building, repairing, or cleaning the building.
11. **Eye protection** – refers to a type of Personal Protective Equipment (PPE) designed to prevent injury to the eye.
12. **High Visibility Clothing** – refers to clothing worn that has highly reflective properties or a color that is easily discernible from any background.
13. **Ear Plug** – refers to a piece of wax, rubber or cotton placed in the ear as protection against noise or water.
14. **Ear Defenders** – refers to a device designed to lessen the transmission of excessive or damaging sound to the auditory receptors of the inner ear. A hearing protection.
15. **Respiratory equipment** – refers to a particular type of Personal Protective Equipment (PPE), used to protect the individual wearer against the inhalation of hazardous substances in the workplace air.
16. **Construction Net** – refers to a kind of safety net to protect people from harm from falling heights, it also protects the people below the net by stopping the fall of failing objects, tools, or debris. Safety nets are required in construction projects in the Philippines.

SECTION 4. Implementing Office/Department – The Engineering Department and Business Permits and Licensing Office (BPLO) shall monitor and do the ocular inspection for all projects structures, buildings, canopy and roads whether public or government projects.

SECTION 5. The Contractors/developers shall comply with all the requirements set forth by the Building Office with regards to the safety measures of their employees, properties and communities. In this regard, the contractor shall assign a **Safety Officer** who shall oversee the implementation of safety policies and measure.

SECTION 6. The contractor/developer is liable for all damages to property, community and to life incurred during and after the construction of the project.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



Page 5

Ordinance No. 2020-052

SECTION 7. The employees shall have the following Personal Protective Equipment (PPE):

1. **Safety Helmets**
2. **Glove**
3. **Eye Protection**
4. **Hazard Net Suite**
5. **Safety Footwear/Shoes**
6. **Safety Harnesses**
7. **Ear Defenders**
8. **Respiratory Equipment**
9. **High Visibility Clothing**

SECTION 8. A safety net, the length and size of which is commensurate with the structure, shall be installed in a construction project with the objective to protect the pedestrians and automobiles plying along the area of the construction site from falling debris and/or tools. The net shall likewise serve as deterrent for falling construction workers.

SECTION 9. Penalties – Any contractors/developers who violate this ordinance shall be penalized accordingly:

VIOLATION	PENALTY
First Offense	Two Thousand Pesos (Php2,000.00)
Second Offense	Four Thousand Pesos (Php4,000.00)
Third Offense	Five Thousand Pesos (Php5,000.00) and cancellation of Business Permit Ban the contractor/developer doing business within the jurisdiction of the City of Muntinlupa

SECTION 10. Implementing Rules and Regulations - The Department of Engineering and Office of the Building Officer, Public Employment Services Office (PESO) and City Legal Office shall prepare the **Implementing Rules and Regulations (IRR)** for the proper implementation of this Ordinance.

SECTION 11. Separability Clause – If, for any reason or reasons, any part or provisions of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 12. Repealing Clause. All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly

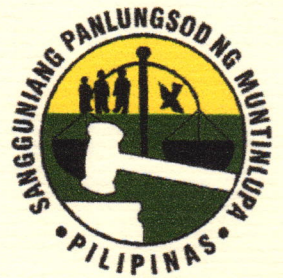
SECTION 12. Effectivity Clause – This ordinance shall take effect fifteen (15) days after its completion of its publication in a newspapers of general circulation.

ENACTED, by 9th Sangguniang Panlungsod of Muntinlupa this 27th day of January, 2020, on its 29th Regular Session.



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



Page 6

Ordinance No. 2020-052

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

COUN. IVEE RHIA A. TADEFA
Member

DISTRICT 2

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. MARK LESTER M. BAES
Member

COUN. MA. DHESIREE G. AREVALO
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan



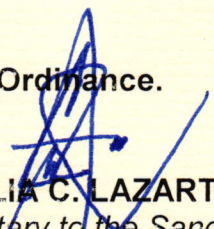
REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



Page 7
Ordinance No. 2020-052

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


CECILIA C. LAZARTE
Secretary to the Sangguniang

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNED!
City Mayor

Date: 05 FEB 2020

Norie/9th SP

