



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

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



ORDINANCE NO. 2020-062

AN ORDINANCE MANDATING THE ENGINEERING OFFICE AND THE OFFICE OF BUILDING OFFICIAL (OBO) TO CONFISCATE FROM ANY PRIVATE PERSONS, CONTRACTOR AND NON-CONTRACTING PERSONS/ENTITIES ALL CONSTRUCTION MATERIALS USED IN THEIR PROJECTS DURING/ON-GOING AND AFTER THE CONSTRUCTION OF ANY VERTICAL AND/OR HORIZONTAL PROJECTS OF NATIONAL OR LOCAL GOVERNMENT THAT MAY CAUSE OBSTRUCTION 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, ***"the Sanggunian shall enact ordinance, approve 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"***;



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. 2020-062

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 undertaking of work covered by a building permit except in accordance with the provisions of this Chapter;**
2. xxx;
3. Any material or structure temporary occupying public property, including fence, canopies, and walkways, shall be adequately lighted, between sunset and sunrise.;

WHEREAS, the remaining construction materials, machine, equipment, debris and the likes may cause traffic congestion and public disturbance and compromise the safety and convenience of the community,

WHEREAS, there is a need to clean and clear all construction materials, machine, equipment, debris and the likes by the Contractor, Developer or Non-Contracting individual/entity after the construction of any building/structures and roads within the jurisdiction of Muntinlupa City;

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 9th Sangguniang Panlungsod of Muntinlupa in Session assembled that:

SECTION 1. Title – This ordinance shall be known as **“An Ordinance mandating the Engineering Office and the Office of the Building Official (OBO) to Confiscate from any persons/contractors/non-contracting All Construction Materials Used in Their Vertical and/or Horizontal Projects national or local government that may cause obstruction and providing penalties for violation thereof.”**

SECTION 2. Coverage – This ordinance shall cover all construction materials, machine, equipment, debris and the likes used in any building/structures and roads construction that **obstruct** passage along roads, alleys, streets, or public sidewalks, within the jurisdiction of the City of Muntinlupa.

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

1. **Structure** – refers to the arrangement of and relations between the parts or elements of something complex.
2. **Building** – refers to structure with a roof and walls, such as house, school, store or factory.
3. **Projects** – refers to an individual or collaborative construction activities that is carefully planned and designed to achieve a particular aim.



Page 3
Ordinance No. 2020-062

4. **Roads** – a wide way leading from one place to another, especially one with a specially prepared surface which vehicles can use.
5. **Obstruction** – refers to something that blocks something else and makes it difficult for more things to move through; the condition of being blocked so that the things cannot move through easily.
6. **Equipment** - refers to supplies or tools needed for a special purpose.
7. **Materials** – refers to a physical or nature; relating to or concerned with physical rather than spiritual or intellectual things.
8. **Machinery** – refers to machines of a particular kind or machines in general.
9. **Debris** – the pieces that are left after something has been destroyed; things (such as broken pieces and old objects) that are lying where they fell or that have been left somewhere because they are not wanted.

SECTION 4. Manner of Implementation. The Engineering Department shall first issue a Notice of violation for fifteen (15) days. Within the said period, the person/contractor shall voluntarily remove all materials, equipment machine or debris that may cause obstruction. After the **fifteen (15)-day period**, the **Engineering Department** and the **Office of the Building Official (OBO)** shall confiscate all materials, machinery, equipment, and the likes that obstruct the roads, alleys, street, alley or public sidewalk, within the jurisdiction of the City of Muntinlupa.

The person/contractor or non-contracting entity shall voluntary remove any and all obstruction upon notice given by the Engineering Office. If after two (2) days the obstruction is not removed, the following penalties shall be imposed;

SECTION 5. Penalties. Any contractors/developers who violate this ordinance, shall be penalized accordingly:

	PENALTY
First Offense	Confiscation of the materials/ equipment that causes obstruction and payment of Storage fees. Failure of the person/contractor or non-contracting entity to retrieve the confiscated equipment/materials/machineries that cause obstruction within seven (7) days shall subject the violator to suspension of its construction activity.
Second Offense	Five Thousand Pesos (Php5,000.00) and cancellation of Business Permit. Blacklisting of the contractor/developer-violator from doing business within the jurisdiction of the City Muntinlupa.



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. 2020-062

SECTION 6. Creation of the TWG. The Engineering Office and the Office of Building Official shall create/form a **Technical Working Group (TWG)** to formulate Rules and Regulations for the implementation of this Ordinance,

Section 7. Prior Approval of the Implementing Rules and Regulations. The Implementing Rules and Regulations specified in the preceding section shall require prior approval of the Sanggunian;

SECTION 8. Implementing Agency. Engineering Office and the Office of the Building Official (OBO) is hereby authorized to confiscate all construction materials machinery, equipment, debris and the likes that obstruct the roads, alleys, street, alley or public sidewalk, within the jurisdiction of the City of Muntinlupa.

SECTION 9. Collection, Retrieval and Disposal Fees – there shall be imposed upon the violator a storage fee for confiscated materials, machinery, equipment, debris and the likes. The storage fee shall include the cost incurred by the City Government for the collection/removal and transport of the said materials/machinery/equipment, debris and the likes. The said fees shall be paid directly to the **Treasurer's Office**.

The determination of the imposable rates provided in the preceding section shall be included in the Implementing Rules and Regulations.

SECTION 10. Environmental fees. Whenever applicable, an environmental fee shall likewise be imposed;

SECTION 11. Redemption Period – All Contractors/developers, non-contracting entities shall be given one week to redeem the confiscated materials, machinery, equipment, debris and the likes. After the **three (3) notices** if the contractors/developers and non-contracting entities failed to redeem the confiscated materials, the City Government shall cause its **AUCTION** to the public.

SECTION 12. Storage Place - The City Government of Muntinlupa shall designate a place wherein the confiscated construction materials can be stored or safekept;

SECTION 13. Separability Clause – If, for any reason(s), any part(s) 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 13. Repealing Clause. All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly.

SECTION 14. Effectivity Clause – This ordinance shall take effect fifteen (15) days after its completion of its publication in a newspapers of general circulation.



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. 2020-062

ENACTED, by 9th Sanggunian Panlungsod this 17th day of February 2020, on its 32nd Regular Session.

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

(ABSENT)
COUN. MA. DHESIREE G. AREVALO
Member

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

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

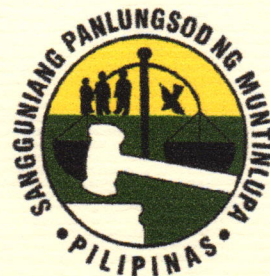
COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

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 6
Ordinance No. 2020-062

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. FRESNEDI
City Mayor

Date: 09 MAR 2020

Norie/9th SP