



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
 KALAKHANG MAYNILA



Sangguniang Panglungsod

ORDINANCE NO. 09-088

AN ORDINANCE AMENDING ARTICLE 7, SECTION 11, OF THE CITY ORDINANCE NO. 02-047, OTHERWISE KNOWN AS THE ZONING ORDINANCE OF THE CITY OF MUNTINLUPA TO REVISE THE SCHEDULE OF ZONING AND LOCATIONAL CLEARANCE FEES AND SCHEDULE OF FINES.

Sponsored by: Hon. Coun. Engr. Mamerto T. Sevilla, Jr.

Co-sponsored: Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ma. Luisa Babaran-Echavez, MD
Hon. Coun. Margarita Amythyst Patdu-Labios, MD
Hon. Coun. Melchor R. Teves
Hon. Coun. Atty. Icasiano M. dela Rea
Hon. Coun. Marita Deang-Calalang, DMD
Hon. Coun. Joselito V. Arevalo
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Vergel C. Ulanday
Hon. Coun. Robert A. Abas
Hon. Coun. Atty. Rey E. Bulay
Hon. Coun. Renato R. So – ABC President

WHEREAS, on **May 17, 2002** the Sangguniang Panlungsod of Muntinlupa passed Ordinance No. 02-047 otherwise known as the, "Comprehensive Land Use Plan and Zoning Ordinance of the City of Muntinlupa";

WHEREAS, Section 16, Article X of the Ordinance No. 02-047 provides that, upon review by the Local Zoning Review Committee (LZRC) amendments for the Zoning Ordinance may be adopted or carried through a resolution of three(4) vote of the Sangguniang Panlungsod members;

WHEREAS, said aforementioned Section further provides that, the amendment shall take effect only after approval and authentication by the Housing and Land Use Regulatory Board (HLURB);

WHEREAS, due to prevailing changes in the economic, political social and environmental landscape of the country, it is imperative that the City Government through the Legislative enacts measures to regulate the activities relative to the use of lands, buildings and structures within the jurisdiction of the city in order to promote the general welfare of its inhabitants and address the need to create balance distribution of social and economic development and environmental integrity of the City government.

NOW THEREFORE BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by 5th Sangguniang Panlungsod of Muntinlupa in session assembled that:

SECTION 1. This ordinance shall be known as an ordinance amending **ARTICLE VII**, Section 11 of Ordinance No. 02-047, otherwise known as the "Zoning Ordinance of Muntinlupa to revise the Schedule of Zoning and Locational Clearance fees and schedule of fines.



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Section 11 of Ordinance No. 02-047, *to be amended read as follows:*

SECTION 11. Collection of Processing Fee – These shall be a collection of processing fee for locational clearance in Muntinlupa to be administered by the Office of Local Zoning Administrator, the schedule of fees shall follow the table below which can be increase every time the City’s Revenue Code is updated.

TYPE OF APPLICATION	FILLING FEE
a) Locational Clearance	Php100.00
b) Motion for consideration	Php200.00
c) Petition/Request for Reclasification	1,250.00
d) Complaints, except those involving pauper litigation which shall be free of charge	Php100.00

2. LAND USE FEE:

TYPE OF APPLICATION	FILLING FEE
a. Residential (single detached and duplex style)	Php1.50/Square Meter
b. Commercial establishments (mass housing, townhouses constructed primarily for gain purposes)	Php3.00/Square Meter
c. Industrial establishment	Php4.10/Square Meter
d. Memorial Parks/cemeteries	Php.50/Square Meter
e. Institution (schools, hospitals, etc.)	Php2.00/Square Meter
f. Agro Industrial	
1. Manufacturing	Php4.10/ Square Meter
2. Non-Manufacturing	Php2.00/ Square Meter
Telecommunication/towers	Php4.00/ Square Meter
Billboards	Php0.50/ Square Foot
Yard utilized for commercial	Php1.20/ Square Meter
Yards utilized for industrial	Php2.00/ Square Meter
All types of renovation	75% of corresponding prescribed rates
Processing Fee	25% of the corresponding land Use Fee shall be paid for processing of all clearances.
Certificate fee	Php50.00
Temporary use permit	Same rate as of processing fee shall be applied for every of all clearance



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VIOLATIONS and ADMINISTRATIVE PENALTIES:	
Unauthorized expansion or alteration of and activity formerly covered by a certificate of non-conformance.	A fine equivalent to 100% of the prescribed processing fee but in no case be less than Php2,000.00 nor more than Php5,000.00

For connecting or undertaking any project without having first securing a Locational Clearance.

a. Excavation for foundation	Php2,000.00
b. Construction of foundation (including file arriving and laying reinforcing bars)	Php3,000.00
c. Construction of structure less than 2 meters above established grade.	Php5,000.00
d. Construction of structure more than 2 meters and completed structures	Php10,000.00
e. For home/cottage industry or incidental home occupation and auxiliary uses	Php500.00
f. All type of residential structures	Php1,000.00
g. All types of commercial and industrial structures 100 square meters and below.	Php2,000.00
h. All types of commercial and industrial structures more than 100 square meters.	Php10,000.00

For committing fraud or misrepresentation:

a. Fraud as to misrepresentation as to use	Php5,000.00
b. Fraud as to misrepresentation as to floor area	Php5,000.00
c. Fraud or misrepresentation as to location.	Php5,000.00
d. Non-disclosure or any material defect.	Not exceeding Php2,000.00 to Php5,000.00
For refusing admission within any premises subject to inspection by a duly authorized inspection.	Not exceeding Php2,000.00 to Php5,000.00
For failing or refusing without justifiable reason to appear during a proceeding before the City Zoning Administrator or his duly authorized officers.	A fine not more than Php2,000.00
For failing to renew the temporary use permit (TUP) on the date specified and stamped on the TUP.	A fine equivalent to 50% of the prescribed fee but in no case lower that Php500.00



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Section 11 of Ordinance No. 02-047, is hereby amended and shall now be read as follows:

Section 11. Scope of Application – This Ordinance shall cover all zoning and locational clearance fees and fines as provided in the Revised Schedule of Fees and Schedule of fines and guidelines for its imposition under the Housing Land Use and Regulatory Board Resolution No. 760 as approved on February 18, 2004 are as follows:

SCHEDULE OF FEES:

1. Application of fee/filing fee

TYPE OF APPLICATION	FILLING FEE
1) Locational Clearance	Php175.00
2) For Inspection of Property	Php150.00
3) Motion for Consideration	Php525.00
4) Petition/request for reclassification	Php1,750.00
5) For appeal	Php1,000.00
6) Complaints, except those involving pauper-Litigation which shall be free of charge	Php1,250.00

2. LAND USE FEE:

a. Residential (single detached and duplex style)	Php3.00/Square Meter
b. Commercial establishments (mass housing, townhouses constructed primarily for gain purposes)	Php7.50/Square Meter
c. Industrial establishment	Php9.00/Square Meter
d. Memorial Parks/cemeteries	Php4.00/Square Meter
e. Institution (schools, hospitals, etc.)	Php5.50/Square Meter
f. Agro Industrial	
a. Manufacturing	Php7.50/ Square Meter
b. Non-Manufacturing	Php3.50/ Square Meter
g. Telecommunication/towers	Php10,000.00/unit
h. Billboards	Php10.00/Square Foot
i. Yard utilized for commercial	Php2.50/Square Meter
j. Yards utilized for industrial	Php3.00/Square Meter
k. All types of renovation	75% of corresponding prescribed rates
l. Public Park	No charge
m. Private Park	Php2.75
n. Recreational Facilities	Php3.00

3. PROCESSING FEE –

25% of the corresponding Land Use fee shall be paid for processing of all clearances



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4. CERTIFICATE FEE –

- 1. Residential - Php100.00
- 2. Commercial/Industrial - Php400.00
- 3. Institutional - Php200.00

5. RENEWAL OF LOCATIONAL CLEARANCE

- Php150.00

6. ZONING FEES

- 20 square meters or less - Php 50.00
- More than 20 to 100 sq.m. - Php100.00
- More than 100 to 300 sq.m. - Php300.00
- More than 300 to 500sq. m. - Php500.00
- Above 500 sq.m. 1,000.00 plus .50 centavos per square meter in excess of 550 sq.m

7. TEMPORARY USE PERMIT

Same rate as Land Use Fee

8. RENEWAL OF TUP

Same rate of the processing fee shall be applied for every annual renewal

9. VIOLATIONS and ADMINISTRATIVE PENALTIES

9.1 Unauthorized expansion or alteration of and activity formerly covered by a certificate of non-conformance.	A fine equivalent to 100% of the prescribed processing fee but in no case be less than Php2,000.00 nor more than Php10,000.00
9.2 For commencing or undertaking any project without having first securing a locational clearance.	
a. Excavation for foundation.	Php2,000.00
b. Construction of foundation (including file arriving and laying reinforcing bars).	Php3,000.00
c. Construction of structure less than 2 meters above established grade	Php5,000.00
d. Construction of structure more than 2 meters and completed structures.	Php10,000.00
e. For home/cottage industry or incidental home occupation and auxiliary uses.	Php500.00
f. All type of residential structures.	Php1,000.00



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g. All types of commercial and industrial structures 100 square meters and below.	Php2,000.00
h. All types of commercial and industrial structures more that 100 square meters.	Php10,000.00

9.3 For committing fraud or misrepresentation	
a. Fraud as to misrepresentation as to use.	Php5,000.00
b. Fraud as to misrepresentation as to floor area.	Php5,000.00
c. Fraud or misrepresentation as to location.	Php5,000.00
d. Non-disclosure or any material defect.	Not exceeding Php2,000.00 – Php5,000.00
9.4 for refusing admission within any premise subject to inspection by a duly authorized inspector.	Not exceeding Php2,000.00 to Php5,000.00
a. First Refusal	Php2,000.00
b. Sub-sequent refusal	Php3,750.00
9.5 For failing or refusing without justifiable reason to appear during a proceeding before the city zoning authorized officers.	A fine not more than Php2,000.00
9.6 For failing to renew the temporary use permit (TUP) on the date specified and stamped on the TUP.	A fine equivalent to 50% of the prescribed fee but in no case lower than Php500.00

SECTION 2. Separability Clause – If for any reason/s, any section or provision of this ordinance shall be held unconstitutional or invalid, no other section or provision thereof shall be affected thereby.

SECTION 3. Repealing Clause – All ordinances or any part/s thereof, in conflict or inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 4. Effectivity – This ordinance shall take effect immediately after publication in a newspaper of general circulation.

ENACTED, by the 5th *Sangguniang Panlungsod of Muntinlupa* this 13th day of April 2009, on its 74th Regular Session.

ENACTED, by the 5th *Sangguniang Panlungsod of Muntinlupa* this 20th day of April, 2009, on its 75th Regular Session.



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CONCURRED:

DISTRICT I:


COUN. ALLAN REY A. CAMILON
 Member


COUN. MA. LUISA BABARAN-ECHAVEZ, MD
 Member



COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
 Member


COUN. MELCHOR R. TEVES
 Member


COUN. ATTY. ICASIANO M. DELA REA
 Member

COUN. MARITA DEANG-CALALANG, DMD
 Member

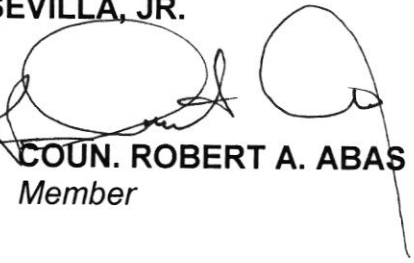
DISTRICT II:


COUN. FRANCIS IAN T. BAGATSING
 Member


COUN. JOSELITO V. AREVALO
 Member


COUN. MAMERTO T. SEVILLA, JR.
 Member


COUN. VERGEL C. ULANDAY
 Member


COUN. ROBERT A. ABAS
 Member


COUN. ATTY. REY E. BULAY
 Member



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COUN. RENATO R. SO
Sectoral Representative
President
Association of Barangay Captains

NO:

COUN. ALLEN F. AMPAYA
Member

ABSTAIN:

COUN. ERMIE S. ESPELETA
Member

ABSENT:

COUN. LUVI P. CONSTANTINO
Member

COUN. ENGR. MARISSA COLE-RONGAVILLA
Member

COUN. DANN HENRY G. TEVES
Sectoral Representative
President
Federation of Sangguniang Kabataan

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

LEONORA M. MARCELO
Legislative Staff Officer IV

ATTESTED:

ARTEMIO A. SIMUNDAC
Vice Mayor/Presiding Officer

APPROVED:

ALDRIN L. SAN PEDRO
City Mayor

Date: _____

Norie/