



Republic of the Philippines  
Province of Aklan  
MUNICIPALITY OF MALAY



*Office of the Sangguniang Bayan*

**MUNICIPAL ORDINANCE NO. 98-118**

**AN ORDINANCE REGULATING THE ISSUANCE OF LOCATIONAL OR ZONING CLEARANCE AND THE IMPOSITION OF ZONING FEE IN THE ISSUANCE OF THE SAME.**

Be it ordained by the Sangguniang Bayan of Malay, that:

SECTION 1. - **ADMINISTRATIVE PROVISION.** No person, firm, corporation and contractor is allowed to construct, repair or renovate any kind of building or any structure, temporary or permanent without securing first Certificate of Zoning Compliance or a Clearance from the Zoning Officer.

SECTION 2. - All person, firms or corporations applying for Certificate of Zoning Compliance shall be required of a Sangguniang Bayan Endorsement for all kinds of construction they may be built or constructed.

SECTION 3. - **ASSESSMENT AND COLLECTION OF FEES.** There shall be an assessed and collected fees and charges for services rendered in connection with the processing and issuance of a Certificate of Zoning Compliance in accordance with the following rates:

**1. ZONING/LOCATIONAL CLEARANCE**

**A. RESIDENTIAL STRUCTURE SINGLE ATTACHED/DETACHED. THE PROJECT COST OF WHICH IS:**

- |                        |  |
|------------------------|--|
| 1) ₱100,000.00 & below | ₱100.00 plus ₱10.00 (legal research fee)                 |
| 2) Over ₱100,000.00    | ₱100.00 plus 1/10 of 1% of cost in excess of ₱100,000.00 |

**B. APARTMENTS:**

- |  |   |
|--|---|
| 1) Project cost of ₱500,000.00 & below | ₱500.00 plus ₱10.00   |
| 2) Project cost over ₱500,000.00       | ₱500.00 plus 1/10 of 1% of cost in excess of ₱ 500,000.00 regardless of the no. of doors. |

**C. DORMITORIES:**

- |  |  |
|--|--|
| 1) Project cost of ₱500,000.00 & below | ₱500.00 plus ₱10.00  |
| 2) Project cost over ₱500,000.00       | ₱500.00 plus 1/10 of 1% of cost in excess of ₱500,000.00 regardless of the no. of rooms. |

**D. INSTITUTIONAL. THE PROJECT COST OF WHICH IS:**

- |                        |  |
|------------------------|--|
| 1) ₱100,000.00 & below | ₱400.00 plus ₱10.00                                      |
| 2) Over ₱100,000.00    | ₱400.00 plus 1/10 of 1% of cost in excess of ₱100,000.00 |

**E. COMMERCIAL, INDUSTRIAL, AGRO-INDUSTRIAL. THE PROJECT COST OF WHICH IS:**

- |                        |   |
|------------------------|---|
| 1) ₱100,000.00 & below | ₱1,000.00 plus ₱10.00                                   |
| 2) Over ₱100,000.00    | ₱1,000.00 plus 1/10 of 1% cost in excess of ₱100,000.00 |

F. **SPECIAL USES/SPECIAL PROJECT COST OF WHICH IS:**

- |                        |  |
|------------------------|--|
| 1) ₱100,000.00 & below | ₱1,000.00 plus ₱10.00                                      |
| 2) Over ₱100,000.00    | ₱1,000.00 plus 1/10 of 1% of cost in excess of ₱100,000.00 |

G. **ALTERNATION/EXPANSION.** Same as original application (Affected areas/cost of expansion only)

SECTION 4. - **TIME OF PAYMENT.** Fees and charges referred to in this Ordinance shall be paid to the Municipal Treasurer before the issuance of Certificate of Zoning Compliance.

SECTION 5. - **ACCUAL OF PAYMENT.** Zoning Fees shall accrue entirely to this Municipality.

SECTION 6. - **PENALTY.** Any person, natural or juridical, who causes the construction of any building or structure without securing the Certificate of Zoning Compliance shall be fined TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00). Concerned Zoning Administrator/Officer shall issue a work stoppage order for the afore-mentioned construction to take effect within twenty four (24) hours upon receipt of such notice. Should the respondent disregard the said notice and continue to undertake the construction, a second or third and final notice, as the case may be, shall be issued and a fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) per issuance shall be imposed against the defiant respondent. The third and final notice shall be executed by the Municipal Zoning Officer under the direct supervision of the Municipal Chief Executive with the assistance of the Philippine National Police and other peace officers.

Under this Ordinance, the contractor, foreman and/or the Civil/Supervising Engineer of the Building or structure shall likewise be fined TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) for every notice of work stoppage issued against the defiant respondent.

All fines stated herein shall be paid within fifteen (15) days upon receipt of notice, failure to pay such within the prescribed period shall incur a twenty percent (20%) surcharge on the total fine imposed.

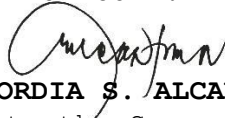
Failure of the respondent to secure the required Certificate of Zoning Compliance after the first notice, a surcharge of One Hundred Percent (100%) of the Zoning Fee shall be imposed against the said defiant respondent.

**AS AMENDED (Municipal Ordinance No. 172, s. 2002)**

SECTION 7. - This Ordinance shall take effect upon approval and proper publication.

**APPROVED.** DECEMBER 17, 1998.

CERTIFIED TRUE COPY:

  
**CONCORDIA S. ALCANTARA**

Secretary to the Sangguniang Bayan

**APPROVED. SP RESOLUTION NO. 99-158, dtd. 5-10-99**

