



Republic of the Philippines
 Province of Aklan
MUNICIPALITY OF MALAY
Office of the Sangguniang Bayan



EXCERPT FROM THE MINUTES OF THE 24TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (1998-2001) HELD AT THE SESSION HALL ON JULY 13, 2000.

Present:

- Hon. Ceciron S. Cawaling, Vice Mayor, Presiding Officer
- SB Member Frolibar S. Bautista
- SB Member Paterno G. Sacapaño
- SB Member Charlito S. Villanueva
- SB Member Abcedes S. Dela Torre
- SB Member Allan T. Bigueja
- SB Member Adrian D. Salaver
- SB Member Ralf A. Tolosa
- SB Member Julieta A. Aron
- SB Member Joel V. Gelito, Liga President
- SB Member Evan Jay V. Alianza, SK Federation President

Absent:

N o n e

X

X

X

MUNICIPAL ORDINANCE NO. 2000-129

AN ORDINANCE REGULATING THE ISSUANCE OF BUILDING PERMIT AND OCCUPANCY PERMIT AND THE IMPOSITION OF BUILDING PERMIT AND OCCUPANCY PERMIT FEE IN THE ISSUANCE OF THE SAME.

Be it ordained by the Sangguniang Bayan of Malay, Aklan, 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 Building Permit from the office of the Municipal Engineer.

SECTION 2. - All persons, firms or corporations applying for Building and Occupancy Permit shall be required of a Sangguniang Bayan endorsement for all kinds of construction they maybe built, constructed or occupy. (Section 2 of Zoning Ordinance).

SECTION 3. - All persons, firms or corporations issued a Building Permit shall be required to secure an Occupancy Permit first from the Municipal Engineer's Office before occupying their structure/building.

SECTION 4. - **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 Building Permit and Occupancy Permit in accordance with the following rates;

1. PAYMENT SCHEDULE FOR BUILDING PERMIT

- (1) **EXCAVATION FOR FOUNDATION AND BASEMENT** ₱ 5.00/cu.m.
- (2) **PAYMENT OF RESIDENTIAL BUILDING:**
 - a. Above 20 sq.m. up to 50 sq.m. 2.00/sq.m.
 - b. Above 50 sq.m. up to 100 sq.m. 4.00
 - c. Above 100 sq.m. up to 150 sq.m. 5.00
 - d. Above 150 sq.m. 6.00

PAYMENT OF COMMERCIAL BUILDING:

- a. Up to 5,000 sq.m. 9.60/sq.m.
- b. Above 5,000 sq.m. up to 6,000 sq.m. 8.80

(3) **PAYMENT OF INSTITUTIONAL, SOCIAL AND EDUCATIONAL BUILDING:**

- a. Up to 5,000 sq. m. 8.00/sq.m.
- b. Above 5,000 sq.m. up to 6,000 sq. m. 7.50

(4) **PAYMENT OF AGRICULTURAL BUILDING (INCLUDES GREENHOUSES, GRANARIES, BARNs AND POULTRY HOUSES, PIGGERIES AND OTHERS:**

- a. Up to 20 sq.m. Exempted
- b. Above 20 sq.m. up to 500 sq. m. 1.00
- c. Above 500 sq.m. up to 1,000 sq.m. 1.50

(5) **PAYMENT OF FOOTING OR FOUNDATION OF BUILDINGS/STRUCTURES:**

Per sq. m. or fraction thereof of footing ₱ 200.00

(6) **PAYMENT OF BUILDING WITH A HEIGHT OF MORE THAN 8.00 METERS**

shall be charged an additional fee of 0.20/cu.m.

(7) **REPAIRS ON BUILDING OF STRUCTURES:**

- a. Repair costing up to ₱5,000 Exempted
- b. Repair costing more than ₱5,000 shall be charge 1% of the Estimated Cost of repair.

(8) **CONSTRUCTION OF TOMBS AND CANOPIES, MAUSOLEUMS AND NICHEs IN CEMETERIES AND MEMORIAL PARKS:**

- a. Plain tombs, cenotaphs or monuments without backdrop wall, canopy or Exempted
- b. Canopied tomb, whether partially or totally Roofed over per sq.m. 3.00
- c. Semi-enclose mausoleums whether canopied or not 4.00
- d. Totally enclose mausoleums, per sq.m. 8.00

(9) **FENCING PERMIT FEE:**

- a. Fences up to 1.80 meters in height, made of Materials other than those mentioned above per l.m. 5.00
- b. Fences in excess of 1.80 meters in height made Of materials other than those mentioned above. 5.00

(10) **DEMOLITION FEE/MOVING OF BUILDINGS/STRUCTURES:**

- a. Demolition Fee: Area involved per sq.m. 4.00
- b. Moving Fee : Area of building/structure to be moved per sq.m. 4.00

(11) **CONSTRUCTION FEE ERECTION OF TOWERS:**

- a. Residential Exempted
- b. Commercial/Industrial:

	<i>ELF SUPPORTING</i>	<i>TRILON</i>
1. Up to 10 meters in height	2,000.00	200.00
2. Every meter or fraction thereof in excess of 10 m.	100.00	10.00

(12) **CONSTRUCTION OF STEEL TANKS FOR COMMERCIAL/INDUSTRIAL USE:**

- a. Up to 10 cu.m. 400.00
- b. Every cu.m. or fraction thereof in excess of 10 cu.m. to 100 cu.m. 20.00
- c. in excess of 100 cu.m. - 1,000 cu.m.. 16.00

(13) **STEEL TANK UNDERGROUND:**

- a. Up to 20 cu.m. 600.00
- b. Every cu.m. or fraction thereof in excess of 20 cu.m. 20.00

(14) **SANITARY/PLUMBING PERMIT FEES:**

- a. One unit, composed of one water closet, two floor drains, one lavatory, two faucets and one shower head ₱ 30.00/unit

(15) **SIGN PERMIT FEES:**

- a. Up to 4.00 sq.m. of Signboard area 200.00
- b. Every sq.m. or fraction thereof in excess of 4 sq.m. 20.00

2. FOR OCCUPANCY PERMIT

- (a) Buildings costing up to ₱50,000.00 ₱ 200.00
- (b) Buildings costing more than ₱50,000.00
₱100,000.00 400.00
- (c) Buildings costing more than ₱100,000.00
up to ₱250,000.00 800.00
- (d) Buildings costing more than ₱250,000.00
up to ₱499,000.00 1,200.00
- (e) Buildings costing more than ₱500,000.00
but less than ₱1,000,000.00 1,600.00
- (f) Buildings Costing more than ₱1,600,000.00 0.10%
Cost of Building

SECTION 5. - **TIME OF PAYMENT.** Fees and charges referred to in this Ordinance shall be paid to the Municipal Treasurer before the issuance of Building Permit and Occupancy Permit.

SECTION 6. - **ACCRUAL OF PAYMENT.** Building Permit Fees and Occupancy Permit Fees shall accrue entirely to this Municipality.

SECTION 7. - **PENALTY.**

A) **BUILDING PERMIT.**

The owner of the building or structure who causes the construction of the same, without the required Building Permit shall be fined TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00). Concerned Municipal Building Official shall issue a work stoppage order for the aforementioned construction to take effect with twenty four hours (24) from receipt of such notice. Should the owner or contractor disregard the said notice and continue to undertake the works, a second or third and last 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 owner. The third and final notice shall be executed immediately by the Municipal Building Officials 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 who undertake the construction 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 owner.

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

Failure of the owner to secure the required Building Permit after the first notice, a surcharge of ONE HUNDRED PERCENT (100%) of the Building Permit Fee shall be imposed against the said owner.

B) **OCCUPANCY PERMIT/CERTIFICATE**

The owner of the building or structure who occupies or causes others to occupy the same without the required occupancy permit or certificate shall be fined TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00). The concerned owner shall secure the said Occupancy Permit/Certificate from the appropriate Municipal Building Official within the period indicated in the Notice of Violation. Failure to secure the same within the prescribed period, a surcharge of One Hundred Percent (100%) of the Occupancy Permit Fee shall be imposed against the said owner without prejudice to the other penalties or order issued by the appropriate municipal agencies.

SECTION 8. - This Ordinance shall take effect upon approval.

ENACTED. JUNE 8, 2000.

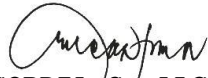
APPROVED. JULY 13, 2000.

APPROVED: SP RESOLUTION NO. 2000-294, dtd. 8-28-2000

Sec. 7, Amended by MO# 171, s. 2002, dtd. 9-4-2002

X X X

I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.



CONCORDIA S. ALCANTARA

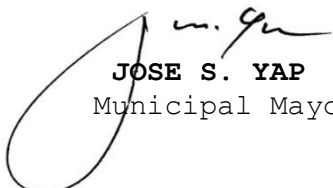
Secretary to the Sangguniang Bayan

ATTESTED:



CECIRON S. CAWALING
Municipal Vice Mayor
Presiding Officer

APPROVED:



JOSE S. YAP
Municipal Mayor