



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 28TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (2001-2004) HELD AT THE SESSION HALL ON SEPTEMBER 4, 2002.

Present:

SB Member Ralf A. Tolosa, Presiding Officer Pro-Tempore
SB Member John P. Yap
SB Member Abcedes S. Dela Torre
SB Member Charlie D. Villanueva
SB Member Julieta A. Aron
SB Member Allan T. Bigueja
SB Member Leny S. Sacapaño
SB Member Dante C. Pagsugiron
SB Member Ladd E. Cahilig, SK Federation Presiding

Absent:

Hon. Frolibar S. Bautista, Vice Mayor (OB)
SB Member Joel V. Gelito, Liga President

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MUNICIPAL ORDINANCE NO. 171
Series of 2002

AN ORDINANCE AMENDING SECTION 7 (PENALTY CLAUSE) OF MUNICIPAL ORDINANCE NO. 2000-129 REGULATING THE ISSUANCE OF BUILDING PERMIT AND THE IMPOSITION OF BUILDING AND OCCUPANCY PERMIT FEES IN THE ISSUANCE OF THE SAME.

SECTION 1. - **AMENDMENT.** Section 7 of Municipal Ordinance No. 2000-129 shall read as follows:

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.

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 (P2,500.00). 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.

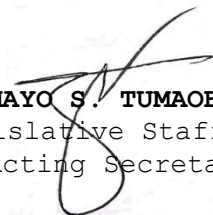
SECTION 2. - **EFFECTIVITY.** This Ordinance shall take effect upon approval and publication.

ENACTED. AUGUST 14, 2002.

APPROVED. SEPTEMBER 4, 2002.

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


MAYO S. TUMAOB

Local Legislative Staff Asst. III
Acting Secretary

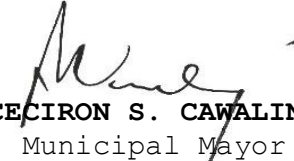
ATTESTED:


RALF A. TOLOSA

SB Member

Presiding Officer Pro-Tempore

APPROVED:


CECIRON S. CAWALING
Municipal Mayor