

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

OFFICE OF THE SECRETARY

04 JUN 30 P5:22

SENATE

S. No. 423

RECEIVED BY: Cellu

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

Damage, wrecked and ruined buildings are a common sight especially around Metro Manila. Buildings which have remained in such state for several years are actually accidents waiting to happen.

Presidential Decree 1096, otherwise known as the "National Building Code of the Philippines," grants the Building Official the power to take appropriate action to eliminate the danger to life, health or safety of the public. Sections 214 and 215 of the law provide as follows:

Section 214. Dangerous and Ruinous Buildings and Structures. –

Dangerous buildings are those which are herein declares as such or are structurally unsafe or not provided with safe egress, by which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard safety or health or public welfare because of inadequate, maintenance, dilapidation, obsolescence, or abandonment, or which otherwise contribute to the pollution of the site or the community to an intolerable degree.

Section 215. Abatement of Dangerous Buildings. –

When any building or structure is found or declared to be dangerous or ruinous, the Building Official shall order its repair, vacation or demolition. Depending upon the degree of danger to life, health or safety. This is without prejudice to further action that may be taken under the provisions of Articles 482 and 694 to 707 of the Civil Code of the Philippines."

This bill ensures that the course of action that the building official determines to be the appropriate will be implemented in a timely manner, i.e. within fifteen days from notice of such determination. Without this time limit, officials have left unimplemented corrective action on such public hazards, to the detriment of the public.

In view of the foregoing, early passage of this bill is earnestly requested.

S. Osmeña III
SERGIO OSMEÑA III
Senator

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AN ACT

AMENDING CERTAIN SECTIONS OF THE PRESIDENTIAL DECREE NO. 1096, MANDATING THE DEMOLITION OF BUILDINGS, STRUCTURES, OR ANY PART OR PORTION THEREOF DAMGE BY FIRE, EARTHQUAKE, WIND, OR BY ANY OTHER CAUSE, POSING AN IMMINENT DANGER TO LIFE, HEALTH, SAFETY OR WELL BEING OF THE GENERAL PUBLIC, WITH FIFTEEN (15) DAYS FROM NOTICE, INCREASING THE PENALTY FOR VIOLATION THEREOF AND THE OTHER PROVISIONS OF THE NATIONAL BUILDING CODE, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Republic of the Philippines in Congress assembled:

SECTION 1. Section 215 of Presidential Decree No. 1906, otherwise known as the "National Building Code of the Philippines," is hereby amended to read as follows:

"Sec. 215. Abatement of Dangerous Buildings – When any building or structure is found or declared to be dangerous or ruinous, the building official shall order its repair, vacation or demolition depending upon the degree to life, health, or safety: *PROVIDED*, THAT IN THE CASE OF BUILDING, OR STRUCTURES, OR ANY PART OF PORTION THEREOF, DAMAGED BY FIRE, EARTHQUAKE OR BY ANY OTHER CAUSE POSING AN IMMINENT DANGER TO LIFE, HEALTH, SAFETY OR WELL-BEING OF THE GENERAL PUBLIC AS DETERMINED BY THE BUILDING OFFICIAL, SHALL BE DEMOLISHED OR RENOVATED, AS THE CASE MAY BE, WITHIN FIFTEEN (15) DAYS FROM NOTICE OF SUCH DETERMINATION. "THE DECISION OF THE

1 BUILDING OFFICIAL IN SUCH CASES SHALL BE FINAL AND
2 EXECUTORY, SHOULD THE OWNER FAIL TO COMPLY WITH THE
3 ORDER OF THE BUILDING OFFICIAL TO RENOVATE, OR DEMOLISH
4 AND REMOVE THE BUILDINGS, STRUCTURE OF ANY PART
5 THEREOF, THE BUILDING OFFICIAL SHALL CAUSE THE SAME TO BE
6 RENOVATED, DEMOLISHED OR REMOVED, PARTLY OR WHOLLY,
7 AS THE CASE MAY BE, WITH ALL EXPENSES THEREOF
8 CHARGEABLE TO THE OWNER. [This is without prejudice to further
9 action that may be taken under the provisions of Articles 482 and 694 to
10 707 of the Civil Code of the Philippines.]”

11 SEC. 2. Section 213 of the Presidential Decree No. 1096 shall be
12 amended to read as follows:

13 “SEC. 213. Penal Provisions. – It shall be unlawful for any
14 person, firm or corporation, to erect, construct enlarge, alter, repair, move,
15 remove, convert, demolish, equip, use, occupy, or maintain any building or
16 structure or cause the same to be done contrary to or in violation of any
17 provision of this Code.

18 “Any person, firm or corporation who shall violate any of the
19 provisions of this Code and/or commit any act hereby declared to be
20 unlawful shall upon conviction, be punished by a fine of not LESS THAN
21 FIFTY THOUSAND BUT NOT more than {twenty thousand} ONE
22 HUNDRD THOUSAND pesos [or] AND by imprisonment of not LESS
23 THAN FIVE (5) YEARS BUT NOR more than [two] TEN years: provided,
24 That in the case of a corporation, firm, partnership or association, the
25 penalty shall be imposed upon its officials responsible for such violation
26 and in case guilty party is an alien.

27 SEC.3. This act shall take effect after its publication in at least two (2)
28 national newspapers of general circulation.

29 Approved,