SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

'18 NOV 13 P1 :50

RECD

SENATE
S.B. No. 2087

Introduced by Senator Grace Poe

AN ACT
TO ORDAIN THE NEW BUILDING CODE OF THE PHILIPPINES

Explanatory Note

> "To live together in the world means essentially that a world of things is between those who have it in common, as a table is located between those who sit around it; the world, like every in-between, relates and separates men at the same time." – Hannah Arendt, *"The Human Condition"*

We often forget role of buildings in our daily lives. Whether it is the homes which house our families, or the offices where we work, we fail to appreciate how much we rely on these structures every day. It is this "built environment" which provides durability and protection from the forces of nature, and without which human activity is impossible.

From these precepts, one can argue that the standards of our buildings have a direct bearing on the quality of our lives. After all, our health and wellness are affected by our surroundings. For example, a National Geographic article from 2017[1] pointed out that buildings with better ventilation, natural lighting (and similar techniques such as task lighting, dimmers, and timers), and active design (e.g., staircases facing open windows) had healthier, happier, and more productive employees.

In stark contrast, buildings in the Philippines are not always conducive to human health. For one, we are the second deadliest country in the Asia Pacific for household air pollution.[2] At least 16 of our days every year are spent stuck in traffic.[3] Severe weather disturbances caused us to lose Php 128 billion in economic losses in 2016.[4]

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[1] Howard, B.C. "5 Surprising Ways Buildings Can Improve Our Health" *National Geographic* (14 February 2017). Retrieved from https://www.nationalgeographic.com/environment/urban-expeditions/green-buildings/surprising-ways-green-buildings-improve-health-sustainability/

[2] "Ph ranks second in WHO list for deadly indoor pollution in Asia Pacific" CNN Philippines (02 May 2018) http://cnnphilippines.com/news/2018/05/02/PH-2nd-WHO-indoor-pollution-Asia-Pacific.html

[3] "Filipinos spend 16 days a year stuck in traffic: Study" *The Straits Times* (28 November 2017). Retrieved from https://www.straitstimes.com/asia/se-asia/filipinos-spend-16-days-a-year-stuck-in-traffic-study

[4] "Typhoons, droughts leave 129 billion in economic loses in 2016" ABS-CBN (31 October 2017). Retrieved from https://news.abs-cbn.com/business/10/31/17/typhoons-droughts-leave-129-billion-in-economic-losses-in-2016

These issues are directly connected to the ways in which our cities and buildings are built- overbuilding, overpaving, inappropriate zoning, and ever-escalating violations of physical planning and building laws which remain unpunished.

These issues are directly traceable to the largely outdated regime of building and grounds development regulations and policies, and the poor implementation of development controls all owing largely to poor public technical resources. These are rooted in the "mother law" known to architects and engineers as Presidential Decree No. 1096, otherwise known as the "*National Building Code of the Philippines*" (NBCP).

The NBCP was enacted in 1977. It is now 40 years old- a generation away from the architectural and engineering standards of the present day. If we are to address our predicament, then it is imperative that we amend the NBCP to embody the advanced technical knowledge on the planning, design, construction, use, occupancy, operation, and maintenance of buildings/ structures as well as their grounds and host sites.

As such, the present measure seeks to ordain a New Building Code which contains several progressive provisions, such as institutionalization of the "Green Building" paradigm, protection of sight-lines and vistas, integration of disaster resiliency standards, and stronger enforcement of right of way. However, it retains the structure of the 1977 NBCP, so as to prevent disruption the architectural profession and to retain developments in NBCP-related regulations that have been painstakingly evolved over the last 4 decades.

In line with the legal maxim that "the life of the law is experience", immediate approval and enactment of this measure is eagerly sought.

GRACE POE

SEVENTEENTH CONGRESS OF THE)
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SENATE
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AN ACT
TO ORDAIN THE NEW BUILDING CODE OF THE PHILIPPINES

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

ARTICLE I
GENERAL PROVISIONS

Section 101. *Title.*— This Act shall be known as the *"New Building Code of the Philippines".*

Sec. 102. *Declaration of Policy.*— It is hereby declared to be the policy of the State to safeguard life, health, property, and public welfare, consistent with the principles of sustainable planning, design, construction, use/occupancy, operation, maintenance and management/administration, in line with sound management practices for both the natural and built environments.

To this end, this Act shall hereby provide, for all buildings and structures and their grounds and sites, a framework of minimum standards and requirements to regulate and control their location, siting, planning and design, quality of materials, construction, use and occupancy, operation, maintenance and management/administration.

In the implementation and enforcement of this Act, national and public interests shall be given a premium above local, individual, and private interests. The local government units (LGUs) shall fully implement and enforce the minimum provisions mandated by this Act. However, as this Act prescribes the national

provisions mandated by this Act. However, as this Act prescribes the national minimum standard for buildings/structures, the provisions of this Act may be supplemented by local law (ordinance) if the same are more stringent and/or fully justified by local conditions.

Sec. 103. *Scope and Application.—*

a.) The provisions of this Act shall apply to the design, location, siting, construction, alteration, repair, conversion, use/occupancy, maintenance, moving, demolition of, and addition to public and private buildings and structures, except traditional indigenous family dwellings as defined herein.

b.) Building and/or structures constructed before the approval of P.D. No. 1096, otherwise known as the *"National Building Code of the Philippines"* (NBCP) shall not be affected thereby, except when alterations, additions, conversions or repairs are to be made therein in which case, this Act shall apply only to portions to be altered, added, converted or repaired.

c.) Existing violations of the heretofore valid and subsisting provisions of the P.D. 1096, particularly as the same relates to residences, dwellings, institutional and commercial structures, shall be rectified by the Owners to fully comply with said NBCP.

d.) Major violations of P.D. No. 1096, as determined by the LGU Office of the Building Official or the National Building Official or a competent Court, shall be immediately rectified to fully comply with said law. In case of willful non-compliance or inability of the property and/or building/structure owner to fully comply with P.D. No. 1096, a system prescribing annual fines/penalties shall be instituted by the responsible Government agency and the same shall be annotated in the applicable title to the property/building/structure until full compliance with P.D. No. 1096 is attained. The same procedure shall apply in the case of the implementation and enforcement of this Act.

Sec. 104. *General Building and Grounds Requirements.—*

a.) All buildings or structures and their grounds/sites, as well as accessory facilities thereto, shall conform in all respects to the principles of safe

construction and shall be suited to the purpose for which they are planned/designed.

b.) All buildings or structures and their grounds/sites, intended to be used for the manufacture and/or production of any kind of article or product shall observe adequate environmental safeguards consistent with valid and subsisting laws on the natural and built environments.

c.) Buildings or structures and their grounds/sites, and all parts thereof as well as all facilities found therein shall be maintained in safe, sanitary and good working condition.

Sec. 105. *Site Requirements.*— The land or site upon which shall be constructed any building or structure, or any ancillary or auxiliary facility thereto, shall be fully compliant with applicable laws, and shall be sanitary, hygienic, secure and safe.

In the case of sites or buildings intended for use as human habitation or abode, the same shall be at a safe distance, as determined by competent authorities, from bodies of moving/still water and/or sources of pollution, and from a volcano or volcanic site and/or any other building/structure considered to be a potential source of fire or explosion.

Sec. 106. *Definition of Terms.*— For the purpose of this Act, and its subsequent implementing rules and regulations and its derivative regulations such as executive issuances and local ordinances, the words, terms, phrases, acronyms and abbreviations enumerated hereafter shall have the meaning or definition correspondingly provided therein:

1.) *"Assistant Building Official"* or *"ABO"* refers to the second highest official of the LGU Office of the Building official (OBO), with supervisory responsibilities over the LGU-OBO Sections.

2.) *"Amenities, Facilities, Services, Utilities"* or *"AFSU"* – refers to the consolidated provisions for the full operationalization of a building/structure for purposes relating to human habitation.

3.) *"Allowable Maximum Building Footprint"* or *"AMBF"* – refers to the resultant area established at grade level upon which the proposed building/structure may be erected.

4.) *"Accessoria"* or *"Shop House"* – refers to a mixed-use building to be erected on a commercial lot, with a Building Height Limit (BHL) of three (3) storeys or ten meters (10.0 m), composed of a row of dwelling cum commercial units entirely separated from one another by partly walls and with an independent entrance for each dwelling unit. The shops shall be at the ground floor, the second floor as office or storage or living/dining/service spaces and the third floor for use only as sleeping and/or living/dining spaces.

5.) *"Accessory Building"* – refers to a building subordinate to the main building on the same lot and used for purposes customarily incidental to those of the main building, such as but not limited to servants' quarters, garage, generator shed, pumphouse, laundry, and the like

6.) *"Accredited Professional Organization"* or *"APO"* – refers to a non-governmental organization (NGO) of State-regulated development professionals who deal purely with the natural and built environments, duly accredited by the Professional Regulation Commission (PRC).

7.) *"Adaptive Reuse"* – refers to the process of adapting used or old buildings/structures for purposes other than those initially intended.

8.) *"Aerodrome"* – refers to a defined area on land or water (including any building, installation or equipment) used either wholly or in part for the arrival, departure and surface movement of fixed wing and rotary aircraft.

9.) *"Agricultural Building"* – refers to a building designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place for human habitation nor a place of employment where agricultural products are processed, treated or packaged nor for use by the general public.

10.) *"Air Right"* – refers to the right to physically develop and subsequently benefit or profit from the continued use of the air space above the road right-of-way (RROW), other rights-of-way (ROWs) or legal easements, or private/public property outside or along such ROWs or easements, subject

to the payment of lease to the appropriate party for availing of such rights. The upper limit of the air rights is the airways navigational path such as the clearance limits of aerodrome and flight patterns.

11.) *"Airport"* or *"Airfield"* – refers to a defined area on land or water that is used for aircraft operations and for the handling/management of the transported passengers and cargo/freight.

12.) *"Airside"* – refers to the portion of the airport that extends from the apron to the four sides of the runway strip.

13.) *"Alignments"* – refers to surface areas/spaces traversed by a national RROW, similar ROWs, legal easements or similar public spaces, which form part of the public domain and are therefore disallowed sites for non-mobile billboards.

14.) *"Alley"* – refers to any space or access-way dedicated or deeded to the public or for public use as a dedicated passageway mainly for pedestrians, with a width of not more than three meters (3.0 m). If the alley is made larger to attain a clear width of between 3.01 m and 5.99 m, motorized vehicles can be allowed access/use but not for extended parking at any point within the alley.

15.) *"Alteration"* – refers to any change, addition or modification in construction or building occupancy.

16.) *"Alternative Dispute Resolution"* or *"ADR"* -refers to the various modes of dispute resolution under Republic Act No. 9285, otherwise known as the *"Alternative Dispute Resolution Act of 2004"* which includes arbitration, mediation and conciliation relating to development, construction and consulting services/practice of State-regulated professions.

17.) *"Amenity"* – refers to a feature that increases attractiveness or value of building/structure or its grounds/site, which may include but are not limited to a special space of a highly public nature, but which require huge investments in material and equipment such as an auditorium, an infinity pool, a lush deck roof garden, a revolving restaurant, an executive lounge, an entertainment area and similar upscale provisions or spacious but expensive architectural design features such as oversized spaces, full automation including closed-circuit television (CCTV), very tall ceilings,

large insulated or light-sensitive windows, glass floors, embedded luminaires on walls and floors, use of high-grade finishing materials such as very expensive alloys such as titanium, large slabs of natural granite, and the like.

18.) *"Angles/Slopes from RROW Centerlines"* and/or *"Angular Plane Along RROW"* – refers to lines and generated angular planes emanating from the centerlines of the road rights-of-way that limit architectural projections and that shall be fully complied with to satisfy additional natural light and ventilation requirements along both the RROWs and the front yards of the proposed buildings/structures.

19.) *"Apartment"* – refers to a dwelling unit, flat or suite of two or more rooms, designed and intended for, or occupied by one (1) family for living, sleeping and cooking purposes. It also refers to any building or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking within such building. It includes the following classifications:

a.) *"Apartelle"* or *"Apartel"* – refers to a building which combines the features of an apartment and a hotel.

b.) *"Serviced Apartment"* – refers to a type of furnished apartment available for short-term or long-term stays, which provides amenities for daily use, including cooking and dining provisions.

20.) *"Appeal"* – refers to an act of petitioning the review of a resolution or decision of the LGU-OBO or LBO, duly filed with the ONBO/NBO or of the review of a resolution or decision of the ONBO or NBO, duly filed with the Office of the president of the Philippines, as provided under this Act.

21.) *"Apron"* – refers to a defined area on the airside of a land aerodrome, situated near a terminal building, and that is used to accommodate aircraft for purposes of loading and/or unloading passengers and freight and/or cargo, fueling, parking, and maintenance.

22.) *"Arcade"* – refers to any horizontal portion of a building at the ground floor, which may or may not integrate the sidewalk forming part of the road right-of-way (RROW), bound by the building face on one side, roofed

to protect pedestrians against the elements and connected to other arcades forming part of adjoining buildings/structures.

23.) *"Arcade Structure"* – refers to any multi-storey, cantilevered/end-supported and enclosed or partially enclosed portion of a building situated directly above the arcade.

24.) *"Registered and Licensed Architect"* or *"RLA"* – refers to a State-regulated development and construction professional who is a holder of a Certificate of Registration and of a license in the form of a professional identification (ID) card, both duly issued by the Professional Regulation Commission (PRC), and who can practice architecture on Philippine soil in full accordance with R.A. No. 9266, otherwise known as the *"Architecture Act of 2004"* or successor law/s, its IRR and derivative regulations. It include the following classifications:

a.) *"Consulting Architect"* -refers to an architect who is registered and licensed or permitted by the State to practice architecture in the Philippines, and who is professionally and academically qualified with an exceptional or recognized expertise or specialization in any branch of architecture, specifically in the planning and design of buildings/structures.

b.) *"Foreign Architect"* – refers to a State-regulated development professional who is a holder of a Special/Temporary Permit (STP) duly issued by the PRC to allow a duly-qualified foreign national to practice the profession of architecture in the Philippines on a limited basis and only with a collaborating RLA, in full accordance with R.A. No. 9266, its IRR and derivative regulations.

25.) *"Architectonics"* – refers to the scientific aspect of architecture which unifies the architectural, structural and utility plans/designs of a building/structure.

26.) *"Architectural Documents"* -refer to the architectural plans/designs, drawings, specifications and other outputs of a registered and licensed RLA, and which only an RLA can sign and seal. The full list of architectural documents is as follows:

a.) Vicinity Map/Location Plan within a two kilometer (km) radius for commercial, industrial, and institutional complexes and within a point five (0.5) km radius for residential buildings, at any convenient scale showing prominent landmarks or major thoroughfares for easy reference;

b.) Site Development Plan (SDP) which shows the technical description, boundaries, orientation and position of proposed building/structure in relation to the lot, existing or proposed access road and driveways and existing public utilities/services. The existing buildings within and adjoining the lot shall be hatched and distances between the proposed and existing buildings shall be indicated;

c.) Perspective drawn at a convenient scale and taken from a vantage point (bird's eye view or eye level);

d.) Floor Plans drawn to scale of not less than one to one hundred (1:100) m which shows the gridlines, the complete identification of rooms or functional spaces and other required plan information;

e.) Elevations, at least four (4), of the same scale as floor plans and which shows the gridlines, natural ground to finish grade elevations, floor to floor heights, door and window marks, type of material and exterior finishes, and adjoining existing structure/s, if any, shown in single hatched lines;

f.) Sections, at least two (2), which shows the gridlines, natural ground and finish levels, outline of cut and visible structural parts, doors and windows properly labeled reflecting the direction of opening, partition, built-in cabinets, and the like, identification of rooms and functional spaces cut by section lines;

g.) Reflected ceiling plan (RCP) and ceiling and roof cavity plans which shows the design, location, finishes and specifications of materials, lighting fixtures, diffusers, decorations, air conditioning exhaust and return grilles, sprinkler nozzles, if any, at scale of at least 1:100;

h.) Details, in the form of plans, elevations/sections, to include typical wall/bay sections from ground to roof, stairs (interior and exterior),

fire escapes/exits, built-in cabinets, counters and fixed furniture and all types of partitions;

i.) Schedules of Doors and Windows showing their types, designations/marks, dimensions, materials, and number of sets;

j.) Schedules of Finishes, which shows in graphic form the surface finishes specified for floors, ceilings, walls, baseboard trims for all building spaces per floor/level, other architectural interior components, and the building exterior;

k.) Details of other major architectural elements;

l.) Designs/drawings for Architectural Interiors to include space plan/s or layout/s, architectural interior perspective/s, furniture/furnishing/equipment/process layout/s, access plan/s, parking plan/s, and the like, detail design of major architectural interior elements including floor/ceiling/wall patterns and finishing details, list of materials used and cost estimates;

m.) Plans and specific locations of all accessibility facilities of scale of at least 1:100, to include accessible ramps, stairs, lifts/elevators, entrances/corridors/walkways, functional areas/comfort rooms, switches/controls, drinking fountains, public telephone booths, audio visual and automatic alarm system, access symbols and directional signs, reserved parking for disabled persons and detailed design of all such accessibility facilities outside and around buildings/structures including parking areas, and their safety requirements all at scale of one to fifty (1:50) m or any convenient scale;

n.) Fire Safety Documents to include the layout plan of each floor indicating the fire evacuation route to safe dispersal areas, standpipes with fire hose, fire extinguishers, first aid kits/cabinets, fire alarm, fire operations room, emergency lights, signs, and the like, details of windows, fire exits with grilled windows and ladders, fire-resistive construction of enclosures for vertical openings, fire-resistive construction materials and interior decorative materials with fire-resistive/fire-retardant/fire-spread ratings*; and*

o.) Other Related Documents including the necessary reportage and work phase documentation.

27.) *"Architectural Plan"* – refers to a two (2)-dimensional representation reflecting a proposed development/redevelopment of an enclosed/semi-enclosed or open area which shows features or elements such as columns, walls, partitions, ceiling, stairs, doors, windows, floors, roof, room designations, door and window call-outs, the architectural layout of equipment, furnishings, furniture, and the like, specifications callouts, elevation references, drawing references, and the like. It is also the representation of a lateral section for a building/structure (running parallel to the ground) and at a height of from 1.0 – 1.5 meters above the finished floor.

It may also refer to other architectural designs such as cross/longitudinal sections, elevations, roof plan, reflected ceiling plan, detailed sections and elevations showing architectural interiors, detailed architectural designs, door and window schedules, other architectural finishing schedules, and the like.

28.) *"Assembly Building"* or *"Assembly Hall"* – refers to a building or a portion thereof used for the gathering of fifty (50) or more persons for activities such as deliberations, workshops, entertainment, amusement or transportation-related uses. It also refers to a building housing drinking and/or dining establishments for one hundred (100) or more persons.

29.) *"Audit"* – refers to the detailed technical determination of existing conditions relating to the preparation of construction plans/designs for an existing or proposed building/structure. It includes the following classifications:

a.) *"Building Audit"* -refers to an audit of the architectonics of a building/structure as undertaken by duly-qualified RLPs, which is translated into as-built plans;

b.) *"Space Planning Audit"* -refers an audit of the spatial utilization of a building/structure, which shall be undertaken by a RLA*; and*

c.) *"Structural Audit"* – refers to an audit of the structural system of a building/structure, which shall be undertaken by a duly-qualified RLCE;

30.) *"Awning"* or *"Hood"* – refers to a movable shelter supported entirely from the exterior wall of a building and of a type which can be retracted, folded or collapsed against the face of a supporting building/structure.

31.) *"Building Height Limit"* or *"BHL"* – refers to the maximum height to be allowed for a building/structure based on their proposed use/occupancy. The BHL is generally measured from the established grade line to the topmost portion of such a building/structure, inclusive of a non-mobile billboard mounted on top of such a building/structure. It excludes the height of permitted/allowed projections above the roof of the building/structure, such as signage, mast, antenna, telecom tower, beacons, and the like. The BHL is generally determined after the application of other development controls (DC) and certain other parameters, such as considerations of site conditions, view, and the like. If applicable, the BHL shall be subject to clearance requirements of the Civil Aviation Authority of the Philippines (CAAP) or of the concerned military/security authorities.

32.) *"Biochemical oxygen demand"* or *"BOD"* refers to the oxygen used in meeting the metabolic needs of aerobic microorganisms in water rich in organic matter".

33.) *"Backing"* – refers to the surface or assembly to which veneer is attached.

34.) *"Balcony"* – refers to a portion of the seating space of an assembly space, the lowest part of which is raised at least 1.20 meters above the level of the main floor.

35.) *"Balcony Exit"* or *"Balcony Exterior"* – refers to a landing or porch projecting from the wall of a building, and which serves as a required means of egress. The long size shall be at least fifty percent (50%) open, and the open area above the guardrail shall be so distributed as to prevent the accumulation of smoke or toxic gases.

36.) *"Barangay"* – refers the smallest political unit in the country;

37.) *"Barbecue"* – refers to a stationary open hearth or brazier, either fuel-fired or electric, used for food preparation.

38.) *"Basement Level"* – refers to a portion of a building which may be partly below and/or partly above grade, but so located such that the vertical distance from grade to the floor is less than the vertical distance from grade to ceiling.

39.) *"Bay"* or *"Panel"* – refers to an interval or space into which the building facade is vertically divided by its columns, buttresses or division walls.

40.) *"Beam"* – refers to one of the principal horizontal supporting members of a building/structure that is made of timber, metal, reinforced concrete or stone.

41.) *"Non-Mobile Billboard"* – refers to an attention-getting device consisting of a support structure, a display or message area, a lighting system and related components. The term also refers to all types of identification, description, illustration, images, pictures, display or device which is affixed to or represented directly or indirectly upon a portion of a building/structure, support structure or land and which directs attention to a product, place, activity, person, institution, business, idea or belief. The term shall be generic and shall collectively refer to but not be limited to multi-media or tri-vision billboards, neon or other illuminated signs, painted signs, and the like. A billboard positioned at a fixed location, usually along a national road right-of-way (RROW), where it can be readily and continuously viewed by the passing public. The following are the key types of billboards that may be erected at the defined regulated areas under this Act:

a.) *"Class 1 (Official Billboards)"*-refers to directional or other official billboards erected and maintained by public officers or agencies pursuant to and in accordance with direction or authorization contained in applicable law/s for the purpose of carrying out an official duty or responsibility;

b.) *"Class 2 (On-premise Billboards)"*-refers to billboards not prohibited by law, which are consistent with the applicable provisions of this Act and which advertise the sale or lease of, or activities being

conducted upon, the real property where the signs are located. Not more than one such billboard advertising the sale or lease of the same property may be permitted under this class in such manner as to be visible to traffic proceeding in any one direction on any one national RROW/ROW. Not more than one such billboard, visible to traffic proceeding in any one direction on any one national RROW/ROW and advertising activities being conducted upon the real property where the billboard is located, may be permitted under this class more than 15.3 meters from the advertised activity;

c.) *"Class 3 (Billboards within 19.31 kilometers direct/radial distance of advertised activities)"*-refers to billboards not prohibited by law, which are consistent with the applicable provisions of this Act and which advertise activities being conducted within 19.31 kilometers direct/radial distance) of such billboards*; and*

d.) *"Class 4 (Billboards in the specific interest of the traveling public)"*- refers to billboards authorized to be erected or maintained by law, which are consistent with the applicable provisions of this Act and which are designed to give information in the specific interest of the traveling public;

42.) *"Non-Conforming Billboard"* – refers to any non-mobile billboard lawfully constructed prior to the enactment of this Act, but which fails to conform to its provisions.

43.) *"Billboard Unit"* or *"BU"* -refers to a display with a total surface area of anywhere between seven point five square meters (7.5 sqm) minimum to twenty eight square meters (28.0 sqm, at a total panel height of 4.0 meters by a length of 7 meters, including border and trim but excluding supports) maximum for existing/proposed NATIONAL urban RROWs/ROWs and anywhere between twenty eight point 1 square meters (28.1 sqm,) minimum to fifty six square meters (56.0 sqm) maximum to at a total panel height of 6.0 meters by a length of 9.33 meters, including border and trim but excluding supports) maximum for existing/proposed national rural RROWs/ROWs.

44.) *"Minimum Billboard Unit"* -refers to a display with a maximum total surface area of seven point five square meters (7.50 sqm), a multiple of the 225.0 sqm Maximum Billboard Unit. It shall have a least dimension of one meter (1.0 m).

45.) *"Maximum Billboard Unit"* -refers to a display with a maximum total surface area of two hundred twenty five square meters (225.0 sqm).

46.) *"Block"* -a basic building unit, usually for use in masonry construction, which includes the following types:

a.) *"Concrete Block"* – refers to hollow or solid concrete masonry unit made from portland cement and suitable aggregates such as sand, gravel, crushed stone, bituminous or anthracite cinders, burned clay, pumice, volcanic scoria, cooled or expanded blast furnace slags;

b.) *"Concrete Hollow Block"* or *"CHB"* – refers to a hollow concrete masonry unit made from portland cement and suitable aggregates such as sand, fine crushed stone, and the like*; and*

c.) *"Glass Block"* – refers to a sealed fire-rated glass unit used for firewall construction and which allows filtered natural light to enter the building interior.

47.) *"Boiler Room"* – refers to any room containing a steam or hot water boiler.

48.) *"Buildable Area"* – refers to the remaining space in a lot after deducting the mandated minimum open spaces.

49.) *"Building"* – refers to any structure built for the support, shelter or enclosure of persons for the purpose of habitation, animals, chattels or property of any kind.

50.) *"Dangerous and Ruinous Building"* – refers to a building/structure declared by a Local Building Official or by the National Building Official as being structurally unsafe or not provided with safe egress, or which constitutes a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health or public welfare because of inadequate maintenance, dilapidation,

obsolescence, or abandonment, or are otherwise contribute to the pollution of the host site or the community to an intolerable degree.

51.) *"Building Administrator"* – refers to a person who ensures the proper usage of all utilities of the building/structure and who checks and monitors the physical condition, general upkeep and cleanliness of the building/structure, its surroundings and its facilities.

52.) *"Building Bulk"* – refers to a volume quantity that is generally determined by the application of the Floor-Lot Area Ratio (FLAR), vertically projecting the Allowable Maximum Building Footprint (AMBF), establishing the Outermost Faces of Building (OFB) and quantifying the Allowable Maximum Volume of Building (AMVB). The building bulk may be ultimately governed by the width of the RROW and other applicable provisions for light and ventilation (including incremental setbacks as a result of satisfying natural light and ventilation requirements for RROW and front yards.

53.) *"NBCP"* -refers to Presidential Decree No. 1096 of 1977, otherwise known as the *"National Building Code of the Philippines"* and its corresponding rules and regulations;

54.) *"New Building Code of the Philippines"* -refers to this Act and its corresponding rules and regulations;

55.) *"Building Envelope"* – refers to the physical separator between the interior and the exterior environments of a building.

56.) *"Building Height"* – refers to the vertical distance from the established grade elevation to the highest point of the coping of a flat roof or to the top of the parapet if the flat roof is provided with a parapet, or to the average height of the highest gable or a pitch or hip roof. In case of sloping ground, the average ground level of the buildable area shall be considered the established grade elevation.

57.) *"Building Length"* – refers to the general lineal dimensions of a building, usually measured along the direction of the bearing wall for girders.

58.) *"Building Official"* or *"BO"* – refers to a duly appointed public official who is a natural person primarily tasked under this Act to implement and

enforce the law on the planning and design of buildings and their grounds/sites, and which includes the following classifications:

a.) *"Local Building Official"* or *"LBO"* -refers to a natural person who is a State-registered and licensed professional (RLP), primarily tasked with the implementation and enforcement of this Act, in conjunction with valid and subsisting laws on construction, development and professional practices relating to buildings/structures, sites and grounds. The position of LBO is an appointive position where the appointment is made by the National Building Official (NBO). The LBO is a distinct natural person tasked with oversight functions over public and private vertical infrastructure and shall not be held in a simultaneous or acting capacity by any serving or appointed City or Municipal Engineer (CME) of any LGU, who in turn is tasked with oversight functions over public and private horizontal infrastructure.

b.) *"National Building Official"* or *"NBO"* -refers to a natural person who is primarily tasked with the implementation and enforcement of this Act, in conjunction with valid and subsisting laws on construction, development and professional practices relating to buildings/structures, sites and grounds. The position of NBO is an appointive position where the appointment is made by the National Building Official (NBO) by the President of the Philippines. The NBO in turn shall have the sole power to appoint all the Local Building Officials (LBOs) for all LGUs.

59.) *Building Width* – Refers to the shortest lineal dimensions of a building, usually measured along the direction of the floor, beams or joists.

60.) *"Civil Aviation Authority of the Philippines"* or *"CAAP"* – refers to the State entity created by virtue of Republic Act No. 9497, otherwise known as the *"Civil Aviation Authority Act of 2008"* which exercises oversight in the selection, planning, design, administration, operation and maintenance of airports, heliports and all aircraft entering or operating within Philippine territory.

61.) *"Wood-Wool Cement-Bonded board"* or *"CBD"* – refers to an alternative construction and finishing material which is a composite of wood chips, bamboo strips and other organic material encased in concrete.

62.) *"Clear Ceiling Height"* or *"CCH"* – refers to the unobstructed height of a floor or a room reckoned as the vertical distance measured at right angle from the finished floor line (FFL) up to the finished ceiling line (FCL).

63.) Clear Height of Balconies -measured from the highest point of the sidewalk grade to the underside of the balcony floor joists. If these joists are sealed, this clear height is measured to the underside of the sealing material.

64.) *"CFL"* – refers to compact fluorescent lamp/luminaire.

65.) *"Construction Industry Arbitration Commission"* or *"CIAC"*-refers to the quasi-judicial agency under the Construction Industry Authority of the Philippines (CIAP) of the Department of Trade and Industry (DTI), which is primarily tasked with the resolution of construction disputes through modes of alternative dispute resolution under R.A. No. 9285.

66.) *"Comprehensive Land Use Plan"* (*"CLUP"*) *or "Comprehensive Land and Water Use Plan"* (*"CLWUP"*) – refers to an LGU-wide short to medium-term development plan based on the data contained in the LGU Comprehensive Development Plan (CDP), and which is the primary basis for the LGU Zoning Ordinance (ZO).

67.) *"Concrete Masonry Unit"* or *"CMU"* – refers to a basic masonry building block, more commonly referred to as concrete hollow block (CHB).

68.) *"Canopy"* or *"Marquee"* – refers to a permanent roofed structure above a door, attached to and supported by the building/structure and projecting over a wall or the sidewalk portion of the RROW/street, including any object or decoration attached thereto. It is an architectural projection that is lawfully permitted above a portion of the public domain.

69.) *"Carport"* – refers to the portion of a residential structure for the purpose of parking or storing a vehicle or vehicles, and that may be roofed and only partially enclosed, usually by one or two (1 -2) sides of the residential building and by a perimeter wall. If entirely roofed or roofed with overhangs, a carport shall not be considered part of the Total Open Space

within Lot (TOSL) and is instead counted as part of the Allowable Maximum Building Footprint (AMBF).

70.) *"Carriageway"* or *"Roadway"* – refers to the portion or component of the RROW on which land-based transportation conveyances such as motor vehicles are allowed to pass or park. For RRROWs, the term may be 'Railway" and for national WROWs, the applicable term may be 'Waterway" or 'Vessel-way.

71.) *"Carrying Capacity"* – refers to the maximum demand or load that may be placed on a machine, resource or system for extended periods under normal or specified conditions.

72.) *"Cavity"* – refers to a confined hollow area in a building where structural and utility elements are usually found, and which is usually architecturally treated or finished on all its sides which are visible. It shall include the following types:

a.) *"Ceiling Cavity"* – refers to the space or volume that exists between the topmost portion of a finished ceiling line at a lower floor of a building/structure and the bottom of the floor of an upper floor of the same building/structure, usually reckoned from the soffit of a suspended slab and/or bottom of beam supporting such an upper floor.

b.) *"Roof Cavity"* – refers to the space or volume that exists between the topmost portion of a finished ceiling line at a topmost floor of a building/structure and the bottom of the roof support of the same building/structure, usually reckoned from the rafter or truss bottom chord supporting the roof of the same building/structure.

73.) *"Cellar"* – refers to the portion of a building between floor and ceiling, which is wholly or partly below natural/finished grade and so located that the vertical distance from grade line to the floor below is equal to or greater than the vertical distance from grade to ceiling.

74.) "Chimney Classifications" – refers to the following types of chimneys:

a.) *"Residential Appliance Type"* – refers to a factory-built or masonry chimney suitable for removing products of combustion from residential type appliance producing combustion gases not in

excess of five hundred and thirty eight degrees Centigrade (538°C) measured at the appliance flue outlet;

b.) *"Low-Heat Appliance Type"* – refers to a factory-built masonry or metal chimney suitable for removing the product of combustion from fuel-burning low-heat appliances producing combustion gases not in excess of five hundred and thirty eight degrees Centigrade (538°C) under normal operating conditions but capable of producing combustible gases of seven hundred and sixty degrees Centigrade (760°C) during intermittent forced firing for periods up to one (1) hour. All temperatures are measured at the appliance flue outlet*; and*

c.) *"Medium-Heat Appliance Type"*-refers to a factory-built masonry or metal chimney suitable for removing the products of combustion from fuel-burning, medium-heat appliances producing combustion gases not in excess of one thousand ninety three degrees Centigrade 1093°C, measured at the appliance flue outlet.

75.) *"Chimney Connector"* – refers to the pipe which connects a flue burning appliance to a chimney.

76.) *"Linear Chimney"* – refers to the lining materials of fire clay or other approved material.

77.) *"Masonry Chimney"* – refers to a chimney of solid masonry units, bricks, stones, hollow masonry units or reinforced concrete.

78.) *"Civil Liability"* – refers to the liability of the Architect, Engineer or Constructor pertaining to the design and execution of a project, as primarily defined under Article 1723 of the Civil Code and related articles.

79.) *"Civil Works"* – refers to construction projects, such as highways, bridges, flood control structures, dams, and the like, that are financed by public funds and constructed by a Government for the benefit or use of the general public.

80.) *"Architectural Cladding"* – refers to a protective, insulated or aesthetic fixed layer added to the exterior walls of a building/structure.

81.) *"Climate Change"* – as defined under Republic Act No. 9729, or the *"Climate Change Act of 2009"*, as amended by Republic Act No. 10174,

refers to a change in climate that can be identified by changes in the mean and/or variability of its properties and that persists for an extended period typically decades or longer, whether due to natural variability or as a result of human activity.

82.) *"Column"* – refers to a vertical element, usually a slender shaft, that provides structural support for a building/structure by carrying axial loads in compression.

83.) *"Community"* – refers to natural persons with common interests and living in a specific area.

84.) *"Complaint"* – refers to a statement by any person alleging violations of this Act or its predecessors laws, the pertinent IRRs and DRs, duly filed with the LGU-OBO or the ONBO.

85.) *"Concrete"* – refers to a composite construction material, composed of cement and other cementitious materials such as fly ash and slag cement, aggregate (generally a coarse aggregate made of gravel or crushed rocks such as limestone, or granite, plus a fine aggregate such as sand), water and chemical admixtures. It shall include the following classifications:

a.) *"Ferro Concrete"*-refers only to concrete that is reinforced with iron or steel;

b.) *"Reinforced Concrete"* – refers to concrete in which reinforcement bars ("rebars"), reinforcement grids, plates or fibers have been incorporated to strengthen the concrete in tension. In most cases, reinforced concrete uses steel rebars that have been inserted to add strength. Other materials used to reinforce concrete can be organic and inorganic fibers as well as composites in different forms. Concrete is strong in compression, but weak in tension, thus adding reinforcement increases the strength in tension. In addition, the failure strain of concrete in tension is so low that the reinforcement has to hold the cracked sections together. For a strong, ductile and durable construction the reinforcement shall have the following properties: 1) high strength; 2) high tensile strain; 3) good bond to the concrete; 4) thermal compatibility*; and* 5) durability in the concrete environment.

86.) *"Condominium"* – refers to a building or complex in which units of property, such as dwelling units, are owned by individuals and where the common parts of the property, such as the grounds and the building/structure itself, are owned jointly by the dwelling unit owners.

87.) *"Construction"* – refers to the manner in which a building/structure is built or put together.

88.) *"Constructor"* or *"Contractor"* – refers to the entity that is lawfully registered and licensed under Republic Act No. 4566, or the *"Contractors' License Law"* and other applicable laws and rules and regulations who physically undertakes the execution and delivery of a construction work, particularly of a building, structure or portions thereof.

89.) *"Construction Arbitration"* – refers to a mode of Alternative Dispute Resolution (ADR) as defined under R.A. No. 9285 other applicable laws, issuances, and rules and regulations, that is employed to resolve construction-related disputes, including professionals and consulting services relating to the planning, design, management, operation, maintenance and administration of a building/structure.

90.) *"Contract Documents"* – refers to documents that comprise part of a contract, such as in a construction contract, the owner-contractor agreement, conditions of the contract, plans and/or drawings, specifications, all addenda, modifications, and changes thereto, together with any other items stipulated as being specifically included.

91.) *"Construction Manager"* – refers to the person who has been designated by the building/structure Owner to provide special management services during the construction phase of such a building/structure.

92.) *"Content"* – refers to the message and image components of a display which may be advertising, commercial, directional or general public information in intent.

93.) *"Coping"* – refers to the material or units used to form a cap of finish on top of a wall, pier or pilaster.

94.) *"Corrosion-resistant"* – refers to a non-ferrous metal, or any metal having an unbroken surface of non-ferrous metal, or steel with not less than ten percent (10%) chromium or with less than twenty percent (20%) copper.

95.) *"Corrosion-resistant Material"* – refers to materials that are inherently rust-resistant, or materials to which an approved rust-resistive coating has been applied either before or after forming or fabrication.

96.) *"Cost"* – refers to the amount of funds required to undertake, complete and deliver a building project to its Owner, and which may be classified into the following:

a.) *"Building Cost"* – refers to the direct and indirect costs of constructing the structural and utility systems as well as the architectural works required for the exterior and interior of a building/structure; this cost, presented in the form of an estimate, shall be the only cost to be submitted to the LGU-OBO for evaluation. It shall include the following:

i. *"Direct Cost"* – refers to the cost of labor and materials required to complete the construction and delivery of a building/structure*; and*

ii. *"Indirect Cost"* – refers to the other costs required to complete the construction and delivery of a building/structure that are not covered by the Direct Cost; this cost may include the cost of permits, the Constructor's profit and like expenses;

b.) *"Other Costs"* -refers to the other costs related to the development, use or operation of a building/structure, which shall not to be submitted to the LGU-OBO for evaluation. It shall include:

i. *"Project Cost"* – refers to the direct and indirect costs of constructing, finishing and delivering a building/structure, to include its fit-out, all professional fees required for the pre-feasibility/feasibility study, environmental and other required pre-design studies, space and site planning, design, management and construction supervision activities, the costs of all pertinent permits/fines/penalties/delays relating to the project implementation and delivery, and the acquisition cost of the site on which the building shall be

erected. The Project Cost shall cover all vertical and horizontal works for a building/structure and its site/grounds.

ii. *"Development Cost"* – refers to the other costs required for the construction, finishing and delivery of a building/structure that are not covered by the Project Cost; this cost may include the cost of money/interests, marketing expenses such as publication and brokers miscellaneous costs incurred by the Owner or Developer, and like expenses; *and*

iii. *"Operating and Maintenance Cost"* – refers to the cost of operating and maintaining a building/structure for active use/occupancy; this cost is not covered by any of the other costs under this definition*;*

97.) *"Course"*-refers to a continuous horizontal layer of masonry units.

98.) *"Court"* – refers to an occupied space between building lines and lot lines other than a yard that is free, open and unobstructed by appendages from the ground upward.

99.) *"Cubic meter"* or *"cu.m"* – refers to the basic international unit of volume measurement with all four (4) sides and attendant projected height of such an area all measuring one meter (1.0 m) long/tall.

100.) *"Curb and Gutter"* – refers to the portion of the RROW that connects the sidewalk and the carriageway/roadway. The curb is the edge of the sidewalk while the gutter is where storm water passes on its way to a drain.

101.) *"Curtain Wall"* – refer to *"Wall"* and *"Curtain"*.

102.) *"Department of Environment and Natural Resources"* or *"DENR"* – refers to to the line agency of the State primarily tasked with the monitoring, implementation and enforcement of valid and subsisting laws on the natural and built environments.

103.) *"Department of Interior and Local Government"* or *"DILG"*– refers to the line agency of the State primarily tasked with the monitoring, implementation and enforcement of valid and subsisting laws pertaining to

the local governance, particularly in the case of the LGUs of cities and municipalities nationwide.

104.) *"Department of Energy"* or *"DOE"* – refers to the line agency of the State primarily tasked with the monitoring, implementation and enforcement of guidelines pertaining to energy conservation and management nationwide, including those relating to construction, development and the use of buildings/structures.

105.) *"Department of Labor and Employment"* or *"DOLE"* – refers to the line agency of the State primarily tasked with the monitoring, implementation and enforcement of valid and subsisting laws pertaining to labor practices nationwide, including those relating to construction and development.

106.) *"Department of Transportation"* or *"DOTr"* – refers to the line infrastructure agency of the State primarily tasked with the monitoring, implementation and enforcement of valid and subsisting laws pertaining to the conceptualization, project development, planning, design, implementation, management, administration, operation, maintenance, monitoring, inspection, regulation and documents review and approval for all fixed horizontal and vertical infrastructure relating to transportation and all mobile assets relating to transportation.

107.) *"Department of Public Works and Highways"* or *"DPWH"* – refers to the line infrastructure agency of the State primarily tasked with the monitoring, implementation and enforcement of valid and subsisting laws pertaining to the conceptualization, project development, planning, design, implementation, management, administration, operation, maintenance, monitoring, inspection, regulation and documents review and approval for all fixed horizontal and vertical infrastructure. The agency is the one currently tasked with the implementation and enforcement of the existing National Building Code of the Philippines (NBCP).

108.) *"Department of Trade and Industry"* or *"DTI"* – refers to the line agency of the State tasked with the monitoring, implementation and enforcement of laws governing commerce, business and investments and with the regulation of the construction industry.

109.) *"Derivative regulations"* or *"DR"* -refers to executive issuances by the national and local Governments which detail the implementing rules and regulations (IRRs) of valid and subsisting laws, and which may take the form of, but not be limited to, Executive Orders (EOs), Administrative Orders (AOs), Department Orders (DOs), Memorandum Circulars (MCs), Letters of Instruction (LOIs), Presidential Proclamations (PPs), Guidelines, Standards, Manuals of Procedure, and the like, whereby the pertinent special or general law shall be the primary legal basis for such issuances; DRs shall be published and be fully supportive of this Act and its IRR.

110.) *"Decision"* – refers to the resolution of a complaint or petition by the LGU-OBO and/or LBO (if lodged with said office/person) and by the ONBO and/or NBO (if lodged with said office/person).

111.) *"Developer"* – refers to the entity who is lawfully registered and licensed under law, and who physically undertakes the conceptualization, planning/design, marketing, sale, execution, delivery to buyers, management, operation, maintenance and administration of a project, particularly those involving both horizontal and vertical works such as civil works, subdivisions or buildings/structures or portions thereof.

112.) *"Development"* – refers to the acts of a Developer relating to assessing, planning, designing, managing, constructing/finishing and delivering a building/structure, including its site/grounds and its fit-out to the intended user/occupant/beneficiary, and the subsequent acts relating to the administration, operation and maintenance of such a building/structure by its lawful owner/s.

113.) *"Development Controls"* or *"DCs"* – refers to the body of State and local laws and the pertinent executive issuances that altogether limit the building bulk for any building/structure on a given project site. These include this Act, and all applicable planning, environmental, development and construction laws, and their respective IRRs and DRs.

114.) *"Development Potential"* – refers to the the physical properties of a lot/property or building/structure allowing the same to fully evolve into a viable facility/setting for human habitation and related activities, as generally determined by the iterative interaction of applicable DCs. The

Development Potential shall be tempered by the carrying capacity of the setting to host a development.

a.) *"Maximum Development Potential of a Lot"* – refers to the physical property of a lot/property allowing the same to host a fully evolved building/structure at maximum permitted development, and that is intended to act as a viable facility/setting for human habitation and related activities, as specifically determined by the iterative interactive application of Development Controls (DCs) on the Total Lot Area (TLA). The key DCs are the FLAR-GFA-TGFA combine, the PSO/AMBF combine, the BHL in relation to RROW/street width and the intended building use/occupancy, the OFB-AMVB combine in relation to the Angles/Slopes from RROW Centerlines (and the Angular Plane Along RROW), and the like. The Maximum Development Potential of a Lot shall be tempered by the carrying capacity of the setting (natural and built environments, including communities), particularly the RROW/street and its utility systems, to host a development (generally a building/structure).

115.) *"Disaster"* – As defined under Republic Act No. 10121, otherwise known as the *"Philippine Disaster Risk Reduction and Management Act of 2010"* and its corresponding rules and regulations, refers to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of: the exposure to a hazard; the conditions of vulnerability that are present*; and* insufficient capacity or measures to reduce or cope with the potential negative consequences, Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, Social and economic disruption and environmental degradation

116.) *"Disaster Preparedness"*– As defined under R.A. No. 10121, refers to the knowledge and capacities developed by governments, professional

response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the Impacts of likely, imminent or current hazard events or conditions. Preparedness action is carried out within the context of disaster risk reduction and management and aims to build the capacities needed to efficiently manage all types of emergencies and achieve orderly transitions from response to sustained recovery. Preparedness is based on a sound analysis of disaster risk and good linkages with early warning systems, and includes such activities as contingency planning, stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation and public information, and associated training and field exercises. These shall be supported by formal institutional, legal and budgetary capacities.

117.) *"Disaster Resilience"* – without prejudice to the term as defined under R.A. No. 10121, shall refer to the quality of a building/structure and its grounds/site or by its plans and designs, generally characterized by the reduced probability of failure of its architectonics, the reduced consequences due to the failure of its architectonics, and reduced time to the restoration of the architectonics to full operating/beneficial status.

118.) *"Emergency Management"* – As defined under R.A. 10121, refers to the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps.

119.) *"Safe Dispersal Area"* – refers to an area which can accommodate a number of persons equal to the total capacity of the stand and building/structure it serves, in such a manner that no person within the area need be closer than fifteen meters (15.0 m) from the stand or building/structure. Dispersal areas shall be based upon the area of not less than 0.28 square meter (sqm) per person.

120.) *"Display"* – refers to the material or device mounted on the non-mobile billboard support structure together with its content/message. A display surface area in excess of one square meter (1.0 sqm), with a least dimension of one meter (1.0 m), shall be considered part of a non-mobile billboard.

121.) *"Documents"* – refers to reproduced or reproducible outputs by RLPs prepared, signed and dry-sealed for various purposes related to the planning, design, construction and delivery of a building/structure, which shall include the following:

a.) *"Allied Design Documents"* – refers to outputs by RLIDs, RLLAs, and the like, particularly those relating to the grounds/site of a building/structure;

b.) *"Architectural Documents"* – refers to outputs by RLAs, particularly those relating to the exterior and interior of a building/structure and its grounds/site development;

c.) *"Contract Documents"* – refers to outputs by RLPs, particularly those relating to the procurement and contracting work relating to a building/structure and its grounds/site;

d.) *"Engineering Documents"* – refers to outputs by RLPs who are Design Engineers, particularly those relating to the civil/structural, electrical, electronics, sanitary, plumbing and related engineering works for building/structure and its grounds/site*; and*

e.) *"Permit Documents"* – refers to outputs by RLPs, particularly those relating to the building/ancillary/auxiliary/accessory permit applications relating to a building/structure and its grounds/site, as submitted for the review/approval of the LGU-OBO, in full compliance with this Act.

122.) *"Draining"* – refers to the process of drawing off liquids, particularly wastewater gradually and/or completely. It also refers to a pipe or conduit through which liquids are drained.

123.) *"Drainage"* – refers to a device or system for draining liquids.

124.) *"Drawing"* – refers to a documentary representation of objects or forms on a surface such as paper, chiefly made through the use of lines.

125.) *"Dwelling"* – refers to any building or any portion thereof which is not an apartment, lodging house or a hotel as defined in this Act, and which shall contain one or two dwelling units or guest rooms, that are used, intended or designed to be built, used, rented, leased, let or hired out to be

occupied, or which are occupied for living purposes. It shall include the following concepts:

a.) *"Indigenous Family Dwelling"* – refers to a dwelling intended for the use and occupancy only by the family of the owner. It is one constructed of native materials such as bamboo, nipa, logs or lumber, the total cost of which does not exceed one hundred thousand pesos.

b.) *"Multiple Dwelling"* refers to a building used as a home or residence of three or more families living independently of each other, where a family may occupy one or more rooms forming a unit;

c.) *"Single Family Dwelling"* – refers to a detached building designated for, or occupied exclusively by one nuclear family (legal spouses and children) or by family members related up to the fourth degree of consanguinity or affinity.

126.) *"Dwelling Unit"* – refers to one or more habitable rooms which are occupied or which are intended or designated to be occupied by related or unrelated persons, with facilities for living, sleeping, dining and food preparation.

127.) *"EMoP"* –refers to the environmental monitoring program.

128.) *"Environmental Management Plan"* or *"EMP"* – refers to a requirement for securing the ECC for a building/structure.

129.) *"EMS"* – refers to environmental management standards.

130.) *"EPI"* – refers to environmental performance indicators.

131.) *"Legal Easement"* – refers to an open public space mandated under law that shall be absolutely free of all forms of physical obstructions that can negatively affect natural light and ventilation within such a space or that can impede access to or the full recreational use of such a space by the general public. It shall also refer to the public area that may lie between the legally usable portions of a private/public property and natural or built bodies of water or waterways.

132.) *"Egress"* – refers to the act of going out of a building/structure.

133.) *"Emergency Egress"* – refers to a path or opening dedicated for letting people out of a building/structure during times of emergency;

134.) *"Elevator"* – refers to an enclosed platform or an enclosure raised and lowered in a vertical shaft to transport people or freight.

135.) *"Energy"* – refers to usable sources of natural or artificially generated/sourced power such as heat, fuel, wind, moving water, wave/tidal action, geothermal, muscle, decomposition (biogas), electricity, natural fuels (firewood), combinations thereof, and the like, that can be harnessed for use economically and without much negative effect on the environs/setting of the energy source.

136.) *"Energy Management"* – refers to a managed system/procedure of acquiring, accessing, storing, distributing, conserving, and possible recycling of safe sources of power secured from commercial or other sources. It entails the planning, supervision and monitoring of use and consumption of the resource and the enforcement of guidelines for safe and economic power usage.

137.) *"Energy Supply"* – Without prejudice to the term as defined under Republic Act No. 9136, otherwise known as the *"Electric Power Industry Reform Act"*, refers to a limited and closed/controlled commercial system involving power generation and distribution for domestic and other uses by consumers.

138.) *"Engineer"* – refers to a State-regulated development and construction professional who is a holder of a Certificate of Registration and of a license in the form of a professional identification (ID) card, both duly issued by the Professional Regulation Commission (PRC), and who can practice agricultural, civil, electrical, electronics, mechanical, plumbing and sanitary engineering on Philippine soil, in full accordance with the pertinent Professional Regulatory Law (PRL) or successor laws, its IRR and derivative regulations/DRs

139.) *"Built Environment"*-refers to the man-made surroundings that provide the setting for human activity, ranging in scale from personal shelter and buildings/structures to neighborhoods, communities, towns or cities that often include their supporting infrastructure, such as water supply or energy networks.

140.) *"Natural Environment"* – refers to the aggregate of the natural external surroundings and conditions, in contrast to the built environment.

141.) *"Environmental Compliance Certificate"* or *"ECC"* – refers to a document issued by the DENR Environmental Management Bureau (EMB) and which is a prerequisite document to the filing of Permit Documents for a building/structure with the LGU-OBO. The issuance of an ECC shall be preceded by the preparation, submission, review and approval of an Environmental Impact Statement (EIS) or an Initial Environmental Examination (IEE) that shall fully examine carrying capacities and development potentials in addition to the cross effects of a project on its setting (both the natural and built environments, including communities).

142.) *"Registered and Licensed Environmental Planner"* or *"RLEnP"* – refers to a State-regulated development professional who is a holder of a Certificate of Registration or of a Special/Temporary Permit to Practice the profession of environmental planning in the Philippines and of a license in the form of a professional identification (ID) card duly issued by the Professional Regulation Commission (PRC) in full accordance with P.D. 1308 or its successor law/s, its IRR and derivative regulations (DRs).

143.) *"Equipment"* – refers to fixed assets other than land or building that are used in an operation or activity. It shall be classified into the following:

a.) *"Capital Equipment"* – refers to equipment that shall form part of a building/structure at completion of construction and delivery; these are usually the equipment for vertical and diagonal conveyances, major electrical, electronic and mechanical devices, and the like.

b.) *"General Equipment"* – refers to all other equipment not classified as Capital Equipment.

144.) *"Escalator"* – refers to a moving stairway consisting of steps attached to a continuously circulating belt.

145.) *"Esplanade"* – refers to a long, open, level area, usually next to a river or large body of water, which may be landscaped, and where people may walk and where wheeled manual and motorized conveyances may pass. Esplanades are often on sea fronts, and allow walking whatever the state of the tide, without having to walk on the beach.

146.) *"Estimate"* – refers ti a calculation that approximates the amount, extent, magnitude, position, or value of the construction work for a building/structure, its contents and/or its grounds/site.

147.) *"Exit"* – refers to a continuous and unobstructed means of egress to a public way, and shall include intervening doors, doorways, corridors, exterior exit balconies, ramps, stairways, smokeproof enclosures, horizontal exits, exit passageways, exit courts, and yards. An exit shall be deemed to be that point which open directly into a safe dispersal area or public way. All measurements are to be made to that point when determining the permissible distance of the travel.

148.) *"Exit Courts"* – refers to a yard or court providing egress to a public way for one or more required exits.

149.) *"Horizontal Exit"* – refers to a means of passage from one building into another building occupied by the same tenant through a separation wall having a minimum fire resistance of one-hour.

150.) *"Exit Passageway"* – refers to an enclosed means of egress connecting a required exit or exit court with a public way.

151.) *"Expansion"* – refers to construction work that calls for the horizontal and/or vertical enlargement of an existing building/structure.

152.) *"Extreme Events"* or *"Extraordinary Events"* – refers to natural or man-caused events that cause widespread destruction to property and/or loss of life, which include but are not limited to earthquakes, tsunamis, volcanic eruptions, very strong typhoons, heavy flooding, extensive fire (urban/grass/forest), war, invasion, pestilence, epidemics, and the like.

153.) 'FAR"– refers to Floor Area Ratio.

154.) 'FCB"– refers too fiber cement board.

155.) 'FCP"– pertains to the referral code for the 'Fire Code of the Philippines" (R.A. No. 9514) and its latest IRR and DRs.

156.) *"Floor to Lot Area Ratio"* or *"FLAR"*-refers to a development control (DC) that limits the designated right over the Gross Floor Area (GFA) that can be lawfully generated/developed for a given total lot area (TLA).

157.) *"Facade"* – refers to the principal face of a building/structure oriented towards the main access-way/RROW.

158.) "*Facility*" – refers to a building/structure provision to serve a particular function and to make movements in and out of a building/structure faster but also comfortable for the user/occupant, such as covered parking and driveways, loading ramps/platforms, freight/service elevators, paved walks under a canopy of shade or ornamental trees, graphics and way-finding devices, adequate lighting for all envisioned tasks and for general safety and security, and the like.

159.) "*Facing*" – as differentiated from veneer, refers to any masonry material, forming an integral part of a wall that is used as a finished surface

160.) "*Fenestration*" – refers to the design and placement of windows in a building. It shall also refer to an opening in the surface of a structure, as in a membrane.

161.) "*Fire Exit*" -refers to a special exit for emergencies such as a fire: the combined use of regular and special exits allows for faster evacuation of a building/structure, while it also provides an alternative if the route to the regular exit is blocked by fire.

162.) "*Fire Integrity*" – refers to the quality that prevents fire on one side of the building/structure from being transmitted to the opposite side within a designated period.

163.) "*Fire Lane*" – refers to passageways or access roads that allow fire apparatuses to pass through. For a building/structure, the term shall refer to the corridor leading to the fire/emergency exit.

164.) "*Fire Marshal*" – refers to the LGU official tasked with the implementation and enforcement of the Fire Code of the Philippines within the LGU jurisdiction.

165.) "*Fire Rating*" – refers to the degree to which a material can withstand fire as determined by generally recognized and accepted testing methods.

166.) "*Fire Stop*" – refers to an incombustible, horizontal or vertical barrier, such as a brick wall across a hollow wall or an open room, to stop the spread of fire.

167.) "*Fire Zone*" – refers to areas within which only certain types of buildings/structures are permitted to be constructed based on their use or occupancy, type of construction and resistance to fire.

168.) *"Firebrick"* – refers to a refractory brick.

169.) *"Fireclay"* – refers to a finely ground clay used as a plasticizer for masonry mortars but varies widely in physical properties.

170.) *"Fireplace"* – refers to a hearth and fire chamber or similarly prepared space in which a fire may be made and which is built in conjunction with a chimney.

171.) *"Firewall"* – refers to reinforced masonry or reinforced concrete separator with the appropriate fire-resistive rating and which shall be positioned between buildings/structures to maintain the fire integrity of each building/structure. Firewalls that are erected along and/or above property lines utilize a substantial portion of the maximum development potential of a property and shall therefore have no openings except for the permitted vent wells specified under P.D. No. 1096 and its Implementing Rules and Regulations (IRR). Firewalls are not envisioned as a mounting surface for billboards and other types of display under the NBCP and its IRR as such billboards/displays also constitute a fire and safety hazard to an adjoining property. It is also defined as a wall which subdivides a building so as to resist the spread of fire, measured vertically from the foundation and extending continuously through all storeys to, or above the roof, and terminating at one (1.0) m above the roof. It shall include the following:

a.) *"Setback for Tall Firewall"* – refers to a special setback for tall firewalls to allow for maintenance and the proper drainage of the tall firewall's vertical surface.

b.) *"Tall Firewall"*-refers to a firewall that is more than four meters (4.0 m) above the natural grade line (NGL), thereby requiring additional horizontal reinforcements.

c.) *"Firewall Trench"* – refers to a drainage canal for tall firewalls, positioned between the property line and the firewall, and usually four to six hundred (400 – 600) mm in width at its minimum.

172.) *"First Floor"* -The floor which is immediately above the ground floor, whereby the remaining upper floors shall be numbered in regular succession counting upward.

173.) "*Fit-out*" – refers to the series of coordinated activities that range from the procurement, delivery, on-site installation, testing and operationalization of furniture, fixtures, fittings, equipment and related provisions in a building/structure before or after its delivery.

174.) "*Fitting*" -refers generally to furnishings or fixtures, and specifically to connectors or devices forming part of the utility systems in a building/structure.

175.) "*Fixture*"-refers generally to furnishings or fixtures, and specifically to connectors or devices forming part of the utility systems in a building/structure.

176.) "*Flood*" – refers to the overflow of an expanse of water that submerges land, or to a temporary covering by water of land not normally covered by water. Flooding may be due to excessive rain, storms and other extreme events such as tsunamis, massive surface water flows, non-percolation of land, inflow of the tide and/or river or lake overflows, or dam/dike/polder/levee breaks,f whereby the result is that previously contained water escapes its usual boundaries/containment structures.

177.) "*Floodplain*" – refers to the portion of the river bank, usually at a bend, that is naturally inundated during times of heavy rain or storm events, and which should not be a setting for settlements, buildings or structures. Floodplains shall be specifically identified, surveyed and documented by the LGU-OBO Section Chief of the Civil/Structural Section, and should be cleared of any occupants, buildings/structures within one (1) year of the effectivity of this Act.

178.) "*High Floodwater Mark*" – refers to the highest recorded level of floodwater over a minimum thirty to fifty (30 -50) year flood cycle, which shall be used as the basis for establishing the first floor elevation of structures.

179.) "*Floor*" – refers to the portion of a building/structure included between the upper/finished surface of any floor and the upper/finished surface of the next floor directly above it (including the ceiling cavity). The topmost floor shall be that portion of a building/structure included between the upper/finished surface of the topmost floor and the roof line above it

(including the ceiling cavity). If the finished floor level directly above a basement, cellar or unused underfloor space is more than three meters (3.0 m) above the finished grade line, such a basement, cellar or unused underfloor space shall be considered as a full floor (as differentiated from a Basement Level).

180.) *"Floor Area"* – refers to the area included within the enveloping exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof not provided with enveloping exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

181.) *"Floor Plate"* – refers to the total gross floor area (TGFA) occupied by floors above the ground or first floor.

182.) *"Footing"* – refers to the portion of the foundation of a building/structure which spreads and transmits loads directly to the soil or the pile.

183.) *"Force Majeure"* and/or *"Acts of God"* – refers to an extraordinary event or circumstance beyond the control of the entities involved in construction work that prevents them from fulfilling their obligations under a construction contract, such as a war, strike, riot, crime, such as typhoons, flooding, earthquake, and volcanic eruption

184.) *"Foundation"* – refers all the portions of the building or structure below the footing; or the earth upon which the building/structure rests.

185.) *"Furniture"* – refers to the movable articles in a room or an establishment that make it fit for living or working.

186.) *"Gross Floor Area"* or *"GFA"* – refers to the total floor space within the perimeter of the permanent external building walls (inclusive of the main and auxiliary buildings) such as office areas, residential areas, corridors, lobbies and mezzanine level/s. The GFA shall also include building projections which may serve as floors or platforms that are directly connected to/integrated with areas within the building/structure such as balconies, but shall exclude the following:

a.) Covered areas used for parking and driveways, services and utilities;

b.) Vertical penetrations in parking floors where no residential or office units are present*; and*

c.) Uncovered areas for helipads, air-conditioning cooling towers or air-conditioning condensing unit (ACCU) balconies, overhead water tanks, roof decks, laundry areas and cages, wading or swimming pools, whirlpools or jacuzzis, terraces, gardens, courts or plazas, balconiesexceeding ten (10.0) sqm, fire escape structures, and the like.

187.) *"Garage"* – refers to a building or portion thereof in which a motor vehicle containing gasoline, distillate or other volative, flammable liquid in its tank, is stored, repaired or kept. It shall encompass the following concepts:

a.) *"Commercial Garage"*-refers to a garage where automobiles and other motor vehicle are housed, cared for, equipped, repaired or kept for remuneration, hire or sale;

b.) *"Private Garage"* – refers to a building or portion of a building in which only motor vehicles used by the tenants of the building or a complex of buildings are stored or kept. These are usually facilities forming part of office and condominium buildings.

188.) *"Generator"* – refers to a source of emergency/backup power for a building/structure. It is also defined as a device that converts mechanical energy to electrical energy. A generator forces electric charge (usually carried by electrons) to flow through an external electrical circuit.

189.) *"Girder"* – refers to a horizontal structural piece which supports the end of the floor beams or joists or walls over openings.

190.) *"Glazing"* – refers to a glass set or made to be set in frames;

191.) *"Grade"* or *"Adjacent Ground Elevation"* – refers to the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point 1.50 meters (m) distant from said wall, or the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a property line if it is less than 1.50 m distant from sidewall. In case walls are parallel to and within 1.50 m of a

public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley or public way.

192.) *"Green Architectonics"* – refers to the application/use of present-day and advanced (where applicable) sustainable planning and design concepts, materials, practices, technologies during the preparation of architectural, structural and utility plans/designs of a building/structure and during the implementation/execution of such plans/designs. It encompasses the following concepts:

a.) *"Green Architecture"* – refers to architecture in which the plan/design is focused on making a building energy-efficient, so as to reduce its energy consumption, water consumption, operating costs and environmental impact.

b.) *"Green Building"* – refers to a building that is sustainably planned, designed, used/occupied, managed and maintained. The passive design features of a Green Building require it to use less energy resources while maintaining a comfortable lifestyle for its occupants. Its active design features imply the use of equipment that run on renewable resources such as wind turbines, solar panels, and the like, that help conserve natural and non-renewable resources. The key principles of Green Buildings revolve around its site and surroundings, energy/water/material efficiency, indoor air quality, waste reduction and low operating/maintenance costs.

193.) *"Ground Floor"* – refers to the floor which is immediately above the level of the sidewalk or adjoining ground or with the nearest finished grade, whereby the other floors above, beginning with first floor shall be designated by successive floor numbers counting upward. If the natural or finished grade is well below the level of the adjoining sidewalk, there may be more than one ground floor for the building, such as upper ground floor, lower ground floor, and the like

194.) *"Grounds"* – refers to the immediate surroundings of a building/structure defined by the building lines and the property lines.

195.) *"Guest Room"* – refers to any room or rooms for use, or intended for use by a guest for sleeping purposes. Every nine point three (9.3) square

meters (sqm) of gross floor area (GFA) in a dormitory building shall be considered a guest room.

196.) *"Housing and Urban Development Coordinating Council"* or *"HUDCC"* – refers to the central State agency presently tasked with oversight functions over housing, shelter and settlement agencies.

197.) *"Habitable Room"* – refers to any room meeting the requirements of this Act for sleeping, living, dining and/or food preparation purposes, excluding such enclosed spaces as closets, pantries, toilet and bath, service rooms, connecting corridors, laundries, unfinished attics, storage, space cellars, utility rooms and similar spaces.

198.) *"Human Habitation"* – refers to the normal activities relating to daily living by mankind, which encompass acts relating to sleeping, food preparation, eating/dining, laundry, cleaning, general work, study, travel, health care, wellness, personal care and hygiene, social interaction, entertainment, rest, recreation, convalescence, worship, dispute settlement, production, business and commerce, banking, construction, development, services, correctional, safety and security, farming, waste management, governance, and the like.

199.) *"Hallway"* – refers to a corridor or common passageway used by all occupants within a building.

200.) *"Stair Hallway"* – refers to a hallway which includes the stairs, stair landings, and those portions of the common halls through which it is necessary to pass in going between the entrance floor and a room.

201.) *"Hardware"* – refers to metal goods and utensils such as locks, handles, tools, and cutlery.

202.) *"Ambient Heat"*-heat arising from reflected light and heat, particularly those reflected off building materials.

203.) *"Ambient Near Ground Temperature"*-refers to heat arising from reflected light and heat and which is felt at a height of up to two meters (2.0 m) above a paved surface, particularly the heat reflected off of light-colored paving materials on any portion of the RROW/street and on any open space.

a.) *"Reflected Light and Heat"* – refers to light and heat thrown or bent back from a surface, particularly those that bounce off glazing, cladding or pavement.

204.) *"Floor to Floor Height"* or *"FFH"* – refers the clear distance measured at right angle from the finished floor line (FFL) at a certain floor up to the FFL above or below such FFL.

205.) *"Helipad"* – refers to the launching and landing area of a heliport, usually mounted on top of a tall building/structure or on open ground.

206.) *"Heliport"* – refers to an area of land, water, or other structural surface which is used or intended for the landing and takeoff of helicopters. It also refers to all other pertinent areas which are used, or intended for use, for heliport buildings and related/support facilities.

207.) *"Helistop"* – refers to a development similar to a heliport except that no refueling, maintenance repairs, or storage of helicopters is permitted.

208.) *"Horizontal Works"* – refers to construction works dealing mainly with horizontal infrastructure such as the development/redevelopment, demolition/removal, repair/retrofit, maintenance, and the like of road rights-of-way (RROWs)/streets, bridges, embankment/shore/coastal protection systems, drainage and flood control systems, sewerage and wastewater systems, water supply systems, water treatment systems, solid waste management systems, underground utility systems, traffic safety and management systems, landscaping, land development including subdivision access systems, general civil works, informal settlements, and the like, but specifically excluding vertical works.

209.) *"Hotel"* – refers to a building or a part thereof with rooms occupied or intended to be occupied for hire as temporary abode of persons, with no provision for cooking in any of the individual suites or rooms. Common facilities/services shall include recreation/entertainment areas, public dining and a general kitchen.

210.) *"Apartment Hotel"* refers an apartment building which may furnish dining room service and other services for the exclusive use of its tenants.

211.) *"House"* – refers to a building that provides spaces for rest and general to controlled habitation activities. It shall encompass the following concepts:

a.) *"Boarding House"* -refers to a house with five or more sleeping rooms where the boarders are provided with lodging, and meals for a fixed sum paid periodically in accordance with an arrangement.

b.) *"Lodging House"* – refers to any building or portion thereof, containing not more than five guest rooms which are used by not more than five guests where rent is paid in money, goods, labor or otherwise.

c.) *"Pension House"* – refers to a family-run establishment, often guest houses, which offer accommodation services to their guests, and which allows the guests to freely interact with the local populace.

212.) *"International Civil Aviation Organization"* or *"ICAO"*-refers to the United Nations (UN) entity that periodically issues the Standards and Recommended Practices (SARP) for the selection, planning and design of airports and heliports.

213.) *IRR* – refers to the implementing rules and regulations of this Act, which may or may not include its guidelines, standards, manual/s of procedure (MoP) and derivative regulations (DRs).

214.) *"Impervious surface"* – refers to a paved surface, usually just outside the building perimeter, that prevents surface water percolation. It shall also refer to paved surfaces that do not have the capability to retard surface water flow, thereby contributing to flashfloods.

215.) *"Impervious Surface Area"* or *"ISA"*-refers to the maximum permissible extent of paved open spaces at the site/grounds of a building/structure, usually attached or immediately surrounding such a building/structure, and which prevents surface water percolation, thereby contributing to high levels of surface runoff and subsequent flooding of nearby low-lying areas.

216.) *"Illegal Building/Structure"* – refers to any horizontal or vertical structure that is developed or constructed, occupied, used, operated and maintained without the requisite permits from the LGU-OBO to build, occupy, operate and maintain such a building/structure.

217.) *"Incombustible"* -as applied to building construction materials, refers to a material which, in the form it is used, is either one of the following:

a.) Material having a structural base of incombustible material as defined with a surfacing material not over three point two (3.2) mm thick which has a flame-spread rating of fifty (50) or less.

b.) The term "Incombustible" does not apply to surface finish materials. Material required to be incombustible for reduced clearance to flues, heating appliances or other materials shall refer to material conforming to the provisions of this Act. No material shall be classed as incombustible if it is subject to increase in combustibility or flame-spread rating beyond the limits herein established, through the effects of age, moisture, or other atmospheric conditions.

218.) *"Incombustible Material"* -When pertaining to a structural material, refers to brick, stone, terracotta, concrete, iron, steel, sheet, metal or tiles, used either singly or in combination with like materials.

219.) *"Incombustible Roofing"* – refers to a covering of not less than two thicknesses of roofing felt and a good coat of tar and gravel or tin, corrugated iron or other approved fire-resisting material with a standing seam of lap joint.

220.) *"Incombustible Stud Partition"* – refers to a partition plastered on both sides upon metal lath or wire cloth for the full height of the partition, and fire-topped between the studs with incombustible material twenty centimeters (20.0 cm) above the floor and at the ceiling.

221.) *"Informal Settlement"* – refers to a building/structure or a group of dwellings on a public or private property that have been illegally constructed, occupied, operated and maintained without permits from the LGU-OBO and without any form of permission from the Owner of the property.

222.) *"Informal Settler"* – refers to an individual natural person who resides in an illegally constructed, occupied, operated and maintained building or dwelling that is sited within an informal settlement.

223.) *"Ingress"* – refers to a means or place of entering.

224.) *"Intellectual Property Rights"* or *"IPR"* – without prejudice to the term as defined under Republic Act No. 8293, otherwise known as the *"Intellectual Property Code of the Philippines"*, shall refer to the following:

a.) *"Ownership of the Building/Structure Plans and Designs"* –refers to the proprietary rights to an architectural, engineering and allied design output such as plans, designs and other documents by a person/juridical entity who commissions the State-registered and licensed professional (RLP) and whose ownership of such outputs by such RLPs shall only be confined to the use of the architectural, engineering and allied design documents for executing/implementing the work described therein for one (1) or the original project; ownership shall not apply to the use of a part of or of the entire architectural, engineering and allied design documents to repetitions or to subsequent projects.

b.) *"Copyright Over the Building/Structure Plans and Designs"* or *"Copyright Ownership"* -shall refer to the intellectual proprietary rights retained by a State-registered and licensed Architect (RLA), engineer or allied design professional over the respective architectural, engineering and allied design documents/work that such State-registered and licensed professionals (RLPs) prepare, unless there is written stipulation to the contrary. Copyright in a work of architecture by RLAs shall include the right to control the erection of any building/structure which reproduces the whole or a substantial part of the architectural work either in its original form or in any form recognizably derived from the original. However, the copyright in any such work shall not include the right to control the reconstruction or rehabilitation in the same style as the original of a building to which the copyright relates.

225.) *"Interior Design"* – refers to the design of enclosed spaces such as offices, hospitals, stores and schools or similar places whereby considerations of spatial functions shall be given a premium over purely aesthetic concerns.

226.) *"Registered and Licensed Interior Designer"* or *"RLID"* – refers to a State-regulated design professional who is a holder of a Certificate of Registration and of a license in the form of a professional identification (ID) card, both duly issued by the Professional Regulation Commission (PRC), and who can practice interior design on Philippine soil in full accordance with Republic Act. No. 853, or the *"The Interior Design Act of 1998"* or its successor law/s, its IRR and derivative regulations

227.) *"Architectural Interiors"* – refers to the detailed planning and design of the indoor/enclosed areas of any building/structure, including retrofit or renovation work for such a building, and which shall cover all architectural and utility aspects, including the architectural lay-outing of all building engineering systems found therein.

228.) *"Intermodal"* – refers to a facility that allows passenger and freight transfers between two (2) modes of public and private transportation, excluding walking.

229.) *"Intersections"* – refers to a common surface area or space shared by two (2) or more RROWs, similar ROWs or legal easements or a mix of such public spaces, which form part of the public domain and are therefore disallowed sites for non-mobile billboards.

230.) *"Inverter"* – refers to an electrical device that converts direct current (DC) to alternating current (AC). The converted AC can be at any required voltage and frequency with the use of appropriate transformers, switching and control circuits. Solid-state inverters have no moving parts and are used in a wide range of applications, from small switching power supplies in computers, to large electric utility high-voltage direct current applications that transport bulk power. Inverters are commonly used to supply AC power from DC sources such as solar panels or batteries. A rectifier performs the opposite function of an inverter.

231.) *"Jurisprudence"* – refers to the final decisions of the Supreme Court of the Philippines that form part of the law of the land.

232.) *"Kilogram"* or *"kg"* – refers to a basic international unit of weight. It shall include the following derivative and/or related measurements:

a.) *"kg/lm"* – refers to Kilogram per lineal meter

b.) *"kg/sqcm"* – refers kilogram per square centimeter.

c.) *"kg/sqm"*-refers to kilogram per square meter.

233.) *"Land Use"* – refers to the exploitation of land for agricultural, industrial, residential, recreational or other purposes.

234.) *"LED"* – refers to a light-emitting diode.

235.) *"LGU"* – refers to a Local Government Unit as defined under Republic Act No. 7160, otherwise known as the *Local Government Code of the Philippines* or its successor law/s.

236.) *"Office of the Building Official"* or *"LGU-OBO"* – refers to an office which is part of the LGU but which is under the direct supervision and administrative control of the National Building Official (NBO), and whose primarily role shall be the full implementation and enforcement of this Act and its various referral codes (RC) at the LGU level, as well as the various laws that concern the natural and built environments, site and property developments, building and grounds construction and the various professional regulatory laws (PRLs).

237.) *"Landscape Architect"* – refers to a State-regulated development professional who is a holder of a Certificate of Registration and of a license in the form of a professional identification (ID) card, both duly issued by the Professional Regulation Commission (PRC), and who can practice architecture on Philippine soil in full accordance with the pertinent PRL or successor law/s, its IRR and derivative regulations.

238.) *"Landside"* – refers to the portion of the airport that extends from the terminal building to the main RROW/street level access system.

239.) *"Law"* – refers to a rule of conduct or action prescribed or formally recognized as binding and to be implemented and enforced by the State or through a controlling authority under such law. It shall encompass the following terms:

a.) *"Building Laws"* -refer to this Act as the primary law and to other similar or special laws enacted by the State or by LGUs as secondary or derivative laws, all of which shall deal solely with the development, construction, management and use/occupancy of

buildings and structures as well as of their immediate sites, grounds, settings and environs.

b.) *"Environmental Laws"* -refer to a body of laws pertaining to the management of the entire universe of natural and built environments within Philippine territory.

c.) *"Physical Planning Laws"* -refer to a body of laws pertaining to the development, management and use of portions of the natural and built environments for public benefit or private enjoyment/profit.

d.) *"Professional Regulatory Laws"* or *"PRLs"* -refer to a body of laws pertaining to the practice of State-regulated professions that deal with the development, management and use of portions of the natural and built environments.

e.) *"Batas Pambansa"* or *"B.P."*-refers to a law approved from 1979 through 1986.

f.) *"Presidential Decree"* or *"P.D."* -a law promulgated from 1972 through 1979.

g.) *"Republic Act"* or *"R.A."*– refers to a law approved from 1986 up to the present time and from 1946 through 1972.

240.) *"Level"* – refers to the portion of a building or structure which does not qualify as a regular floor, mainly due to a lower or taller ceiling height as compared to a regular floor, or the lack of full enclosures. It shall include the following concepts:

a.) *"Attic"* – refers to any portion of a building situated wholly or partly within a roof cavity, so designed, arranged or built for use in business, as storage or for habitation.

b.) *"Basement"* – If the finished floor level directly above a basement, cellar or unused underfloor space is less than three meters (3.0 m) above it, such a basement, cellar or unused underfloor space shall be considered as a level (as differentiated from a storey).

c.) *"Deck"* or *"Deck Roof"* – refers to a suspended slab or metal or composite roof which may be partly enclosed or fully open to the elements and which may host a variety of activities.

d.) *"Mezzanine"*-If the finished floor level directly above a mezzanine is less than two meters (2.0 m) above it, space shall be considered as a level (as differentiated from a storey).

241.) *"Lighting System"* – refers to the luminaries/complete lighting units, power source and connections, controls and all support structures/devices that ensure the continuous illumination of a display.

242.) *"Building Line"*-refers to the line formed by the intersection of the outer surface of the enclosing wall of the building/structure and the surface of the ground.

243.) *"Finished Floor Line"* or *"FFL"* – refers to a line determined by the top of the finished floor.

244.) *"Finished Ceiling Line"* or *"FCL"* – refers to a line measured from the top of the finished floor (the finished floor line or FFL) to the bottom of the finished ceiling.

245.) *"Property Line"* – refers to the imaginary or defined line or a set of such interconnected lines that denote the limits of a property.

246.) *"Roof Line"*-refers to the imaginary or defined line or a set of such interconnected lines that denote the limits of the roof over a building/structure, and which classifies as an outermost face of the building (OFB).

247.) *"Lintel"* – refers to the beam or girder placed over an opening in a wall, which supports the wall construction above such opening.

248.) *"Liquefaction"* -refers to the geologic process by which saturated, unconsolidated sediments are transformed into a substance that acts like a liquid; earthquakes can cause soil liquefaction where loosely packed, water-logged sediments come loose from the intense shaking by the earthquake.

249.) 'lm *"* – refers to a lineal meter.

250.) *"Dead Load"* – refers to the weight of the permanent portions of a building or structure. It includes the weight of the walls permanent partitions, framing floors, roofs and all other permanent and stationary fixtures, mechanisms and other construction entering into and becoming a part of a building or structure.

251.) *"Lateral Load"*-refers to the load caused by wind/s, earthquakes or other dynamic forces.

252.) *"Live Load"* – refers to the weight of the contents of a building or structure. It includes all loads except dead and lateral, and weight of temporary partitions, cases, counters and similar equipment, and all loads imposed due to the occupancy of the building or structure.

253.) *"Occupant Land"* – refers to the total number of persons that may lawfully occupy a building/structure or portion thereof at any one time. This particularly applies to commercial and business structures which have large daytime populations.

254.) *"Lot"* or *"Property"* – refers to a parcel of land on which a principal/main building/structure and its accessories are placed or may be placed, together with the required open spaces. A lot may or may not be the land designated as lot or recorded plot. It shall include the following concepts:

a.) *"Corner Lot"* – refers to a lot situated at the junction of two (2) RROWs/streets with the corner forming an angle of not more than one hundred thirty-five degrees (135°). The rear of a corner lot is usually bounded by another lot/property line. When abutting 3 or More RROWs/Streets, Alleys, Rivers, and the like, shall refer to the lot situated at the junction of three (3) or more RROWs/streets/alleys with corners each forming an angle of not more than one hundred thirty-five degrees (135°), or on one (1) or more sides by a river or other waterway.

b.) *"Corner-Through Lot"* – refers to a lot situated at the junction of two (2) RROWs/streets with corners each forming an angle of not more than one hundred thirty-five degrees (135°). The rear of a corner-through lot is usually bounded by another lot/property line.

c.) *"End Lot"* – refers to a lot situated at the corner pocket of a subdivision development, and which is generally sited about the confluence of the approximately ninety degree (90°) junction of two (2) RROWs/streets. End lots shall have direct access to both RROWs/streets. Two (2) sides of an end lot form part of the

subdivision property line while the other two (2) sides are bounded by other lot/property lines.

d.) *"Inside Lot"* – refers to a lot fully fronting one RROW/street or alley, with the remaining sides bounded by other lot/property lines.

e.) *"Interior Lot"* – refers to a lot not directly fronting a RROW/street or alley, with the remaining sides bounded by other lot/property lines. Due to an intervening property that fully faces the RROW/street, a right-of-way (ROW) is required for an interior lot to directly access the RROW/street. Such a ROW shall be at least one point two meters (1.2 m) clear in width for pedestrian access and at least three (3.0) m clear in width for combined vehicular and pedestrian access.

f.) *"Through Lot"* – refers to a lot bounded on its opposite sides by two (2) RROWs/streets. The sides of a through lot are usually bounded by other lot/property lines.

g.) *"Front Lot"* – refers to the front boundary line of a lot bordering on the RROW/street. In the case of a corner lot, it may be either of the 2 lot frontages.

h.) *"Open Lot"* – refers to a lot bounded on all sides by lines defining the outer edge of road lots.

i.) *"Road Lot"* – refers to a lot that separates properties on which buildings/structures could be erected. The grade level of the roadlot shall be the setting for road rights-of-way (RROWs)/streets and all of their elements, including street furniture and landscaping elements. The below grade level of roadlots shall be the primary setting for various permitted utility lines and elements. The above grade level of roadlots, which should preferably be left open and free of obstructions, may also become the setting for various permitted utility lines and elements.

255.) *"Lot Type"* – refers to the classification of a lot based on its general location and configuration.

256.) *"Depth of Lot"* -refers to the average horizontal distance between the front and the rear property/lot lines.

257.) *"Lot Line"* – refers to the line of demarcation between the public domain and private property.

258.) *"Width of Lot"* – refers to the average horizontal distance between the side lot lines.

259.) *"lpm"* – refers to liter per minute.

260.) *"Meter"* or *"m"* – refers to a basic unit of international measurement at 37.37 inches, usually used to show dimensions of the plans/designs/documents of buildings/structures.

261.) *"Millimeter"* or *"mm"* – refers to a basic unit of international measurement at 1/1,000 of a meter (m). It is usually used to show dimensions in the detailed design and architectural finishing components of buildings/structures.

262.) *"MACA"* – refers to maximum allowable construction area.

263.) *"Metro Manila Development Agency"* or *"MMDA"* -refers to the line agency of the State established through Republic Act No. 7924 primarily tasked to exercise regulatory and supervisory authority over the delivery of metro-wide services within the National Capital Region.

264.) *"Maximum Volume of Building" or "MVB"*-refers the limit on building bulk based on the combined compliances with the PSO, AMBF and the BHL.

265.) *"Manual of Standards for Aerodromes"* or 'MoS*"* – refers to a CAAP document prescribing standards for the planning, design, construction, administration, operation and maintenance of aerodromes.

266.) *"Masonry"* – refers to a form of construction composed of stone, brick, concrete, gypsum, hollow clay tile, concrete block or tile, or other similar building units of material or a combination of such materials stacked and set in mortar.

267.) *"Solid Masonry"* – refers to masonry which consists of solid masonry units that do not contain hollow spaces.

268.) *"Masonry Unit"* – refers to a brick, block, tile, stone, or other similar building units or combinations thereof, bound by a cementation agent.

269.) *"Median"* or *"Island"* -the portion of a RROW/street that separates bi-directional roadways.

270.) *"Multimodal"* – refers to a facility that allows passenger and freight transfers among several modes of public and private transportation, excluding walking.

271.) *"Non-Conforming Use"* – refers to the use of a building or land or any portion of such building or land which does not conform to the use and regulation of the zone where it is situated.

272.) *"Non-Conforming Building"* – refers to a building which does not conform to the regulations of the district where it is situated with respect to building height limit (BHL), yard requirement, lot area and percentage of site occupancy (PSO).

273.) *"Outermost Faces of Building"* or *"OFB"*-refers to a plane that shall be primarily determined by the vertical projections of the outermost faces of the AMBF up to a height prescribed by the applicable BHL. The OFB helps determine the angular planes needed to establish the lawful outer limits for walls and projections of the proposed building/structure facing the RROW and for their corresponding roof configurations.

274.) *"Office of the National Building Official"* or *"ONBO"* – refers to the agency headed by the NBO.

275.) *"Occupancy"* – refers to the purpose for which a building/structure is used or intended to be used. The term shall also include the building/structure or other enclosure housing such use. Change of occupancy is not intended to refer to the change of tenants or proprietors. It is classified into the following:

a.) *"Principal Occupancy"* – refers to the primary building/structure use that shall be permitted;

b.) *"Accessory Occupancy"* – refers to the secondary building/structure use that shall be permitted*; and*

c.) *"Conditional Occupancy"* – refers to the tertiary building/structure use that may or may not be permitted, depending on the satisfaction of certain conditions.

276.) *"Occupant"* – refers to a natural or juridical person, lawfully using/occupying the buildings and/or property/ies under consideration, and entitled to its full and lawful use and enjoyment.

277.) *"Building Orientation"* – refers to the siting of a building/structure on its site with respect to sun, wind, rain/storm, view, noise, odors, pollution, traffic, drainage, natural or artificial light and ventilation, speedy access/ingress, emergency egress, social factors, privacy, security, general safety, constructibility, topography, hazards, project phasing, business/commercial factors such as competition and like considerations taken as a whole. For instance, the northeast-southwest (NE-SW) orientation of the long axis (thin side) of buildings/structures has the advantage of maximizing the cooling effect of prevailing winds coming from the NE monsoon (amihan) winds and minimizing the damaged from SW monsoon (habagat) winds. Such elemental exposures also maximizes the heat of the morning sun while minimizing the heat of the afternoon sun.

278.) *"Building Owner"* or *"Property Owner"* – refers to a natural or juridical person, lawfully owning the building/s and/or property/ies under consideration or the receiver or trustee thereof, and entitled to its full and lawful use and enjoyment.

279.) *"Outfall"* – refers to an artificial waterway, usually a large diameter pipe, draining a building or its site directly onto a large waterway or drainage-way.

280.) *"Philippine Construction Accreditation Board"* or *"PCAB"* – refers to the quasi-judicial agency under the Construction Industry Authority of the Philippines (CIAP) of the Department of Trade and Industry (DTI) primarily tasked with the regulation and licensing of Constructors and with the implementation and enforcement of R.A. No. 4566 or its successor law/s.

281.) *"Professional Regulation Commission"* or *"PRC"* -the entity that administers the State-regulated professions in the Philippines, including those that deal with the natural and built environments, in full accordance with Republic Act No. 8981, otherwise known as the *"PRC Modernization Act of 2000"*, its IRR and derivative regulations, and their successor laws and regulations.

282.) *"Professional Regulatory Board"* or *"PRB"*– refers to the regulatory entities under the Professional Regulation Commission (PRC) which oversee the practice of State-regulated professionals who are directly responsible for the planning and design of buildings/structures.

283.) 'PSO*"* refers to *"Percentage of Site Occupancy"*

284.) *"Panic Hardware"* or *"Panic Device"* – refers to a bar which extends across at least one-half the width of each door leaf, which shall open such door if subjected to downward pressure.

285.) *"Parking"* – refers to the act of stationing a wheeled man/animal-powered or motorized transportation conveyance on any portion of the RROW/street or within a private/public parking facility, over a period of time, usually more than thirty (30) seconds, whether or not the driver stays in/on or out of or away from the vehicle. It is classified into the following:

a.) *"Extended Parking"* refers to an act by any person, considered as the deliberate private use or enjoyment of the public domain, which shall be subject to an hourly fine plus towing of the offending vehicle, in addition to lawful detention of the driver/s or passengers as warranted or as the appropriate authorities may decide. In no case shall the fine be less than PhP5.0 per hour and the detention less than 12.0 hours from time of arrest for extended parking;

b.) *"Illegal Parking"* – refers to a person's act of parking in an area/surface for which parking is prohibited or of extending parking well beyond the designated time.

c.) *"Open Parking"*-refers to an uncovered area used for parking vehicles, where such vehicles and their users are exposed to the elements.

d.) *"Off-Street Parking"* – refers to a parking facility away from the RROW/street, usually in a private/public lot or building/structure.

e.) *"On-Street Parking"*– refers to a duly permitted parking facility on a lawfully designated portion of the RROW/street used for periodic parking, and which shall not be used for overnight parking.

f.) *"Parking Building"* or *"Parking Structure"* – refers to a building/structure of one or more levels in height which is used exclusively for the sheltered or covered parking or storage of passenger motor vehicles having a capacity of not more than twenty (20) seated passengers per vehicle. It is further classified into:

i. *"Ramp access parking"*- refers to parking buildings/structures employing a series of levels connected by ramps that permit the movement of vehicles under their own power from and to the street level.

ii. *"Mechanical access parking"* refers tip parking buildings/structures are those employing parking machines, lifts, elevators or other mechanical services for vehicles moving from and to street level.

Long-term public occupancies of any type of parking above street level shall be prohibited.

286.) *"Partition"* – refers to an interior subdividing wall.

287.) *"Paver"* – refers a floor finishing material loosely set on a confined bed of sand or fine gravel.

288.) *"Surface Water Percolation"*-refers to the sinking of water into the ground.

289.) *"Permit"* – refers to an official document stating the permission granted by the LGU-OBO to an applicant and the conditions for such a permission, relating to the construction and delivery of a building/structure. It shall include the following types:

a.) *"Accessory Permits"* – refers to the individual permits for construction protection and safety, demolition/abatement, excavation, fencing, foundation and retaining wall and sidewalk construction relating to a building/structure and its site/grounds;

b.) *"Ancillary Permits"* – refers to the individual permits for the architectural, civil/structural, electrical, electronics, mechanical, plumbing, sanitary and related works for a building/structure*; and*

c.) *"Auxiliary Permits"* – refers to the individual permits for architectural conservation permit, non-mobile billboards, elevator operation, generator and transformer operation, sewage treatment plant (STP), and operation and telephone exchange operation for a building/structure.

d.) *"Building Permit"* – refers to the permit for the construction of a building/structure, preceded by the requisite Ancillary Permits.

290.) *"Person"* – refers to an individual recognized by law as the subject of rights, duties, responsibilities and liabilities. A person may either be a:

a.) *"Juridical Person"* – refers to a person created by law such as a firm (sole proprietorship registered with the DTI or partnership, limited partnership (as applicable), corporation, association, consortium or foundation registered with the SEC; or

b.) *"Natural Person"* – refers to a person who is naturally-born and developed, and who is a citizen of the State, whether by blood or place of birth.

291.) *"Petition"* – refers to a statement by any person alleging violations of this Act or its predecessors laws, the pertinent IRRs and DRs, duly filed with the LGU-OBO or the ONBO, and requesting said offices to take lawful action against the violations/violators identified.

292.) *"Philippine Territory"* – without prejudice to the term as defined under the 1987 Philippine Constitution, Republic Act No. 9522, and applicable international laws and conventions, refers to all the land (surface and sub-surface), water (surface and sub-surface) and air assets of the Republic of the Philippines, whether part of the public domain or privately owned, that currently serve or could serve as the setting for buildings/structures.

293.) *"Physical Planning"* – refers to the detailed planning of land or property on which vertical structures such as buildings, monuments and/or structures and horizontal developments such as rights-of-way (ROWs), open spaces and recreational/sports/establishments/tourism and related facilities are to be proposed/maintained. This is a professional service rendered by RLAs.

294.) *"Pier"* – refers to an insolated mass of masonry forming support for arches, columns, girders, lintels, trusses and similar structural parts.

295.) *"Pilaster"* – refers to a portion of the wall which projects on one or both sides and acts as a vertical beam, a column, or both.

296.) *"Plan"* – refers to a drawing or diagram made to scale showing the structure or arrangement of a building/structure, which may or may not be in relation to its grounds/site. It shall encompass the following:

a.) *"Architectural Plan"* – refers to a two (2)-dimensional representation reflecting a proposed development/redevelopment of an enclosed/semi-enclosed or open area showing features or elements such as columns, walls, partitions, ceiling, stairs, doors, windows, floors, roof, room designations, door and window call-outs, the architectural layout of equipment, furnishings, furniture, and the like, specifications callouts, elevation references, drawing references, and the like. It is also the representation of a lateral section for a proposed building/structure (running parallel to the ground) and at a height of from one to one point five (1.0 - 1.5) meters above the finished floor.

It may also collectively refer to other architectural designs such as cross/longitudinal sections, elevations, roof plan, reflected ceiling plan, detailed sections and elevations showing architectural interiors, detailed architectural designs, door and window schedules, other architectural finishing schedules, and the like.

b.) *"As-Built Plan"* – refers to the architectural, engineering and allied design plans and designs that result from the conduct of a building audit. It also refers to the architectural, engineering and allied design plans and designs of a building/structure as completed and delivered; *and*

c.) *"Structural Plan"* – refers to the structural engineering plans and designs of a building/structure.

297.) *"Portland Cement Plaster"* – refers to a mixture of portland cement, or portland cement and lime and aggregate and/or other approved material as specified in this Act or its IRR.

298.) "*Plastic Derivatives*" – refers to materials that are primarily derived from plastics but which may be combined with other materials to create composite materials that have properties superior to plastics.

299.) "*Approved Plastics*" – refers to plastic materials which have a flame spread rating of two hundred twenty five (225) or less.

300.) "*Enclosed Platform*"-refers to a partially enclosed portion of an assembly room, the ceiling of which is not more than one point five meters (1.5 m) above the proscenium opening and which is designed or used for the presentation of plays, demonstrations or other entertainment wherein scenery, drops, decorations of the effects may be installed or used.

301.) "*Podium*" – refers to a pedestal on a large scale, usually supporting or adjacent to a tower component of a building. It may be any of various elements that form the base of a structure, such as the platform for a building, and in the case of architectural interiors and interior design, a low wall supporting columns, or the structurally or decoratively emphasized lowest portion of a wall.

302.) "*Prefabricated assembly*" – refers to a structural unit of which the integral parts were built or assembled prior to incorporation in the building/structure.

303.) "*Daytime Building Population*" – refers to the actual number of permanent occupants, users and visitors of a building/structure over the period 6:01 a.m. through 6:00 p.m.

304.) "*Design Population*"-refers to the originally projected number of permanent occupants, users and visitors for a building/structure as reflected in the Permit Documents submitted for the review/approval of the LGU-OBO.

305.) "*Night time Building Population*"-refers to the actual number of permanent occupants, users and visitors of a building/structure over the period 6:01 p.m. through 6:00 a.m.

306.) "*ppm*" – refers to parts per million.

307.) "*Private Practice*" – refers to the practice of a State-regulated profession relating to buildings/structures by a duly-qualified RLP engaged in private practice, and who is not employed by the Government in a capacity as an

individual RLP, or as an employee of the LGU-OBO (LBO or Assistant LBO or Section Chief).

308.) *"Pre-Cast"* – refers to a structural or architectural works element that is fabricated away from the construction site on which the same shall be later installed and finished.

309.) *"Program Documentation"* – refers the act of documenting a program under this Act, consisting of the filing with the LGU-OBO of a reference to a publication or publications accessible to the Design Engineer, where the detailed description of the program or a brief statement of the theoretical background of the program including a description of the algorithms used are found.

310.) *"Post-tensioning"* – refers to a method of applying compression after pouring concrete and the curing process (in situ).

311.) *"Privacy"* – refers to a characteristic/feature of a lot/property, building/structure, site/grounds, which allows the user/occupant to be shielded from public view or curiosity through natural or artificial means.

312.) *"Building Professional"*, *"Construction Professional"* or *"Development Professional"*-refers to a natural person who is an Architect, Engineer, Designer or Constructor duly certified and licensed by the State through the PRC to practice a profession relating to the planning, design, development/construction, management and administration of a building/structure and its grounds/site (reference definitions under PRC, RLP, Architect and Engineer).

313.) *"Promenade"* – refers to a long, open, level area, specifically intended for walking, which may be landscaped, and usually next to a waterway, river or large body of water, where people may safely walk for recreational purposes.

314.) *"Professional Responsibility"* – refers to the liability assumed by all RLPs before the State, relating to the acts of preparing, signing and dry-sealing documents. Administrative complaints are filed against RLPs before the pertinent PRB of the PRC to address such liabilities.

315.) *"Project Manager"* – refers to any natural or juridical person, lawfully acting on behalf of the interests of the owner of the building/s and/or

property/ies under consideration, and tasked to develop/construct and administer/manage such buildings/properties on the Owner's behalf.

316.) *"Property Lines"* – refers to lines established by State-registered and licensed Geodetic Engineers (RLGEs) to designate the boundaries of a property in relation to other private/public properties or the public domain. These comprise the outermost limits for lawful development or construction on a bounded property.

317.) *"Public Domain"* – refers to land owned and controlled by the State or the LGU, common examples of which are the road rights-of-way (RROWs) and rights-of-way (ROW) and all components found therein, legal easements along waterways, to include public lands on which public buildings/structures such as civic centers, hospitals, schools, health centers, fire and police stations, markets, terminals, and the like are erected and operated/maintained.

318.) *"Public Nuisance"* – refers to a a class of common law offence in which the injury, loss or damage is suffered by the local community as a whole rather than by individual victims.

319.) *"Public Way"* – refers to a parcel of land unobstructed from the ground to the sky, that is more than three meters (3.0 m) in width, and that is designated for the free passage of the general public. Extended parking beyond two (2) hours shall not be allowed in such public spaces as the same constitutes private use and enjoyment of the public domain.

320.) *"Runway End Safety Area"* or *"RESA"* – refers to the surface surrounding the runway, prepared or suitable for reducing the risk of damage to aircraft in the event of an undershoot, overshoot or excursion from the runway.

321.) *"Registered and Licensed Professional"* – refers to a State-regulated development and/or construction professional who is a holder of a Certificate of Registration and of a license in the form of a professional identification (ID) card duly issued by the Professional Regulation Commission (PRC) for practice in the Philippines, in full accordance with the pertinent Professional Regulatory Law (PRL), its IRR and derivative

regulations (DRs). Under this Act, the RLPs for certain classes/types of buildings/structures and their grounds/sites are:

a.) RLA -Registered and Licensed Architect;

b.) RLAE -Registered and Licensed Agricultural Engineer;

c.) RLCE -Registered and Licensed Civil Engineer;

d.) RLEE -Registered and Licensed Electronics Engineer;

e.) RLEnP -Registered and Licensed Environmental Planner;

f.) RLGE -Registered and Licensed Geodetic Engineer;

g.) RLID -Registered and Licensed Interior Designer;

h.) RLLA -Registered and Licensed Landscape Architect;

i.) RLPE -Registered and Licensed Plumbing Engineer (or Master Plumber);

j.) RLPEE -Registered and Licensed Professional Electrical Engineer;

k.) RLPME -Registered and Licensed Professional Mechanical Engineer; *and*

l.) RLSE -Registered and Licensed Sanitary Engineer.

322.) *"Right-of-way"* or *"ROW"* – refers to a public space that forms part of the public domain, including the airspace above such a ROW. It shall include the following classifications:

a.) *"Drainage ROW"* – refers to a dedicated land area reserved for the purpose of introducing and maintaining and drainage line leading to an outfall;

b.) *"Private/Public ROW"* – refers to a dedicated land area which may or may not be secured, and primarily reserved for the passage of persons, animals, vehicles, utilities, drainage, and the like.

c.) *"Railroad ROW"* or *"RRROW"* -consists of the railway/tramway/tracks on which trains pass, the buffer areas on either side of the railway for operational safety and fixed facilities for passenger exchanges, inclusive of the airspace above such a RRROW;

d.) *"Utility ROW"* or *"UROW"* – refers to the area on which public utility lines, such as power, telecommunications, water supply, drainage, sewer, gas, and the like are allowed to pass, including buffer/safety

zones, service/maintenance areas and the airspace above such a UROW;

e.) *"Water ROW"* or *"WROW"* – refers to the right of way for nland waterways such as rivers, streams, lakes, canals, and the like and consisting of the waterway/vessel-way on which boats/ships/barges pass, the embankments and portions of the shore areas used to access the waterway/vessel-way, including the airspace above such a WROW;

f.) *"Road Right-of-Way"* or *"RROW"* – refers to the surface/area existing between two (2) or more defined activity spaces/properties that afford such areas direct pedestrian and vehicular access. The RROW/street usually lies between two (2) or more parallel properties and its width is horizontally measured from opposite property lines. In particular, the RROW/street shall consist of the sidewalk, the curb and gutter (where present), the carriageway (roadway) and all of the other hard-scapes (including street furniture) and soft-scapes that may be initially introduced within the RROW limits.

It is also defined as a public open space for the continuous flow of pedestrian and vehicular traffic, including the air space above such RROW that shall be free of all forms of prohibited physical obstructions. It is further classified into the following:

i. *"Public Road Right of Way"* or *"Public RROW"* – refers to any access-way sited on a roadlot, which is designated as a public space and which has been dedicated or deeded to the public for continued use by both pedestrians and vehicles. A public RROW is part of the public domain and is usually paved and complete with the requisite facilities and elements, all financed by public funds. As such, the public RROW cannot be used for private use and enjoyment of any form, nor can it be used for any private commercial or business purposes. If temporary private use on the public RROW such as hourly parking is permitted, the appropriate

parking fees shall apply and all collected fees shall accrue to the appropriate Government agency tasked with its maintenance;

ii. *"Private Road Right of Way"* or *"Private RROW"* – refers to any access-way sited on a roadlot, which is designated as a public space and which has been dedicated or deeded for continued use by both pedestrians and vehicles. A private RROW, while considered part of the public domain, is usually paved and complete with the requisite facilities and elements, all financed by private funds. As such, certain portions of the private RROW may be used for duly-permitted private use and enjoyment, commercial or business purposes. If temporary private use on the private RROW such as hourly parking is permitted, the appropriate parking fees shall apply and all collected fees shall accrue to the entity that financed its construction and/or that spends for its maintenance.

323.) *"Controlled Portion of the RROW"* – refers to an area within 150.0 meters of the edge of the RROW of an existing rural road, within 100.0 meters of the edge of the RROW of a proposed urban road or within 50.0 meters of the edge of the RROW of an existing urban road; the foregoing shall apply to similar rights-of-way (ROWs) as defined under this Act; the classification as to proposed or existing national RROW or ROW shall depend on the effectivity of this Act, its IRR and derivative regulations.

324.) *"Rainwater Harvesting Facility"* – refers to a provision in a building/structure that impounds/collects rainwater, storm water and surface run-off within property limits or from building drains, and which stores such water for beneficial use or controlled dispersal.

325.) *"Rebar"* – refers to reinforcement bars used in reinforced concrete.

326.) *"Referral Code"* or *"RC"* – refers to laws or regulations that are in direct support of the NBCP, consisting of, but not limited to the following laws, codes or their successor laws/codes:

a.) R.A. No. 9514, otherwise known as the *"Fire Code of the Philippines of 2008"* and its latest implementing rules and regulations (IRR) and derivative regulations (DRs);

b.) B.P. No. 344, or "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments and Public Utilities to Install Facilities and Other Devices, and its latest IRR and DRs";

c.) Latest versions of the Architectural Code of the Philippines and its DRs;

d.) Latest versions of the Structural Code of the Philippines and its DRs;

e.) Latest versions of the Electrical Code of the Philippines and its DRs;

f.) Latest versions of the Mechanical Code of the Philippines and its DRs;

g.) P.D. No. 856 or the *"Code on Sanitation"* and its latest IRR and DRs;

h.) P.D. No. 1067, otherwise known as the *"Water Code of the Philippines"*, and its latest IRR and DRs;

i.) R.A. No. 9275 or the *"Philippine Clean Water Act of 2004"*, and its latest IRR and DRs;

j.) R.A. No. 9003 or the *"Ecological Solid Waste Management Act of 2000"*, and its latest IRR and DRs;

k.) R.A. No. 8749, or the *"Philippine Clean Air Act of 1999"* and its latest IRR and DRs;

l.) P.D. No. 1586, *"Establishing an Environmental Impact Statement System, Including Other Environmental Management Related Measures and for Other Purposes"*, and its latest IRR and DRs;

m.) The ICAO SARP and the CAAP MoS for Aerodromes in the case of airport (or heliport/helipad, as applicable) selection, planning, design, construction, administration, operation and maintenance; *and*

n.) The various Professional Regulatory Laws (PRLs) such as R.A. No. 9266, R.A. No. 544, as amended, and other laws such asR.A. No. 8981, and their latest IRR and DRs.

327.) *"Regulated Area"* – refers to all areas inside the boundaries of a LGU which are adjacent to and within 201 meters of the edge of the road right-of-way (RROW) within that LGU. Where a controlled portion of the RROW terminates at a LGU boundary which is not perpendicular or normal to the centerline of the RROW, a regulated area also means all areas inside the boundary of such LGU which are within 201 meters of the edge of the RROW in the adjoining LGU.

328.) *"Rehabilitation"* – refers to the upgrading of the facilities, services and utilities of a building/structure.

329.) *"Renovation"* – refers to the refinishing and refurbishing of the indoor spaces of a building/structure.

330.) *"Repair"* – refers to the construction or renewal of any part of an existing building/structure for maintenance purposes. The term shall not apply to any change of construction.

331.) *"Residence"* – refers to a place of dwelling. It shall include the following classifications:

a.) *"Single-Detached Residence"* – refers to a dwelling without any firewall, generally used as shelter by a single/nuclear family and usually sited in a low density residential zone (R-1);

b.) *"Single-Attached Residence"* – refers to a low-rise building/structure with an exclusive firewall on one side and for exclusive use as single family dwellings and usually sited in a medium density residential zone (R-2);

c.) *"Duplex"* – refers to a pair of low-rise buildings/structures with a common firewall and for use as multiple family dwellings and usually sited in a medium density residential zone (R-2);

d.) *"Rowhouse"* – refers to a residential building of not more than two (2) storeys, composed of a row of dwelling units entirely separated from one another by partly or fire walls and with an independent

entrance for each dwelling unit. These are usually sited in a high density residential zone (R-3);

e.) *"Townhouse"* – refers to a low-rise building/structure for exclusive use as multiple family dwellings on individual lots or townhouse units. It also generally refers to the series or rows of single-family dwelling buildings/structures within a subdivided lot or property; these are usually sited in a R-4 zone*; and*

f.) *"Residential Condominium"* – refers to a medium-rise or high-rise building/structure for exclusive use as multiple family dwellings; these are usually sited in a R-5 zone.

332.) *"Residual Area"* – refers to a space that may fall outside the alignments or intersections of two (2) or more national RROWs, similar ROWs or legal easements or a mix of such public spaces, which still form part of the public domain and are therefore disallowed sites for non-mobile billboards.

333.) *"Resort"* – refers to a place frequented by people for relaxation or recreation, usually located in a designated Tourism Zone.

334.) *"Roof Support"* – refers to part of a structural system that supports and anchors the roof structure.

335.) *"Runway"* – refers to a defined elongated rectangular area on a land aerodrome that is used for the takeoff and landing of fixed-wing aircraft (excluding rotary wing/helicopters).

336.) *"Runway Strip"* or *"Airstrip"* – refers to a defined elongated rectangular area on a land aerodrome that includes spaces for the runway, RESA, taxiway and stop-way (as applicable), and all the required spatial clearances around such spaces, which are all required for aircraft safety during operation or surface movement.

337.) *"Standards and Recommended Practices"* or *"SARP"* for Aerodromes – refers to documents on aerodrome planning and design standards periodically issued by the ICAO to guide in the selection, planning, design, construction, administration, operation and maintenance of airports and heliports.

338.) *"Securities and Exchange Commission"* – refers to the entity primarily tasked by the State to regulate the activities of juridical persons.

339.) *"Semi-paved Surface Area"* or *"SPSA"* – refers to open spaces at the site/grounds of a building/structure which are covered by perforated or loose pavers, loose gravel, loose pebbles or similar material, and which permit certain levels of surface water percolation. A SPSA may be generally classified as a USA (unpaved surface area).

340.) *"STS"* refers to sewage treatment system

341.) *"sqmm"* – refers to square millimeter.

342.) *"SWMS"* –refers to a solid waste management system.

343.) *"Scenic Vista"* -refers to a naturally occurring or a good combination of natural and man-made features in the viewable landscape and which offers the viewer a refreshing visual experience or respite.

344.) *"Section"* – refers to a division of the LGU-OBO, headed by a Section Chief.

345.) *"Seismic Gap"* – refers to a structural provision to address vibrations of adjoining and/or connected buildings.

346.) *"Plan and Design Sensitivity"*-refers to the characteristic of the evolved architectural plans and designs, and of the supportive engineering and allied plans and designs, to generally and specifically address the identifiable special needs of certain intended/target/nominal users of space/spaces in a building/structure, such as but not limited to persons of a certain belief or orientation or physical constitution or economic condition, women, children, special children, the sick and the elderly, persons with disabilities (PWD) or differently-abled individuals, detainees/prisoners, the criminally insane, domesticated animals/household pets, and the like.

347.) *"Service"* – refers to a basic building/structure provision to serve a particular function and to make one's stay in a building/structure useful, resource-efficient, secure, safe and comfortable for the user/occupant, such as elevators, service stairs/entrances/exits, cafeteria or food court, disabled/differently-abled access provisions, and the like. For occupied buildings, this may refer to commercial services such as laundry, computer and appliance repair, wellness and personal care shops, and the like.

348.) *"Setback"* – refers to a one (1)-dimensional quantity denoting the level horizontal distance measured at a ninety degree angle (90°) from the line formed by the outermost face of a building/structure or billboard support structure to a property line, whereby both lines run parallel to each other. The setback is applied to the property or land. It shall encompass the following:

349.) *"Incremental Setback"*-refers to a development control (DC) consisting of additional setbacks applied to all sides of a building or structure as the building/structure rises to determine the limit on its total gross floor area (TGFA). Incremental setbacks are not intended for adoption or implementation as an architectural design standard. It is only a space planning tool to limit floor area generation using climatic conditions as bases. The actual architectural design solution may actually have a different configuration that shall however match the limit prescribed by the incremental setbacks. The incremental setback is only applied to the outermost faces of the building (OFB) or structure.

350.) *"Settlement"* – refers to a lawfully established setting for human habitation and related activities. It also refers to a lawful built environment on a natural environment developed for the purpose of community creation, residence, social interaction, production and commerce and related activities.

351.) *"Sewage"* – refers to refuse liquids or waste matter carried off by sewer pipes/lines.

352.) *"Sewer"* – refers to a man-built subterranean conduit to carry sewage and sometimes surface and rain/storm water.

353.) *"Sewerage"* – refers to the removal and disposal of sewage and surface water through sewer pipes/lines.

354.) *"Cast Shadow"*-refers to a type of shadow that is created on a form next to a surface that is turned away from the source of light. When a form blocks the light, it causes a cast shadow to be formed.

355.) *"Shaft"* – refers to a vertical opening through a building for elevators, dumbwaiters, mechanical equipment or similar purposes.

356.) *"Sidewalk"* – refers to the portion of the RROW/street which is for the exclusive use of pedestrians. The use of the sidewalk in any form by vehicles is a prohibited act. Being part of the public domain, any form of private use or enjoyment or any form of public use that violates its dedicated function for pedestrian use are all prohibited.

357.) *"Sign Structure"* – refers to a structure that supports a large sign, usually a non-mobile billboard. It is further classified into the following:

a.) *"Official Sign"* -refers to directional or information-conveying signs, in whatever form allowed under the IRR of this Act, that shall be officially issued and erected by or through the national or local government for the purpose of public service*; and*

b.) *"Temporary Sign"* – refers to a sign made of fabric/cloth, vinyl/plastic or similar light and/or combustible material, with or without frame, such as, streamers, bills, posters, and the like that are installed within or outside a ROW for display/public viewing for a limited period of time, subject to the issuance of the required permit/s.

358.) *"Site"* – refers to the setting of a building/structure as defined by property lines in relation to a RROW/street that affords access to such a site, other public ways including legal easements and by adjoining properties.

359.) *"Site Planning"* – refers to the detailed site development planning of all areas surrounding a building/structure and/or a group of buildings/structures but only within the property limits of the land on which such buildings/structures are to be erected. This is a professional service rendered by RLAs.

360.) *"Site Development Plan"* – refers to the detailed layout of all areas/grounds surrounding a building/structure and/or a group of buildings/structures but only within the property limits of the land on which such buildings/structures are to be erected.

361.) *"Show Window"* – refers to a store window from which displayed goods can be viewed from a public space such as a sidewalk.

362.) *"Sidewalk"* – refers to the portion on each side of a road right-of-way (RROW) for the exclusive use of pedestrians and the disabled who are in transit.

363.) *"Slope"* – refers to the ratio of the rise over the run, where the rise refers to the difference in elevation between two (2) distant points in a lot/property, building/structure, site/grounds (the "object"), and the run refers to the horizontal distance between such points, as measured horizontally and not parallel to the incline of the surface of the object.

364.) *"Slum"* or *"Blighted Area"* or *"Eyesore"* – refers to an area where the values of real estate tend to deteriorate due to the dilapidated, obsolescent and unsanitary condition of the buildings/structures within such area, and which is markedly unpleasant to look at.

365.) *"Masonry Socalo"* – refers to the wall between the bottom of the window sill and the ground.

366.) *"Soffit"* – refers to the underside of a beam, lintel, floor slab, stair slab or reveal.

367.) *"Specifications"* – refers to detailed descriptions and instructions provided in conjunction with plans and designs for construction. Specifications stipulate the type of materials to be used, special construction/assembly/installation techniques, equipment, furniture, fittings, dimensions and colors for a building/structure.

368.) *"Square Meter"* or *"Sqm"* refers to a basic unit of area measurement with all four (4) sides measuring one meter (1.0 m) long.

369.) *"Stable"* – refers to any structure designed and intended for the enclosure, shelter or protection of livestock.

370.) *"Commercial Stable"* – refers to a stable where livestock are kept for business, racing or breeding purposes.

371.) *"Stage"* – refers to a partially enclosed portion of an assembly building which is designed or used for the presentation of plays, demonstrations or other forms of entertainment, and wherein scenery, drops or other effects may be installed or used. The distance between the top of the proscenium openings and the ceiling above the stage is more than one point five meters (1.5 m).

372.) *"Stairway"* – refers to two (2) or more risers shall constitute a stairway.

373.) *"Private Stairway"*-refers to a stairway which serves only one tenant.

374.) *"Stop-way"* – refers to a defined elongated rectangular area at the end of a runway used as a suitable area in which aircraft can be stopped in case of an abandoned takeoff.

375.) *"Height of Storey"*-refers to the perpendicular distance between the finished floor lines of two successive floors.

376.) *"Storm Surge"* or *"Storm Tide"* – refers to an offshore rise of water associated with a low pressure weather system, typically caused by typhoons. It also refers to the rise of water associated with the storm, plus tide, wave run-up, and freshwater flooding. Storm surges are caused primarily by high winds pushing on the ocean's/sea's surface. The wind causes the water to pile up higher than the ordinary sea level. Low pressure at the center of a weather system also has a small secondary effect, as can the bathymetry of the body of water. It is this combined effect of low pressure and persistent wind over a shallow water body which is the most common cause of storm surge flooding problems.

377.) *"Street"* – refers to common term used in place of RROW.

378.) *"Structure"* – refers to that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

379.) *"Structural Design"* – refers to the selection of materials and members as to type, size and configuration, to carry loads in a safe and serviceable fashion.

380.) *"Structural Frame"* – refers to the framing system including the columns and the girders, beams, trusses and spandrels having direct connections to the columns and all other members which are essential to the stability of the building/structure as a whole. The members of floor or roof which have no direct connection to the column are considered secondary and do not form part of the structural frame.

381.) *"Subdivision"* – refers to the parcellarization of a property to affordable parcels which later become the sites for buildings/structures. The term may also refer to the community residing or working in such an area.

382.) "*Subsidence*" – refers to the motion of the earth's/finished grade's surface as it shifts downward relative to a datum such as sea-level. Ground subsidence is partly caused by extensive groundwater extraction. The opposite of subsidence is uplift, which results in an increase in elevation.

383.) "*Suportales*" – refers to the vertical supports, such as posts or stanchions, as used in indigenous or traditional type of construction. These may be freestanding as stilts or integrated into the wall structure. In the case of former, *pie de gallos* (knee braces) or *crosettas* (cross bracing) are sometimes used.

384.) "*Support Structure*" – refers to the rigid framework on which the display or attention-catching device of a non-mobile billboard shall be mounted. The foundation and superstructure for part of the support structure.

385.) "*Cantilevered Support Structure*" -a support structure that is not directly planted on the ground or any portion of the national RROW, similar ROWs or legal easement; such a structure may rest on a portion of a building or another support structure not originally planned/designed to support a billboard; a cantilevered structure is necessary so that the effective width of the sidewalk or similar components of the RROW are neither compromised nor lessened

386.) "*Exterior Surface*"-refers to a weather-exposed surface.

387.) "*Interior Surface*" – refers to surfaces other than weather-exposed surfaces.

388.) "*Weather-exposed Surface*" – refers to all surfaces of walls, ceilings, floors, roofs, soffits and similar surfaces exposed to the weather, except the following:

a.) Ceiling and roof soffits enclosed by walls, or by beams extending a minimum of three hundred millimeters (300.0 mm) below such ceiling or roof soffits;

b.) Walls or portions of walls within an unenclosed roof area, when located at a horizontal distance from an exterior opening equal to twice the height of the opening*; and*

c.) Ceiling and roof soffits beyond a horizontal distance of three meters (3.0 m) from the outer edge of the ceilings or roof soffits.

389.) *"Survey"* – refers to a pre-design activity undertaken to guide RLPs in site assessment, physical planning, and the siting, orientation and design of a building/structure. It shall encompass the following:

a.) *"Geo-resistivity Survey"* – refers to survey work on water availability, usually undertaken by a RLCE and/or RLSE;

b.) *"Geotechnical Survey"* – refers to survey work on the capability of the soil to support a building/structure, which shall be undertaken by a qualified RLCE;

c.) *"Hydrological Survey"* – refers to survey work on flooding history and projections, usually undertaken by a RLCE or RLSE;

d.) *"Relocation Survey"* – refers determination of the correctness of the property lines of the property under survey; survey work shall be undertaken by a RLGE;

e.) *"Space Planning Survey"* – refers to survey work on spatial conditions or needs, which shall be undertaken by a qualified RLA;

f.) *"Topographic Survey"* – refers to a survey which maps out the contours onsite, existing natural and man-made waterways, all existing horizontal and vertical structures above grade, or below grade as applicable, and any encroachments inside or immediately outside the property being surveyed. Topographical survey work shall be undertaken by a RLGE.

390.) *"Sustainable Design"* – refers to the philosophy of designing physical objects, the built environment and services to substantially comply with the principles of economic, social and ecological sustainability, without compromising natural and other resources that shall be bequeathed to future generations.

391.) *"Total Gross Floor Area"* or *"TFGA"* – refers to the total floor space within a building, inclusive of extensions/additions to such a building/enclosed area, and its auxiliary buildings. It consists of the GFA and all other enclosed/partially enclosed support areas that are built up and/or paved together with all other usable horizontal areas/surfaces

above and below the finished grade line (FGL) that are all physically attached to such a building. Areas such as open/semi-covered parking, walks/covered walks, courts, pools, ponds/grotto, generator shed/pump room/s, and elevated platforms/view decks all form part of the TGFA.

The TGFA also defined as the total floor space within the main and auxiliary buildings primarily consisting of the GFA and all other enclosed support areas together with all other usable horizontal areas/surfaces above and below established grade level that are all physically attached to the building/s which shall consists of the following:

a.) Covered areas used for parking and driveways, services and utilities. The TGFA specifically excludes provisions for courts above grade level;

b.) Vertical penetrations in parking floors where no residential or office units are present;

c.) Uncovered areas for helipads, air-conditioning cooling towers or ACCU balconies, overhead water tanks, roof decks, laundry areas and cages, wading or swimming pools, whirlpool or jacuzzis, terraces, gardens, courts or plazas, balconies exceeding ten (10.0) sqm, fire escape structures, and the like*; and*

d.) Other building projections which may additionally function as floors or platforms if properly reinforced, such as the top surfaces of roof extensions/eaves, sun-breakers, large roofed or cantilevered areas such as porte cocheres, canopies, and the like.

392.) "*Total Lot Area*" or "*TLA*" – refers to the total surface area of a lot/property as generally determined by the lengths of its frontage (usually along a RROW/street), sides and rear, with the area measurement taken at a common right angle and not parallel to the surface of the lot/property, particularly if the same is sloping.

393.) "*TOSL*" – refers to the total open space within lot.

394.) "*Taxiway*" – refers to a defined part of a land aerodrome used for taxiing of fixed-wing aircraft and which is used to interconnect areas on which such aircraft operate.

395.) *"Terminal"* – refers to a building/structure where transfers of passengers and freight from one mode of travel to another takes place.

396.) *"On-street Terminal"*-an interim terminal operating within any portion of the RROW, which constitutes a form of private use and enjoyment. On-street terminals shall have permit to operate from the LGU-OBO and shall be moved to an off-street location within two (2) years of the effectivity of this Act.

397.) *"Title"* -legal proof of ownership or control over a property and/or a building/structure. It is further classified into the following:

a.) *"Condominium Certificate of Title"* or *"CCT"* –refers to the title to a condominium unit;

b.) *"Original Certificate of Title"* or *"OCT"* – refers to a first title to a piece of land*; and*

c.) *"Transfer Certificate of Title"* or *"TCT"* – refers to a title to land based on the subdivision of another/previous title.

398.) *"Tower"* – refers to the component of a building which may be situated beside or above the podium component.

399.) *"Transformer"* – refers to a device that transfers electrical energy from one circuit to another through inductively coupled conductors.

400.) *"Tsunami"* – refers to a series of water waves caused by the displacement of a large volume of a body of water, such as an ocean or large lakes, usually caused by an underwater earthquake, underwater volcanic eruption or underwater explosion. Owing to the immense volumes of water and the high energy involved, tsunamis devastate coastal regions.

401.) *"Unpaved Surface Area"* or *"USA"* – refers to the minimum permissible extent of unpaved open spaces at the site/grounds of a building/structure.

402.) *"Urban Design"* – refers to the physical and systemic design undertaken by an Architect on a community and urban plane, more comprehensive than, and an extension of the architecture of buildings, spaces between buildings, entourage, utilities and movement systems.

403.) *"Utility"* – refers to the indoor electrical, electronics, mechanical, sanitary, plumbing and related components of a building/structure as supported by

their external counterpart components introduced on the grounds/site and linked to other counterpart components found at the RROW/street.

404.) "*Value*" or "*Valuation of a Building/Structure*" – refers to the estimated replacement cost to fully replicate a building/structure in kind, based on current construction and development costs.

405.) "*Vault*" – refers to any surface or underground construction covered on all sides by structurally reinforced, fire-roof construction, intended for the storage of valuables.

406.) "*Veneer*" – refers to a non-structural facing of brick, concrete, tile, metal, plastic, glass or other similar approved materials attached to a backing or structural components of the building for the purpose of ornamentation, protection or enclosure that may be adhered, integrated, or anchored either on the interior or exterior of the building/structure. It shall include the following classifications:

a.) "*Adhered Veneer*" refers to veneer secured and supported by approved mechanical fasteners attaching it to an approved backing. The veneer is supported through adhesion through use of an approved bonding material applied over the approved backing.

b.) "*Exterior Veneer*" – refers to veneer applied to weather-exposed surfaces.

c.) "*Interior Veneer*" – refers to veneer applied to all surfaces other than weather-exposed surfaces.

407.) "*Vent Well*" – refers to a well which permits full natural ventilation in an enclosed court for a building/structure.

408.) "*Vertical Works*" – refers to construction works dealing mainly with vertical infrastructure such as the development/ redevelopment/demolition/removal, repair/retrofit, maintenance, and the like of all buildings/structures on Philippine soil, including their architectonics encompassing exterior and interior finishing, the structural system (foundation, superstructure, roof support, and the like), the indoor utility systems (electrical, electronics, mechanical, sanitary, plumbing, and the like), allied design components including all movable and fixed items attached to/contained in such buildings/structures (furniture,

fixtures/signage/graphics and way-finding systems, and equipment and their support systems), perimeter systems (walls, fences, gates, guard stations, watchtowers, and the like), outdoor utility systems that are erected above grade, signs, signboards and sign structures such as non-mobile billboards, and the like, but specifically excluding horizontal works.

409.) "*View Corridor*" – refers to the visually unobstructed width, depth and height of all available sight lines running through and along national RROWs, legal easements and similar ROWs, open spaces within lots including yards and courts or through and along designated public spaces including recreational areas. It also refers to the specific ranges of sight lines from a building or structure to a specific natural or man-built object and/or development considered of beauty or value.

410.) "*Vomitory*" – refers to an entrance piercing the banks of seats in a theater, amphitheater, coliseum or stadium.

411.) "*Walkalator*" – refers to a slow-moving conveyor mechanism that transports people, across a horizontal or inclined plane, over a short to medium distance.

412.) "*Bearing Wall*"-refers to a wall which supports any load other than its own weight.

413.) "*Cross Wall*"-refers to a term which may be used synonymously with a partition.

414.) "*Curtain Wall*" – refers to the enclosing wall of a steel and/or other metal framework or the non-bearing portion of an enclosing wall between piers.

415.) "*Dead Wall*" – refers to a wall without opening. It also refers to a nonbearing wall, often made of glass and steel, fixed to the outside of a building and serving especially as cladding.

416.) 'Drywall" – refers to a partition made of gypsum on light-gauge steel frames or similar construction. It also refers to a wall where no wet-works or masonry work are employed.

417.) "*End Wall*"-refers to a special firewall that is sited from point six to one meter (0.6m -1.0m) from the property line, and on which large sections of glass blocks can be introduced to allow filtered light into the interior areas of a building/structure. While no operable windows are allowed on end

walls, the allowed roof overhang or gutter may extend up to a maximum distance of point two (0.2) m from the end wall.

418.) *"Exterior Wall"* – refers to any wall or element of a wall or any number or group of members, which defines the exterior boundary or courts of a building.

419.) *"Faced Wall"* refers to a wall in which the facing and backing are so bonded together that they act as a composite element, and exert a common action under load.

420.) *"Foundation Wall"* – refers to that portion of an enclosing wall below the first tier of floor joists.

421.) *"Height of wall"* – refers to the perpendicular distance measured from its base line either at the finished grade or at the top of the girder to the top of the coping thereof. Foundation and retaining walls are measured from the natural/finished grade level downward to the base of the footing.

422.) *"Non-bearing wall"* refers to a wall which supports no load other than its own weight.

423.) *"Parapet wall"* refers to the topmost part of any exterior wall that extends entirely above the finished roof and/or an interior gutter line.

424.) *"Party wall"* – refers to a wall separating two or more buildings, and used in common by the said buildings.

425.) *"Retaining wall"* refers to any wall used to resist the lateral displacement of any material. It is a subsurface wall built to resist the lateral pressure of internal loads.

426.) *"Thickness of wall"* refers to the minimum thickness measured on the bed or base of the wall.

427.) *"Waste"* – refers to a damaged, defective or superfluous organic or inorganic material, whether liquid, solid or gas, resulting from any type of human/artificial activity or from natural occurrences/processes, that is rejected for use and necessitates physical removal from a site for health, safety, environmental, social and other valid reasons.

428.) *"Solid Waste"* – refers to organic or inorganic waste matter that is solid that results from any type of human/artificial activity or from natural

occurrences/processes and that shall be removed from a site for a valid reason; this includes garbage, rubbish and also excreta.

429.) "Solid Waste Management" – refers to a process of collecting, storage and disposal, through removal, fill, composting, breakdown, treatment, recycling, creative re-use, and the like, of solid waste matter for economic, social and environmental gain. It entails the planning, supervision and monitoring of solid wastes and handling facilities and the enforcement of guidelines for their safe and economical re-use or disposal.

430.) *"Wastewater"* – refers to water that has been used, rejected for any other use, and thus needs to be disposed of, or physically removed from a site. Wastewater may be organic and/or inorganic and may include sewage, natural surface run-off, surface drainage water for paved/artificially impervious surfaces, excess rainwater, storm water, kitchen water, bath/shower/tub water, and the like.

431.) *"Wastewater Management"* – refers to a process of collecting, storage and disposal, through treatment, recycling, creative re-use, and the like, of wastewater for social, economic, and environmental gain. It entails the, supervision and monitoring of wastewater resources and facilities and the enforcement of guidelines for safe and economical wastewater re-use or disposal.

432.) *"Water"* – refers to the liquid that is a major constituent of most living organisms, which descends from the clouds as rain, forms water bodies/passages and subsequently collected naturally or artificially and distributed for use.

433.) *"Water Management"*-refers to a managed system/procedure of collecting, storage, distribution, conservation, including limited recycling, of safe domestic and potable water secured from commercial or other sources. It entails the planning, supervision and monitoring of use and consumption of the resource and the enforcement of guidelines for safe and economical water usage.

434.) *"Water Supply"* – refers to a very limited and closed/controlled commercial system involving water generation/collection and distribution for domestic and other uses by consumers.

435.) *"Water Table"* – refers to the established normal level of water under the natural grade line (NGL) of a lot/property.

436.) *"Waterway"* – refers to a natural, open course for the passage of storm/rain water and surface run-off. It also refers to artificial, uncovered courses for the same purpose. It may also refer to a natural or artificial course used for the conveyance of passengers and freight through boats, barges and similar water transportation modes;

437.) *"Window"* – refers to an opening through a wall of a building to the outside for the purpose of admitting natural light and air.

438.) *"Oriel Window"* – refers to a projecting window similar to a bay window, but carried on brackets or corbels. 'Bay window" may also be applied to an oriel window projecting over the street/RROW line.

439.) *"Wire Backing"* – refers to horizontal strands of tautened wire attached to surfaces of vertical wood supports which, when covered with building paper, provide a backing for portland cement plaster.

440.) *"Yard"* or *"Patio"*-The mandated open space to be left in a lot and that is sited between the building line and the property line. In the case of non-mobile billboards, it refers a two (2)-dimensional space consisting of the vacant land area between the outermost portion of a non-mobile billboard including its support structure and the property lines. It is further classified into the following:

a.) *"Rear Yard"* – refers to the mandated open space to lie between the side lot lines, the nearest rear lot line/s and the nearest building line.

b.) *"Side Yard"* – refers to the mandated open space to lie between the side line and the nearest building line and is sited between the front and the rear yards.

441.) *"Zone Classification"* or *"Zoning Classification"* – refers to an area, or the classification thereof, wherein which only certain types of land uses and/or building occupancies are permitted or for which certain development restrictions are made to apply, as follows:

a.) *"R-1"* or *"Residential One Zone"* – refers to an area hosting low density residential zone, characterized mainly as situated in a

single-family, single detached dwellings with the usual community ancillary users on a neighborhood scale, such as executive subdivisions and relatively exclusive residential communities which are not subdivisions;

b.) *"R-2"* or *"Residential Two Zone"* – refers to an area hosting medium density residential use or occupancy, characterized mainly as situated in a low-rise single-attached, duplex or multi-level building/structure for exclusive use as multiple family dwellings. This includes R-2 structures within semi-exclusive subdivisions and semi-exclusive residential communities which are not subdivisions. There shall be two (2) general types of R-2 use or occupancy, to wit:

i. *"Basic R-2 Building"* – refers to single-attached or duplex building/structure of from one (1)-storey up to three (3)-storeys in height and with each unit for separate use as single-family dwellings*; and*

ii. *"Maximum R-2 Building"* -refers to low-rise multi-level building/structure of from three (3)-up to five (5)-storeys in height and for use as multiple family dwellings;

c.) *"R-3"* or *"Residential Three Zone"* –refers to an area hosting high-density residential use or occupancy, characterized mainly as situated in a low-rise or medium-rise building/structure for exclusive use as multiple family dwellings with mixed housing types. R-3 structures may include low-rise or medium-rise residential condominium buildings that are already commercial in nature and scale. There shall be two (2) general types of R-3 use or occupancy, to wit:

i. *"Basic R-3 Building"* -rowhouse building/structure of from one (1)-storey up to three (3)-storeys in height and with each unit for separate use as single-family dwellings*; and*

ii. *"Maximum R-3 Building"*-refers to medium-rise multi-level building/structure of from six (6)-storeys up to twelve (12)-storeys in height and for use as multiple family dwellings.

d.) *"R-4"* or *"Residential Four Zone"* – refers to an area hosting medium to high-density residential use or occupancy, characterized mainly as situated in a low-rise townhouse building/structure for exclusive use as multiple family dwellings. The term R-4 also specifically refers to the building/structure on an individual lot or a townhouse unit, and generally refers to the series or rows of R-4 buildings/structures within a subdivided lot or property.

e.) *"R-5"* or *"Residential Five Zone"* – refers to an area hosting very high density residential use or occupancy, characterized mainly as situated in a medium-rise or high-rise condominium building/structure for exclusive use as multiple family dwelling.

f.) *"GI"* or *"General Institutional Zone"* –refers to an area hosting community to national level of institutional use or occupancy, characterized mainly as situated in a low-rise, medium rise or high-rise building/structure for educational, training and related activities, such as schools and related facilities, and the like. It is also defined as a community to national level of institutional use or occupancy, characterized mainly as situated in a low-rise, medium-rise or high-rise building/structure for medical, government service, administrative and related activities, such as hospitals and related health care facilities, government offices, military, police and correctional buildings, and the like.

g.) *"C-1"* or *"Commercial One"* or *"Light Commercial Zone"* – refers to an area hosting neighborhood or community level of commercial use or occupancy, characterized mainly as situated in a low-rise building/structure for low intensity commercial/trade, service and business activities, such as one to three (1 to 3) storey shopping centers, small offices or mixed use/occupancy buildings, and the like.

h.) *"C-2"* or *"Commercial Two"* or *"Medium Commercial Zone"* – refers to an area municipal or city level of commercial use or occupancy, characterized mainly as situated in a medium-rise building/structure for medium to high intensity commercial/trade, service and

business activities, such as three to five (3 to 5) storey shopping centers, medium to large office or mixed use/occupancy buildings/structures, and the like.

i.) *"C-3"* or *"Commercial Three"* or *"Metropolitan Commercial Zone"* – refers to an area hosting a metropolitan level of commercial use/occupancy, characterized mainly as situated in a medium-rise to high-rise building/structure for high to very high intensity commercial/trade, service and business activities, such as large to very large shopping malls, very large office or mixed use/occupancy buildings, and the like.

j.) *"PRE"* or *"Park Structures, Recreation and Entertainment Zone"* – refers to an area hosting a range of recreational uses or occupancies, characterized mainly as situated in a low-rise or medium-rise building/structure for low to medium intensity recreational or entertainment functions related to educational uses, such as structures on campuses or its component parks/open spaces and all other kinds of recreational or assembly buildings/structures on campus such as auditoria, mess halls, seminar facilities, gymnasia, stadia, arenas, and the like.

k.) *"CUL"* or *"Cultural Zone"* – refers to an area hosting community to national level of cultural use or occupancy, characterized mainly as situated in a low-rise or medium-rise building/structure for cultural activities, such as cultural centers, convention centers, very large office or mixed-use/occupancy buildings, and the like.

l.) *"UTS"* or *"Utilities, Transportation and Services Zone"* -an area hosting a range of utilitarian/functional uses or occupancies, characterized mainly as situated in a low-rise or medium-rise building/structure for low to high intensity community support functions, such as terminals/intermodals/multi-modals and depots. It also refers to a range of utilitarian/functional uses/occupancies, characterized mainly by low-rise or medium-rise buildings/structures for low to high intensity community support functions, such as power and water generation/distribution

facilities, telecommunication facilities, drainage/wastewater and sewerage facilities, solid waste handling facilities, and the like excluding terminals/intermodals/multi-modals and depots.

m.) *"AZ"* or *"Agricultural Zone"* – refers to an area hosting an agricultural or agriculture-related use or occupancy, characterized mainly as situated in a low-rise or medium-rise building/structure for low to high intensity agricultural or related activities, such as poultry houses, hatcheries, piggeries, greenhouses, granaries and the like as well as offices, educational, training, research and related facilities for agriculture, and the like.

n.) *"AI"* or *"Agro-Industrial Zone"* – refers to an area hosting an agro-industrial or related use or occupancy, characterized mainly as a situated in low-rise building/structure for low to high intensity agro-industrial or related activities to include offices, educational, training, research and related facilities for the agro-industry.

o.) *"I-1"* or *"Industrial One Zone"* – refers to an area hosting a light industrial use or occupancy, characterized mainly as situated in a low-rise but sprawling building/structure for low intensity manufacturing or production activities.

p.) *"I-2"* or *"Industrial Two Zone"* – refers to an area hosting medium industrial use or occupancy, characterized mainly as situated in a low-rise but sprawling buildings/structure for medium intensity manufacturing or production activities.

q.) *"TZ"* or *"Tourism Zone"* – refers to an area hosting a tourism-related use or occupancy, characterized mainly as situated in a low-rise but sprawling building/structure for low intensity rest/relaxation, wellness, personal care, recreation and entertainment activities, and the like.

r.) *"PUD"* or *"Planned Unit Development"* -refers to land development or redevelopment schemes for a new or built-up project site wherein said project site shall have a Comprehensive Development Master Plan (CDMP) or its acceptable equivalent, such as a unitary development plan/site plan that permits flexibility in planning/urban

design, building/structure siting, complementarity of building types and land uses, usable open spaces for general public use services and business activities and the preservation of significant natural land features if feasible, whereby said CDMP shall be duly approved by the LGU concerned.

s.) *"SPE"* or *"Special Zone"* – refers to an area hosting other vertical facilities not mentioned under regular uses/occupancies of buildings/structures, such as cemeteries, memorial parks, and the like.

t.) *"AZ"* or *"Aerodrome Zone"* – refers to an area hosting an airport or heliport, specifically including the mandated aerial clearances for the operation of aircraft using such facilities.

u.) *"WZ"* or *"Water Zones"* -an area designated for specific water-related activities. It shall encompass the following:

i. *"Coastal Water Zone"* – refers to specified protected, conservation or development areas along the coast/beaches;

ii. *"Lake Water Zone"* – refers to specified protected, conservation or development areas along the lakeshore;

iii. *"Riparian Water Zones"* or *"River Water Zones"* – refers to specified protected, conservation or development areas along the river banks*; and*

iv. *"Transportation Water Zones"* – refers to specified development and transportation operating areas along or within water bodies.

442.) *"Zoning Ordinance"* or *"ZO"* – refers to an Act of the LGU or other authorities specifying the type of use to which property may be put in specific areas.

ARTICLE II
ADMINISTRATION AND ENFORCEMENT

Sec. 201. *Responsibility for Administration, Implementation and Enforcement.*— The administration, implementation and enforcement of the

provisions of this Act, including the imposition of penalties for administrative violations thereof is hereby vested in the National Building Official (NBO) as defined by law.

The Secretary of Public Works and Highways shall retain its designation as the NBO under P.D. No. 1096: *Provided,* that should the Department of Shelter, Settlements and Urban Development, be created by law, then it shall be designated as the NBO.

Sec. 202. *Technical Staff.*— The National Building Official (NBO) is hereby authorized to constitute and provide in his/her Department a professional staff composed of highly qualified State-registered and licensed architects, engineers, allied professionals and technicians, who possess diversified professional experience in the fields of building planning, design, construction, management and administration.

Sec. 203. *General Powers and Functions of the National Building Official (NBO) under this Act.*— For purposes of carrying out the provisions of this Act, the NBO shall exercise the following general powers and functions:

a.) Formulate policies, plans, standards and guidelines on building planning, design, construction, management, and administration including use occupancy and maintenance, in full accordance with this Act;

b.) Issue and promulgate rules and regulations to implement the provisions of this Act and ensure compliance with policies, plans, standards and guidelines formulated under paragraph (1) of this Section;

c.) Evaluate, review, approve and/or take final action on changes and/or amendments to existing Referral Codes as well as on the incorporation of other referral codes which are not yet expressly made part of this Act;

d.) Prescribe and fix the amount of fees and other charges that the LGU Office of the Building Official (OBO) shall charge in connection with the performance of regulatory functions; *and*

e.) Through Memorandum Circulars, periodically prescribe materials, methodologies, processes and practices that may be lawfully introduced and used for all types of building construction projects on Philippine soil.

Sec. 204. *Professional and Technical Assistance.—*

a.) The National Building Official (NBO), with the assistance of his technical staff shall provide such professional, technical, scientific and other services including testing laboratories and facilities as may be required to carry out the provisions of this Act: *Provided*, that the NBO may secure such services as he/she may deem necessary from other agencies of the National Government and may make arrangement for the compensation of such services.

b.) The NBO may also engage and compensate within appropriations available therefor, the services of such number of consultants, experts and advisers on full or part-time basis, as may be necessary, coming from the government or private businesses, professions, entities or associations to carry out the provisions of this Act. This group of consultants shall be referred to as the Board of Consultants (BoC) of the Office of the National Building Official (ONBO).

Sec. 205. *The Local Building Official (LBO).—* Except as otherwise provided herein, the Local Building Official (LBO), acting for the LGU, shall be responsible for carrying out the provisions of this Act in the field as well as the enforcement of orders and decisions made pursuant thereto.

The National Building Official (NBO) shall appoint the Local Building Official (LBO) within three (3.0) months of the effectivity of this Act. Pending such appointment, the incumbent Acting Building Officials shall carry out such functions in their respective areas of jurisdiction.

The designation made by the NBO under this Section shall continue until regular positions of LBO are filled or unless sooner terminated for causes provided by law.

Sec. 206. *Qualifications of LBOs.—* No person shall be appointed as a LBO unless he/she possesses the following qualifications:

a.) A Filipino citizen and of good moral character, with the appropriate certifications from the accredited professional organization (APO), the

Professional Regulation Commission (PRC), the National Bureau of Investigation (NBI), the Department of Justice (DoJ), the Office of the Ombudsman, the Sandiganbayan and the Supreme Court;

b.) A duly registered and licensed architect (RLA) or civil engineer (RLCE), with a valid PRC certificate of registration and identification (ID) card. If the State shall require additional qualifications for the position, such as passing a PRC licensure examination, the same shall constitute an additional requirement;

c.) A member of good standing of the pertinent APO for not less than two (2) years prior to appointment;

d.) Has at least five (5) years of diversified and professional experience in the planning, design, construction, management and administration/maintenance*; and*

e.) Duly appointed by the NBO.

Sec. 207. *Duties of an LBO.*— In his respective territorial jurisdiction, the LBO shall be primarily responsible for the full implementation and enforcement of the provisions of this Act as well as of the implementing rules and regulations (IRR) issued therefor. The LBO is the LGU official charged with the duties of issuing building, ancillary and accessory/auxiliary permits.

In the performance of his/her duties, a LBO may enter any building/structure or its premises at all reasonable times to inspect and determine compliance with the requirements of this Act, and the terms and conditions *Provided* for in the building, ancillary and accessory/auxiliary permit as issued.

When any construction work on any building/structure is found to be contrary to the provisions of this Act, the Local Building Official shall order the work stopped and prescribe the terms and/or conditions when such construction work shall be allowed to resume.

Likewise, the LBO is authorized to order the discontinuance of the occupancy or use of any building/structure or portion thereof found to be occupied or used contrary to the provisions of this Act.

Sec. 208. *The LGU Office of the Building Official (LGU-OBO).*— While the LGU-OBO is headed by a Local Building Official (LBO), the LBO shall be fully assisted/supported in the task by a duly-appointed Assistant Building Official (ABO), also appointed by the NBO in addition to the other qualifications stated in Section 206. The positions of LBO and OBO shall be open only to RLAs or RLCEs, in addition to other future requirements under law. In no case shall a LBO and ABO be registrants/licensees of the same State-regulated profession. If the LBO is a RLA, the ABO shall be a RLCE and vice versa.

The LGU-OBO shall have the following sections:

a.) Architectural Section which shall primarily review and recommend approval of architectural documents;

b.) Civil/Structural Section which shall primarily review and recommend approval of civil/structural documents;

c.) Electrical Section which shall primarily review and recommend approval of electrical documents;

d.) Electronics Section which shall primarily review and recommend approval of electronics documents;

e.) Land Use Section which shall primarily review and recommend approval of land use and building occupancy documents;

f.) Line and Grade Section which shall primarily review and recommend approval of site development plan (SDP) documents;

g.) Mechanical Section which shall primarily review and recommend approval of the mechanical documents

h.) Plumbing Section shall primarily review and recommend approval of the plumbing documents*; and*

i.) Sanitary Section which shall primarily review and recommend approval of sanitary documents.

Sec. 209. *Permit Fees and Exemptions.*—

a.) An Office of the Building Official (OBO) at each LGU shall keep a permanent record and accurate account of all fees and other charges fixed and authorized by the National Building Official (NBO) to be collected and received under this Act.

b.) Subject to existing budgetary, accounting and auditing rules and regulations, the LGU-OBO is hereby authorized to retain not more than fifty percent (50.0%) of the amount collected by the LGU for the operating expenses of the OBO.

c.) The remaining fifty percent (50.0%) shall be deposited with the provincial, city or municipal treasurer and shall accrue to the General Fund of the province, city or municipality concerned.

d.) Public buildings and traditional indigenous family dwellings shall be exempt from payment of building, ancillary and auxiliary permit fees: *Provided,* that the documents for securing such permits are properly filed with the LGU-OBO, and that the appropriate permits are first secured from the OBO.

e.) As used in this Act, the term "Indigenous family dwelling" means a dwelling intended for the use and occupancy only by the family of the owner, and constructed of native materials such as bamboo, nipa, logs, or lumber, the total cost of which does not exceed one hundred thousand pesos.

Sec. 210. *Use of Income from Permit Fees.—*

a.) Any provision of law to the contrary notwithstanding, the NBO is hereby authorized to prescribe the procedures for the use of all net income realized by the LGU-OBO from the collection of fees and charges not exceeding fifty percent (50.0%) thereof in accordance with Section 208.

b.) Such income may be used to cover necessary operating expenses including the purchase of equipment, supplies and materials, travel expenses, obligation expenses and sheriff's fees and payment of other prior years' obligations not adequately funded, subject to existing budgetary and auditing rules and regulations.

Sec. 211. *Administrative Fines.* For the violation of any of the provisions of this Act or any of the rules or regulations issued thereunder, the National Building Official (NBO) is hereby empowered to prescribe and impose fines not exceeding one million pesos: *Provided,* that the imposition of such fines shall not act as a bar for

further prosecution and conviction under the penalties prescribed by this Act or other applicable laws. The Office of the NBO the prepare the schedule of fines that shall form part of the IRR.

Sec. 212. *Abatement of Dangerous and Ruinous Buildings/Structures.*—

a.) When any building or structure is found or declared to be dangerous or ruinous, the Local or National Building Official shall order its immediate 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 through 707 of the Civil Code of the Philippines.

b.) If circumstances warrant, the owner or occupants of a dangerous and ruinous buildings/structures duly declared as such by the Local or National Building Official, shall be given fifteen (15) days to rectify the causes of such a condition. If full compliance is not attained during such period, the occupancy/use of the building/structure shall cease and all occupants shall vacate the premises by the sixteenth (16th) day.

Sec. 213. *Eviction of Occupants of and Demolition of Dangerous and Ruinous Buildings.*— In the event that no serious effort is made by the owner and/or occupants to immediately address the conditions of declared ruinous or dangerous buildings, the Sheriff, by proper order, shall cause the eviction of all occupants and the immediate demolition of the offending building/structure.

Sec. 214. *Other Remedies and Due Process.*— The rights, actions and remedies provided in this Act shall be in addition to any and all other rights of action and remedies that may be available under existing laws that are valid and subsisting. Procedural due process shall be observed in all cases of complaints by any party relating to allegations of violations of this Act and its IRR and DR.

a.) Complaints filed at the LGU-OBO shall first be resolved by said office within a period of fifteen (15) calendar days, before an appeal may be filed at the Office of the NBO (ONBO), whose decision shall be final, subject only to review by the Office of the President, who shall render a

decision within thirty (30) days from the receipt of an application for review. The decision of the NBO shall be final and executory if no appeal is filed with the Office of the President.

b.) Any action filed directly with the ONBO may be referred to the LGU-OBO concerned or may be resolved by said office within a fifteen (15) day period.

c.) The decision of the Office of the President shall be final and executory. Any other action may be taken by the parties in other venues only after the Office of the President has resolved the appeal on the resolution made by the National Building Official.

d.) In the case of petitions or complaints that may be civil in nature and if resort to modes of alternative dispute resolution (ADR) are warranted to facilitate the resolution of a petition/complaint that may not be resolved within thirty to forty five (30 -45) days, either the LGU-OBO or the ONBO shall refer such complaints to the appropriate entity for arbitration, conciliation, mediation or similar ADR action. The referral for ADR shall be made within seven (7) days of the filing of the petition/complaint at said offices.

ARTICLE III
PERMITS AND INSPECTION

Sec. 301 The LGU-OBO Building Review Committee (BRC).— A five (5)-man Building Review Committee (BRC) shall be formed to assist each LGU-OBO in the application for review of site development plans and architectural plans, designs and outline specifications of any proposed construction work prior to the submission of the pertinent application/s for a building, ancillary or auxiliary/accessory permit. The LBC shall consist of the following:

a.) The incumbent LGU Councilor chairing the LGU Land Use or Infrastructure Committee or his/her duly designated representative as BRC Chairman, who shall be a non-voting member;

b.) The Assistant Building Official as the BRC Vice Chairman and BRC Secretariat Head;

c.) The LGU Planning and Development Coordinator as Co-Vice Chairman;

d.) The LGU Fire Marshal or his/her duly designated representative;

e.) A representative of the PRC APO for RLAs*; and*

f.) A representative of the PRC APO for RLCEs.

Review decisions of the BRC shall be made by the majority. In the event of an review applicant's motion for reconsideration of the BRC decision, the BRC shall render the same within two (2) days of the receipt of such motion. An appeal may be filed by the review applicant with the LGU-OBO, which the LGU-OBO shall resolve within four (4) days with the assistance of the Chief of the Architectural Section.

Documents submitted to the LGU-OBO for prior review by the BRC, shall be received complete by the BRC Secretariat within two (2) days of applicant submittal to the LGU-OBO. A BRC decision on the application for BRC review shall be made by the BRC within seven (7) days of receipt of documents by the LGU-OBO. The BRC shall check for the following compliances and architectural components:

a.) Mandated compliances:

b.) Allowable maximum building footprint (AMBF);

c.) Angles/slopes to satisfy natural light and ventilation requirements along RROWs and yards;

d.) Basement ventilation (as applicable);

e.) Building height limit (BHL) by type of building use/occupancy, including compliances with aerodrome restrictions;

f.) Court dimensions;

g.) Gross floor area (GFA) and total gfa (TGFA), and conversion from GFA to TGFA;

h.) Incremental setbacks;

i.) Firewall length and dimensions;

j.) Floor to lot area ratio (FLAR);

k.) Legal easements;

l.) Line and grade (including arcades if applicable);

m.) Land use and zoning;

n.) Occupancy/cies or use of buildings (major and minor, principal, accessory and conditional);

o.) Open space locations;

p.) Parking (open and covered);

q.) Percentage of site occupancy (PSO);

r.) Public building design guidelines (as applicable);

s.) Road right-of-way (RROW) or alley width/s;

t.) Setbacks (below grade, grade and above grade)*;*

u.) Total window surface area in relation to elevations; *and*

v.) Site and architectural components, such as:

1.) Architectural styles and treatment;

2.) Historical or conservation requirements for a street or district;

3.) Lot type;

4.) Sidewalk treatment;

Sec. 302. *Mandated Review Procedure for Site Development and Architectural Plans, Designs and Outline Specifications by an LGU-OBO Prior to the Filing of Building, Ancillary and Accessory Permits.—*

a.) At least two (2) months prior to the intended filing of an application for a building, ancillary or accessory/auxiliary permit at the LGU Office of the Building Official (OBO), an applicant shall submit the following documents for the prior review and approval by the LGU-OBO and its Building Review Committee (BRC):

1.) LGU locational clearance;

2.) Location map;

3.) Topographic plan, lot section and relocation survey data;

4.) Site development plan/s;

5.) Architectural plan/s, designs and outline specifications*; and*

6.) Name, valid PRC ID card number with expiry date and current privilege tax receipt (PTR) of the RLA who prepared the site development and architectural plans: *Provided,* that in the case of

involvement of foreign architects (FAS) in the project, certified true copies (CTC) of the temporary/special permit (TSP) from the Professional Regulation Commission (PRC), the permit from the Department of Labor and Employment (DOLE), and visa and passport shall also be required.

b.) The LGU-OBO, in consideration of the comments/suggestions of the BRC shall approve or recommend changes or reject the site development plans and the architectural plans, designs and outline specifications of the proposed construction work, within a period of four (4) days from the time of receipt of BRC comments or within a period of fifteen (15) days from the full receipt of documents submitted for BRC review by the LGU-OBO.

c.) The BRC review results shall be issued to the applicant only if the pertinent provisions of this Act and its IRR, its DRs, its Referral Codes and other applicable law, including PRLs, have been fully complied with.

d.) Compliance with the pertinent BRC decision or review results/comments/suggestions shall be undertaken by the applicant as part of the preparation of the detailed architectural, engineering and allied (DAE&A) documents containing the building/structure plans and designs, which shall accompany the subsequent application for building, ancillary and/or auxiliary permit/s.

e.) Within one (1) day of the official filing of the application for BRC review, information on the Project Architect, Architect-of-record, Consulting Architect or Foreign Architect with a TSP shall be posted for public scrutiny by the LGU-OBO at a conspicuous place within any common area immediately outside the LGU-OBO.

f.) Private intellectual property rights (IPR) are attached to all architectural and allied plans, designs and outline specifications for buildings/structures and their grounds/sites that are submitted by applicants for BRC review. All of the officers and staff of the LGU-OBO and all the members of the BRC and their staff shall make sure that such documents are not taken out of the premises of the LGU-OBO unless the same are required as evidence in judicial, quasi-judicial or ADR proceedings. Such documents that may already be five (5) years old, reckoned from time of filing of application for

BRC review, shall be secured in guarded warehouses or storage sites, to be paid for by the LGU-OBO share in the BRC review fees.

g.) The BRC review fee shall be thirty three point thirty three percent (33.33%) of the building permit fee.

Sec. 303. *Application for Building, Ancillary and/or Auxiliary Permits.—*

a.)No natural or juridical person, including any agency or instrumentality of the government shall erect, construct, fit-out, alter, expand/enlarge, repair/rehabilitate/retrofit, move, convert or demolish any building or structure or cause the same to be done without first obtaining a building and/or ancillary and/or auxiliary permit therefor from the LGU-OBO assigned in the place where the subject building is located or the construction of the building is to be done.

b.)In order to obtain a building and/or ancillary and/or auxiliary permit, the applicant shall file an application therefor in writing and on the prescribed form from the LGU-OBO. Every application shall provide the following minimum information:

1.) A description of the work to be covered by the permit applied for and on the use or occupancy for which the proposed construction work, building/structure or unit is intended;

2.) Information on the Owner and on the property including but not limited to the certified true copy (CTC) of the TCT, OCT or CCT (as applicable) covering the lot or unit on which the proposed work is to be done. If the applicant is not the registered owner, in addition to the TCT, OCT or CCT, a copy of the contract of lease (or Deed of Conditional Sale in the case of condominium units, or other acceptable equivalents), shall be submitted to the OBO;

3.) Information on the other clearances and/or permits previously secured for the project that are not building, ancillary or auxiliary permits;

4.) Information on the State registered and licensed professionals (RLPs) who prepared, signed and dry-sealed the architectural,

engineering and allied design documents for the construction work; *and*

5.) Other pertinent information that may be periodically required by the State.

c.)To be submitted together with such application are at least seven (7) sets of the corresponding architectural, engineering and allied plans and designs, specifications, estimates and computations (as applicable), duly prepared, signed and sealed by the following State-registered and licensed professionals (RLPs), except in those cases exempted or not required by the Local Building Official (LBO) under this Act:

1.) Registered and licensed Architect (RLA) in the case of architectural documents;

2.) Registered and licensed civil, structural, electrical, mechanical, sanitary and/or plumbing engineers in the case of the engineering documents; *and*

3.) Registered interior designer, landscape architect and/or environmental planner in the case of allied design documents.

d.)For all cities and first class municipalities, the Building Permit shall be preceded by the issuance of Ancillary Permits by the respective Section Chiefs of the LGU-OBO such as:

1.) Land Use and Zoning Permit by the Land Use and Zoning Section who shall be a RLA or RLCE or RLEnP;

2.) Line and Grade Permit by the Line and Grade (Geodetic) Section who shall be a RLGE or RLCE;

3.) Architectural Permit by the Chief of the Architectural/Site Development/Accessibility Section who shall be a RLA;

4.) Civil/Structural Permit by the Chief of the Civil/Structural Section who shall be a RLCE;

5.) Electrical Permit by the Chief of the Electrical Section who shall be a RLPEE;

6.) Mechanical Permit by the Chief of the Mechanical Section who shall be a RLPME;

7.) Sanitary Permit by the Chief of the Sanitary Section who shall be a RLSE;

8.) Plumbing Permit by the Chief of the Plumbing Section who shall be a RLPE;

9.) Electronics Permit by the Chief of the Electronics Section who shall be a RLEE*; and*

10.)Allied Design Permit by the Chief of the Allied Design Section who shall be a RLA or RLID or RLLA or RLEnP or RLAE.

e.)For all other municipalities, the Building Permit shall be preceded by the issuance of Ancillary Permits by the respective Section Chiefs of the LGU-OBO such as:

1.) Architectural and Allied Design Permit by the Chief of the Architectural/Site Development/Accessibility/Allied Design Section, who shall be first be a RLA and RLID or RLLA or RLEnP or RLAE;

2.) Land Use, Zoning, Line and Grade and Civil/Structural Permit by the Land Use, Zoning, Line and Grade (Geodetic) and Civil/Structural Section who shall be first be a RLCE and RLGE;

3.) Electrical, Mechanical and Electronics Permit by the Chief of the Electrical, Mechanical and Electronics Section who shall be first be a RLPEE and RLPME or RLEE*; and*

4.) Sanitary and Plumbing Permit by the Chief of the Sanitary and Plumbing Section who shall be first be a RLSE and RLPE or RLCE.

f.)All documents submitted to secure the Ancillary Permits shall exhibit provisions for sustainable planning, design, operation and maintenance.

g.)If the Section Chiefs are holders of multiple valid registrations and PRC ID cards, then such a section Chief may head more than one (1) section, but not more than three (3) sections.

h.)The Ancillary Permit for Architecture and Allied Design shall be issued by the LBO only if the pertinent provisions of this Act, its IRR, its DR its Referral Codes (RCs) and other applicable law, including PRLs have been fully complied with.

i.)The Ancillary Permits to be issued by the LGU-OBO Section Chiefs shall be accompanied by a Fire Safety Permit that shall be issued by the LGU Fire Marshal.

j.)For all cities and municipalities, the Building Permit shall also be preceded by the issuance of Auxiliary Permits by the respective sections of the LGU-OBO such as:

1.) Construction Protection and Safety Permit by the Chief of the Civil/Structural Section;
2.) Demolition/Abatement Permit by the Chief of the Civil/Structural Section;
3.) Excavation Permit by the Chief of the Civil/Structural Section;
4.) Fencing Permit by the Chief of the Civil/Structural Section;
5.) Foundation and Retaining Wall Permit by the Chief of the Civil/Structural Section*; and*
6.) Fencing Permit by the Chief of the Civil/Structural Section;
7.) Sidewalk Construction Permit by the Chief of the Civil/Structural Section.

k.)For all cities and municipalities, the Building Permit shall also be preceded by the issuance of Accessory Permits by the respective sections of the LGU-OBO such as:

1.) Architectural Conservation Permit (as needed) by the Chief of the Architectural Section;
2.) Billboard (Non-Mobile) Permit by the Chief of the Civil/Structural Section;
3.) Elevator Operation Permit by the Chief of the Mechanical Section;
4.) Generator and Transformer Operation Permit by the Chief of the Electrical Section;
5.) Sewage Treatment Plant (STP) Operation Permit by the Chief of the Sanitary Section*; and*
6.) Telephone Exchange Operation Permit by the Chief of the Electronics Section.

l.)Within one (1) day of the official filing of the application for building, ancillary, auxiliary or accessory permit, information on the Project

Architect, Architect-of-record, Consulting Architect or Foreign Architect, the Civil/Structural Engineer, the General Constructor and the Architect (or Civil Engineer)-in charge of construction shall be posted for public scrutiny by the LGU-OBO at a conspicuous place within any common area immediately outside the LGU-OBO.

m.)Private intellectual property rights (IPR) are attached to all architectural, engineering and allied plans, designs, drawings, specifications, estimates and documents for buildings/structures and their grounds/sites that are submitted by applicants for securing building, ancillary and auxiliary or accessory permits from the LGU-OBO. All of the officers and staff of the LGU-OBO shall make sure that such documents are not taken out of the premises of the LGU-OBO unless the same are required as evidence in judicial, quasi-judicial or ADR proceedings. Such documents that are five (5) years old, reckoned from time of filing of application for permit, shall be placed in secure warehouses or storage sites, to be paid for by the LGU-OBO share in the permit fees.

n.)All of the officers and staff of the LGU Office of the Building Official (OBO) are public employees and are barred from engaging in any form of private practice of any of the State-regulated professions that concern the preparation of architectural, engineering and allied plans, designs, specifications, estimates and documents for buildings/structures and their grounds/sites, particularly for projects located within their respective jurisdictions.

Sec. 304. *Processing and Issuance of Building, Ancillary and Auxiliary Permits.—*

a.) The processing of building, ancillary and auxiliary permits shall be under the overall administrative control and supervision of the Local Building Official and his technical staff of duly qualified professionals, such as the Assistant Building Official and the Section Chiefs.

b.) In processing an application for a building, ancillary and/or auxiliary permit, the Local Building Official shall see to it that the applicant satisfies and conforms with approved standard requirements on zoning and land

use, line and grade, architectural and structural design, sanitary and sewerage, environmental health, electronics design, electrical and mechanical safety, as well as with other rules and regulations promulgated in accordance with the provisions of this Act.

c.) When satisfied that the work described in an application for building, ancillary and/or auxiliary permit and the documents, plans and specifications submitted therewith, conform to the requirements of this Act and other pertinent rules and regulations, the Local Building Official shall, within fifteen (15) days from payment of the required fees by the applicant, issue the pertinent permit/s applied for.

d.) The Local Building Official may issue a permit for the construction of only a part or portion of a building or structure whenever the documents, plans and specifications submitted together with the application do not cover the entire building or structure.

e.) Approved documents, plans and specifications shall not be changed, modified or altered without the approval of the Local Building Official and the work shall be done strictly in accordance thereto.

Sec. 305. *Validity of Building, Ancillary and/or Auxiliary Permits.—*

a.) The issuance of a building, ancillary and/or auxiliary permit shall not be construed as an approval or authorization to the permittee to disregard or violate any of the provisions of this Act.

b.) Whenever the issuance of a permit is based on approved documents, plans and specifications which are subsequently found to be non-compliant with this Act, its IRR and DR, the Local Building Official is not precluded from requiring permittee to effect the necessary corrections on said documents, plans and specifications or from preventing or ordering the stoppage of any or all building operations being carried on thereunder and which are in violation of this Act.

c.) A building, ancillary and/or auxiliary permit issued under the provisions of this Act shall expire and become null and void if the building or work authorized therein is not commenced within a period of one (1) year from

the date of issuance of such a permit, or if the building or work so authorized is suspended or abandoned at any time after it has been commenced, for a period of one hundred and twenty (120) days.

Sec. 306. *Non-Issuance, Suspension or Revocation of Permits.—*

a) The Local Building Official may order or cause the non-issuance, suspension or revocation of building, ancillary and/or auxiliary/accessory permit/s on any or all of the following reasons or grounds:
    a. Errors found in the documents, plans and specifications submitted to and/or reviewed by the LGU-OBO;
    b. Incorrect or inaccurate data or information supplied by the applicant;
    c. Non-compliance with the provisions of this Act, its IRR and/or its DR.
b) Notice of non-issuance, suspension or revocation of building, ancillary and/or auxiliary permits shall always be made in writing by the LGU-OBO, stating the reason or grounds therefor.

Sec. 307. *Appeal.*— Within fifteen (15) days from the date of receipt of advice of the non-issuance, suspension or revocation of permits, the applicant/permittee may file an appeal with the National Building Official (NBO) who shall render his decision within fifteen (15) days from date of receipt of the notice of appeal. The decision of the NBO shall be final, subject only to review by the Office of the President. The decision of the NBO, promulgated through the ONBO shall be executory if no appeal is filed with the Office of the President.

Sec. 308. *Inspection and Supervision of Work.—*

a.) The owner of the building who is issued or granted a building permit under this Act shall engage the services of a State-registered and licensed architect (RLA) or civil engineer (RLCE) to undertake the full-time inspection and supervision of the construction work.

b.) Such architect or civil engineer may or may not be the same RLA or RLCE responsible for the architectural, civil and structural plans and designs of the building/structure.

c.) It is understood however that in either case, the designing RLA and RLCE are not precluded from conducting inspections of the construction work to check and determine compliance with the plans and specifications of the building/structure as submitted to and approved by the LGU-OBO.

d.) The LGU-OBO approved plans, designs and specifications shall be kept at the jobsite at all times, together with a logbook wherein the actual progress of construction including tests conducted, weather conditions and other pertinent data are to be recorded.

e.) Upon completion of the construction, said RLA or RLCE in charge of construction shall submit a copy of the logbook together with an Affidavit as to the authenticity of its contents, both duly signed and sealed, to the LGU-OBO. The said shall also prepare and submit a Certificate of Completion of the project stating that the construction of building conforms to the provisions of this Act as well as with the approved plans and specifications.

Sec. 309. *Certificate of Occupancy.—*

a.) No building or structure shall be used or occupied and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made until the LBO has issued a Certificate of Occupancy therefor as provided in this Act.

b.) Issuance of the Certificate of Occupancy shall be preceded by a joint final inspection to be conducted by the LGU-OBO and the RLPs who prepared, signed and sealed the architectural, engineering and allied plans/designs and documents.

c.) A certificate of Occupancy shall be issued by the LBO within thirty (30) days if after final inspection and submittal of a Certificate of Completion referred to in the preceding section, it is found that the building or structure complies with the provisions of this Act.

d.) The Certificate of Occupancy shall be posted or displayed in a conspicuous place on the premises and shall not be removed except upon order of the LBO.

e.) The non-issuance, suspension and revocation of Certificates of Occupancy and the procedure for appeal therefrom shall be governed in so far as applicable, by the provisions of Sections 216, 306 and 307 of this Act.

Sec. 310. *Soft Openings.*— Soft openings particularly of large institutional or commercial structures, shall not be allowed until after adequate safety measures including signages are installed.

Sec. 311. *Annual Inspections of Buildings/Structures.*— Annual inspections of buildings/structures shall include all types of residential structures. A RLP representing the local APO chapter for Architects and Engineers shall assist the LGU-OBO in the conduct of such annual inspections. Annual reports, including as-built plans, shall be kept on file with the LGU-OBO.

Sec. 312. *RROW Use and Restoration in Relation to Construction Work.*— No fabrication, assembly or any other form of construction work shall be done on any portion of the RROW unless the same shall be work on the RROW itself. The RROW shall not be used as a base or platform for the mixing of concrete nor for draining wet concrete.

All portions of road right-of-way (RROW) surfaces affected by any horizontal or vertical construction work relating to a building/structure shall be restored to their original or to a better state.

ARTICLE IV
TYPES OF CONSTRUCTION

Sec. 401. *Types of Construction.* For purposes of this Act, all buildings proposed for construction shall be classified or identified according to the following types:

a.) *Type I.*— Type I buildings shall be of purely wood construction, whereby it is expressly *Provided* that the wood used for the construction work are not

Philippine species banned for commercial or construction use. The structural elements may be any of the materials permitted by this Act;

b.) *Type II.*— Type II buildings shall be of mainly wood construction with protective fire-resistant materials and which shall be one (1)-hour fire-resistive throughout*: Except*, that permanent non-bearing partitions may use thin drywall assemblies or thin filled light concrete masonry units or thin joined pre-cast panels;

c.) *Type III.*— Type III buildings shall be of mainly masonry and/or reinforced concrete with controlled wood construction, whereby it is expressly *Provided* that the wood used for the construction work are not Philippine species banned for commercial or construction use. Structural elements may be any of the materials permitted by this Act: *Provided*, that the building/structure shall be one (1)-hour fire-resistive throughout. Exterior walls/building envelope shall be of incombustible fire-resistive construction;

d.) *Type IV.*— Type IV buildings shall be of steel, iron, other metals or alloys, concrete, reinforced concrete or masonry construction. Walls, ceiling, and permanent partitions shall be of incombustible fire-resistive construction*: Except*, that permanent non-bearing partitions of one-hour fire-resistive construction shall use medium thickness drywall assemblies or medium thickness filled light concrete masonry units or medium thickness joined pre-cast panels; *and*

e.) *Type V.*— Type V buildings shall be fire-resistive. The structural elements shall be of steel, iron, other metals or alloys, concrete, reinforced concrete or masonry construction. Walls, ceilings, and permanent partitions shall be of incombustible fire-resistive construction. All permanent non-bearing partitions of two-hour fire-resistive construction or higher shall use thick drywall assemblies or thick filled light concrete masonry units or thick joined pre-cast panels.

Sec. 402. *Changes in Types.*— No change shall be made in the type of construction of any building/structure which would place the building in a different sub-type or type of construction unless such building/structure is made to comply

with the requirements for such sub-type of construction*: Except*, when the changes are approved by the LGU Building Official, with the required concurrence of the LGU Fire Marshal, upon showing that the new or proposed construction is less hazardous, based on life and fire risk, than the existing construction.

Sec. 403. *Requirements on Type of Construction.*— Subject to the provisions of this Chapter, the NBO shall prescribe standards for each type of construction, and promulgate rules and regulations therefor, relating to structural framework, exterior walls/building envelope and openings, fenestrations, interior walls, partitions and enclosures, floors, exists, and stairs construction, and roofs.

ARTICLE V
REQUIREMENTS FOR FIRE ZONES

Sec. 501. *Buildings Located in More than One Fire Zone.*— A building/structure which is located partly in one fire zone and partly in another shall be considered to be in the more highly restrictive fire zone, when more than one-third (1/3) of its total floor area is located in such a zone.

Sec. 502. *Moved Building.*— Any building/structure moved within or into any fire zone shall be made to comply with all the requirements for buildings/structures in that fire zone.

Sec. 503. *Temporary Buildings.*— Temporary building such as reviewing stands and other miscellaneous structures conforming to the requirements of this Act, and sheds, canopies and fences used for the protection of the public around and in conjunction with construction work, may be erected in the fire zones by way of a special permit from the LGU-OBO for a limited period of time, and such buildings/structures shall be-completely removed upon the expiration of the time limit stated in such permits.

Sec. 504. *Center Lines of Streets/RROWs.*— The center line of an adjoining street/RROW or alley may be considered an adjacent property line. Distances shall be measured at right angles to the street/RROW or alley.

Sec. 505. *Restrictions on Existing Buildings/Structure.*— Existing buildings/structures in fire zones that do not comply with the requirements for a new building/structure erected therein shall not hereafter be enlarged, altered, remodeled, repaired or moved except as follows:

a.) Such building/structure is entirely demolished;

b.) Such building/structure is to be moved outside the limits of the more highly restrictive fire zone to a zone where the building/structure meets the minimum standards;

c.) Changes, alterations and repairs may be made provided that in any 12-month period, the value of the work does not exceed twenty percent (20%) of the value of the existing building/structure, and further provided that, such changes do not add additional combustible material, and do not, in the opinion of the LBO, increase the fire hazard;

d.) Additions thereto are separated from the existing building/structure by fire walls*; and*

e.) Damage from fire or earthquake, typhoons or any fortuitous event may be repaired, using the same kind of materials of which the building/structure was originally constructed*: Provided* that, the cost of such repair shall not exceed twenty percent (20%) of the replacement cost of the building/structure.

Sec. 506. *Designation of Fire Zones.*— The NBO shall promulgate specific restriction for each type of fire zone. Cities and municipalities shall be divided into such fire zones in accordance with local, physical and spatial framework plans prepared by city/municipal planning and/or development bodies.

ARTICLE VI

FIRE-RESISTIVE REQUIREMENTS IN CONSTRUCTION

Sec. 601. Fire-Resistive Time Period Rating.— Fire-resistive time period rating is the length of time a material can withstand being burned which may be one(1)-hour, two(2)-hour, three(3)-hour, four(4)-hour, and the like

Sec. 602. *Fire-Resistive Standards.*— All materials of construction and assemblies or combinations thereof shall be classified according to their fire-retardant or flame-spread ratings as determined by general accepted testing methods and/or by the NBO.

Sec. 603. *Fire-Resistive Regulations.*— The NBO shall prescribe standards and promulgate rules and regulations on the testing of construction materials for flame-spread characteristics, tests on fire damages, fire tests of building construction and materials, door assemblies and tin-clad fire doors and window assemblies, the installation of fire doors and windows and smoke and fire detectors for fire protective signaling system, application and use of controlled interior finish, fire-resistive protection for structural members, fire-resistive walls and partitions, fire-resistive floor or roof ceiling, fire-resistive assemblies for protection of openings and fire-retardant roof coverings.

ARTICLE VII
CLASSIFICATION AND GENERAL REQUIREMENT OF ALL BUILDINGS BY USE OF OCCUPANCY

Sec. 701. *Building Occupancy Classified.*— Buildings proposed for construction shall be identified according to their use or the character of its occupancy and shall be classified as follows:

a.) *Group A.*— Residential Dwellings;

b.) *Group B.*— Residential Buildings, Hotels and Apartments, which shall be multiple dwelling units including boarding or lodging houses, hotels, apartment buildings, row houses, convents, monasteries and other similar building each of which accommodates more than ten (10) persons at any given time;

c.) *Group C.*— Education and Recreation Buildings, which shall be buildings used for school or day-care purposes, involving assemblies for instruction, education, or recreation, and not classified in Group I or in Division 1 and 2 or Group H Occupancies;

d.) *Group D.*— Institutional Buildings, which shall include:

a. *Division 1.*— Mental hospitals, mental sanitaria, jails, prisons, reformatories and buildings where personal liberties of inmates are similarly restrained;

b. *Division 2.*— Nurseries for full-time care of children under kindergarten age, hospitals, sanitaria, nursing homes with non-ambulatory patients, and similar buildings each accommodating more than five (5) persons; *and*

c. *Division 3.*— Nursing homes for ambulatory patients, homes for children of kindergarten age or over, each accommodating more than five (5) persons at any given time: *Provided*, that Group D Occupancies shall not include buildings used only for private or family group dwelling purposes.

e.) *Group E.*— Business and Mercantile Buildings, which shall include:

a. *Division 1.*— Gasoline filling and service stations, storage garages and boot storage structures where no work is done except exchange of parts and maintenance requiring no open flame, welding, or the use of highly flammable liquids;

b. *Division 2.*— Wholesale and retail stores, office buildings, drinking and dining establishments having an occupant load of less than one hundred (100) persons at any given time, printing plants, police and fire stations, factories and workshops using not highly flammable or combustible materials and paint stores without bulk handlings; *and*

c. *Division 3.*— Aircraft hangers and open parking garage with no repair work is done except exchange of parts and maintenance requiring no open flame, welding or the use of highly flammable liquids.

f.) *Group F.*— Industrial Buildings, which shall include: ice plants, power plants, pumping plants, cold storage, and creameries, factories and workshops using incombustible and non-explosive materials, and storage and sale rooms for incombustible and non-explosive materials.

g.) *Group G.*— Storage and Hazardous Buildings which shall include:

a. *Division 1.*— Storage and handling of hazardous and highly flammable material;

b. *Division 2.*— Storage and handling of flammable materials, dry cleaning plants using flammable liquids; paint stores with bulk handling, paint shops and spray-painting rooms;

c. *Division 3.*— Wood-working establishments, planning mills and box factories, shops, factories where loose combustible fibers or dust are manufactured, processed or generated, and warehouses where highly combustible material is stored;

d. *Division 4.*— Repair garages; *and*

e. *Division 5.*— Aircraft repair hangers.

h.) *Group H.*— Assembly Other Than Group 1, which shall include:

a. *Division 1.*— Any assembly building with a stage and an occupant load of less than one thousand (1000) in the building at any given time;

b. *Division 2.*— Any assembly building without stage and having an occupant load of three hundred (300) or more in the building at any given time;

c. *Division 3.*— Any assembly building without a stage and having an occupant load of less than three hundred (300) in the building at any given time; *and*

d. *Division 4.*— Stadia, reviewing stands, amusement park structures not included within Group I or in Division 1, 2, and 3 of this Group.

i.) *Group I.* -Assembly Occupant Load of 1,000 Persons or More, which shall be any assembly building with an occupant load of on thousand (1,000) persons or more in the building at any given time;

j.) *Group J.*— Accessory Occupancies, which shall include:

a. *Division 1.*— Private garage, carports, sheds and agricultural buildings;

b. *Division 2.*— Fences over one point eighty meters (1.8 m) high, tanks and tower;

Other sub-groupings or divisions within Groups A to J may be determined by the NBO. Any other occupancy not mentioned specifically in this Section, or about which there is any question shall be included in the Group which it most nearly resembles based on the existing or proposed life and fire hazard.

Sec. 702. *Change in Use.*— No change shall be made in the character of occupancy or use of any building which would place the building/structure in a different division of the same group of occupancy or in a different group of occupancies, unless such building/structure is made to comply with the requirements of this Act for such division or group of occupancy. The character of occupancy of existing buildings/structures may be changed subject to the approval of the LBO and the building/structure may be occupied or purposes set forth in other Groups: *Provided*, that the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Sec. 703. *Mixed Occupancy.*—

a.) *General Requirements.*— When a building/structure is of mixed occupancy or used for more than one occupancy, the whole building/structure shall be subject to the most restrictive requirement pertaining to any of the type of occupancy found therein except in the following:

1.) When a one (1)-storey building houses more than one occupancy, each portion of the building shall conform to the requirement of the particular occupancy housed therein*; and*

2.) Where minor accessory uses do not occupy more than ten percent (10%) of the area of any floor or a building/structure, nor more than ten percent (10%) of the basic area permitted in the occupancy requirements, in which case, the major use of the building/structure determine the occupancy classification.

b.) *Forms of Occupancy Separation.*— Occupancy separations shall be vertical or horizontal or both, or when necessary, of such other forms as may be required to afford a complete separation between the various occupancy divisions in the building/structure.

c.) *Types of Occupancy.*— Separation Occupancy separation shall be classified into the following:

1.) *One (1)-Hour Fire-Resistive.*— a "One (1)-Hour Fire-Resistive Occupancy Separation" shall be of not less than one (1)-hour fire-resistive construction. All openings in such separation shall be protected by a fire-assembly having a one (1)-hour fire-resistive rating.

2.) *"Two (2)-Hour Fire Resistive".*— a "Two (2)-Hour Fire-Resistive Occupancy Separation" shall be of not less than two(2)-hour fire-resistive construction. All openings in such separation shall be protected by a fire-assembly having a two (2)-hour fire-resistive rating.

3.) *"Three (3)-Hour Fire-Resistive".*— A "Three (3)-Hour Fire-Resistive Occupancy Separation" shall be of not less than three(3)-hour fire-resistive construction. All openings in walls forming such separation shall be protected by a fire assembly having a three (3)-hour fire-resistive rating.

The total width of all openings in any three (3)-hour fire-resistive occupancy separation wall in any one(1)-storey shall not exceed twenty five per cent (25%) of the length of the wall in that storey and no single opening shall have an area greater than ten square meters (10.0 sq.m.).

All openings in floors forming a "Three (3)-Hour Fire-Resistive Occupancy Separation" shall be protected by vertical enclosures extending above and below such openings. The walls of such vertical enclosures shall be of not less than two (2)-hour fire-resistive construction, and all openings therein shall be protected by a fire-assembly having a three(3)-hour fire-resistive rating.

4.) *"Four(4)-Hour Fire-Resistive.— A "Four (4)-Hour Fire-Resistive Occupancy Separation"* shall have no openings therein and shall be of not less than four (4)-hour fire resistive construction.

d.) *Fire-Rating for Occupancy Separation.*— Occupancy Separations shall be provided between groups, sub-groupings, or divisions of occupancies. The NBO shall promulgate rules and regulations for appropriate occupancy separations in buildings of mixed occupancy: *Provided*, that, where any occupancy separation is required, the minimum shall be a 'One (1)-Hour Fire-Resistive Occupancy Separation*": Provided further*, that where the occupancy separation is horizontal, the structural member supporting the separation shall be protected by an equivalent fire-resistive construction.

Sec. 704. *Location of Property.—*

a.) *General.*— No building/structure shall be constructed unless it adjoins or has direct access to a public space yard or RROW/street on at least one of its sides. For the purpose of this Section, the center line of an adjoining RROW/street or alley shall be considered an adjacent property line. Eaves over required windows shall not be less than seven hundred and fifty millimeters (750 mm) from the side and rear property lines.

b.) *Fire Resistance of Walls.*— Exterior walls shall have fire resistance and opening protection in accordance with the requirements set forth by the NBO. Projections beyond the exterior wall shall not exceed beyond a point one-third (1/3) the distance from an assumed vertical plane located where the fire-resistive protection of openings is first required to the location on property whichever is the least restrictive. Distance shall be measured at right angles from the property line. When openings in exterior walls are required to be protected due to distance from property line, the sum of the areas of such openings in any storey shall not exceed fifty percent (50%) of the total area of the wall in that storey.

c.) *Buildings on Same Property and Buildings Containing Courts.*— For the purpose of determining the required wall and opening protection, buildings/structures on the same property and court walls shall be

assumed to have a property line between them. When a new building/structure is to be erected on the same property with an existing building/structure, the assumed property line from the existing building/structure shall be the distance to the property line for each occupancy as set forth by the NBO*: Provided*, that two (2) or more buildings on the same property may be considered as one (1) building/structure if the aggregate area of such building/structure is within the limits of allowable floor areas for a single building, and when the buildings/structures so considered, house different occupancies or are of different types of construction, the area shall be that allowed for the most restrictive occupancy or construction.

d.) *Building Footprint and Firewall Requirements.*— In the determination of the Allowable Maximum Building Footprint (AMBF) for buildings and related habitable structures with respect to the applicable stipulations of the Fire Code of the Philippines (FCP), the more stringent but applicable regulation shall be complied with. If without a firewall, the footprint of a building/structure shall be measured horizontally from the property line to the outermost faces of the exterior walls of the building/structure*: Provided*, that the distance measured from the property line shall conform with the applicable stipulations under this Section.

e.) *Footprint Based on Firewall Provisions.*—

1.) If with a firewall on one (1) side, the footprint of a building/structure shall be measured horizontally from the property line with a firewall to the outermost faces of the opposite exterior walls of the building/structure*: Provided*, that the applicable stipulations of the FCP are strictly followed. If with a firewall on two (2) sides or on one (1) side and the rear property line, the footprint of a building/structure shall be measured horizontally from the opposing property lines in case of a firewall on two (2) sides or from the rear property line with a firewall to the outermost faces of the opposite exterior walls of the building/structure*: Provided*,

further that the applicable stipulations of the FCP are strictly followed.

2.) Absolutely no firewalls are allowed for a low density residential (R-1) uses or occupancies. An abutment of up to three point two (3.2) m from established grade level may however be permitted but solely for the purpose of supporting a carport roof*: Provided,* that such abutment shall be constructed of perforated or decorative concrete blocks above one point five (1.5) m measured vertically from the established grade level: *Provided further,* that such an abutment shall not be longer than seven (7.0) m or fifty percent (50%) of the side property line in total length, whichever is shorter.

3.) For medium density residential (R-2) uses or occupancies, a firewall can be erected on a maximum of eighty percent (80%) of the total length of a side property line: *Provided* that only one (1) side property line is used for a firewall in the case of a R-2 structure: *Provided further*, that the applicable stipulations of the FCP are strictly followed.

4.) For high-density residential (R-3) uses or occupancies, two (2) types of firewall construction may be permitted. For an R-3 use or occupancy with a firewall on two (2) sides, a firewall can be erected on a maximum of eighty five percent (85%) of the total length of each side property line: *Provided*, that all firewall construction shall not exceed sixty five percent (65%) of the total perimeter of the R-3 property, such as total length of all property lines*: Provided further,* that firewalls in R-3 lots shall only be allowed for a maximum two (2) storey component structure*: and Provided finally,* that all the applicable stipulations of the FCP are strictly followed.

5.) For a R-3 use or occupancy with a firewall on one (1) side property line and at the rear property line, a firewall can be erected on a maximum of ninety percent (90%) of the total length of the side and rear property lines and up to one hundred percent (100%) in case the rear property line is only four (4.0) m wide: *Provided*, that all firewall construction at the side property lines shall not exceed

fifty percent (50%) of the total perimeter of the R-3 property, such as total length of all property lines: *Provided further,* that firewalls in R-3 lots shall only be allowed for a maximum two (2) storey structure but not at the rear property line where the maximum allowed firewall height shall only be three point two (3.2) m measured vertically from established grade*: and Provided finally,* that all the applicable stipulations of the FCP are strictly followed.

6.) For townhouse residential (R-4) uses or occupancies, firewalls on the two (2) sides of each townhouse unit may be permitted; the R-4 firewall can be erected on a maximum of eighty five percent (85%) of the total length of each side property line: *Provided*, that all firewall construction shall not exceed fifty percent (50%) of the total perimeter of each R-4 property, such as total length of all property lines*: Provided further,* that firewalls in each R-4 use or occupancy shall be allowed for a maximum three (3) storey structure: *and Provided finally*, that all the applicable stipulations of the FCP are strictly followed;

7.) For residential condominium (R-5) uses or occupancies, two (2) types of firewall construction may be permitted: For a R-5 use or occupancy with a firewall on two (2) sides, a firewall can be erected on a maximum of seventy five percent (75%) of the total length of each side property line*: Provided*, that all firewall construction at the side property lines shall not exceed fifty percent (50%) of the total perimeter of the R-5 property, such as total length of all property lines*: Provided further,* that side firewalls in R-5 uses or occupancies shall only be allowed for a maximum eight (8)-storey component structure, such as the podium*: Provided finally,* that all the applicable stipulations of the FCP are strictly followed*; and*

8.) For a R-5 use or occupancy with a firewall on one (1) side and at the rear property line, a firewall can be erected on a maximum of sixty five percent (65%) of the total length of the side property line and on a maximum of fifty percent (50%) of the total length of the rear property line*: Provided*, that all firewall construction shall not

exceed sixty percent (60%) of the total perimeter of the R-5 property, such as total length of all property lines*: Provided further,* that the side firewalls in R-5 uses or occupancies shall only be allowed for a maximum eight (8)-storey component structure and that at the rear property line, the maximum allowed firewall height shall only be fourteen (14.0) m measured vertically from established grade*: and Provided finally,* that all the applicable stipulations of the FCP are strictly followed.

f.) All existing openings on all firewalls shall be sealed completely to maintain the fire integrity of adjoining buildings/structures.

g.) The provision of a fully functional sprinkler system and the installation of other fire-retardant or fire suppression devices in the case of commercial, institutional and industrial buildings/structures may allow firewall construction for up to seventy percent (70%) of the total perimeter of the property lines*: Provided*, that the prescribed setbacks, yards and courts fronting the RROW are first fully complied with*: and Provided further,* that all the applicable stipulations of the FCP, particularly on the number, type and locations of fire exits are strictly followed.

Sec. 705. *Allowable Floor Areas.*— The allowable floor areas for a building shall not exceed the limits prescribed by the NBO for each occupancy group and/or type of construction. For purposes of this Section, each portion of a building separation by one or more area separation walls may be considered a separate building: *Provided,* that the area separation walls meet the requirements prescribed therefor by the NBO.

Sec. 706. *Allowable Floor Area Increases.*— The floor areas hereinabove provided may be increased in certain specific instances and under appropriate conditions, based on the existence of public space, RROWs/streets or yards extending along and adjoining two (2) or more sides of the building/structure subject to the approval of the LBO.

Sec. 707. Maximum Height of Buildings.—

a.) The maximum height and number of floors/levels of every building shall be dependent upon the character of occupancy and the type of construction as determined by the NBO considering population density, building bulk, widths of streets and parking requirements. The height shall be measured from the highest adjoining sidewalk or ground surface: *Provided*, that the height measured from the lowest adjoining surface shall not exceed such maximum height by more than three meters (3.0 m)*: Except*, that towers, spires and steeples, erected as part of a building/structure and not used for habitation or storage are limited as to height only by structural design if completely of incombustible materials, or may extend not to exceed 6.0 m above the height limits for each occupancy group if of combustible materials.

b.) In any LGU, the height of buildings/structures shall be governed by the following factors:

1.) The present and projected population density within the project site and in the project's location/area at full completion/operation of the project;

2.) For a given volume of building/structure (the building bulk), that which has a lesser Percentage of Site Occupancy (PSO) or area of ground coverage Allowable Maximum Building Footprint (AMBF) or Maximum Allowable Construction Area (MACA) may be built higher/taller than that with a greater PSO, AMBF or MACA;

3.) A proposed building/structure which has a greater TGFA requirement shall be built higher than that with a lower TGFA requirement;

4.) A proposed building/structure on a lot with a higher FLAR designation/rights may be built higher than that on a lot with a lower FLAR designation/rights*; and*

5.) Lots that face a wider RROW and therefore with more RROW features/elements may become the site of a taller building/structure as compared to a lot facing a narrow RROW.

c.) The height of proposed buildings/structures shall also be governed by the following RROW-based limitations:

1.) If only one (1) RROW services a lot and such is only six to seven (6.0 to 7.0) m wide, a BHL of three (3) floors or nine (9.0) m maximum shall be observed regardless of use or occupancy, lot size, lot dimensions, lot frontage and like considerations;

2.) If only one (1) RROW services a lot and such is only four to five (4.0 to 5.0) m wide, a BHL equivalent to two point five (2.5)-storeys or seven point five (7.5) m maximum shall be observed regardless of use or occupancy, lot size, lot dimensions, lot frontage and like considerations;

3.) If only one (1) RROW services a lot and such is only three (3.0) m wide or less, a BHL equivalent to two (2)-storeys or six (6.0) m maximum shall be observed regardless of use or occupancy, lot size, lot dimensions, lot frontage and like considerations; *and*

4.) Taller and bulkier buildings are allowed for duly approved high-density developments such as Planned Unit Development (PUD) areas since these are better suited to such areas due to higher end-user/occupant targets, more advanced and coordinated planning efforts and the application of more stringent development controls (DC) by the project proponents themselves.

d.) The following factors shall likewise be considered in the determination of the building height:

1.) Soil characteristics, lot location in relation to fault lines and earthquake belts or proximity to volcanoes and other geological conditions;

2.) Hydrological conditions such as the water table at the site and distance to waterways and shorelines;

3.) Meteorological conditions such as the frequency and intensity of destructive typhoons/monsoon winds/rains, prevailing wind speed and direction, relative humidity, amount of precipitation and the prevailing ambient conditions;

4.) Effect/s of environmental conditions on the building/structure and vice versa coupled with the effective control of air, noise and thermal pollution, radiant heat, reflected light/heat and cast

shadows, and the like, and the optimization of natural light and ventilation. Effect/s of traffic conditions on the building/structure and vice versa and the satisfaction of parking/loading requirements in accordance with this Section;

5.) Availability and capacity of public utility/service system considering the availability and adequacy of electric power, potable and non-potable water supply, drainage and sewerage, transportation and communications facilities, solid waste management system, and the like; *and*

6.) Need for applicable building safety and maintenance systems, such as lightning arresters, beacons, protective railings and barriers, gondolas, window washing systems, and the like.

Sec. 708. *Minimum Requirements for Group A Dwellings.—*

a.) *Dwelling Location and Lot Occupancy.—* The dwelling shall occupy not more than ninety percent (90%) of a corner lot and eighty percent of an inside lot, and subject to the provisions on Easement on Light and View of the Civil Code of the Philippines, shall be at least 2.0 m from the property line.

b.) *Light and Ventilation.* -Every dwelling shall be so constructed and arranged as to provide adequate light and ventilation as *Provided* under Section 805 of this Act.

c.) *Sanitation.—* Every dwelling shall be provided with at least one (1) sanitary toilet and adequate washing and drainage facilities.

d.) *Foundation.—* Footing shall be of sufficient size and strength to support the load of the dwelling and shall be at least two hundred and fifty (250) mm thick and six hundred (600) mm below the surface of the ground.

e.) *Post.—* Each wood post shall be anchored to such footing by strap and bolts of adequate size.

f.) *Floor.—* The live load of the first floor shall be at least two hundred kilograms per square meter (200 kg/sqm) and for the second floor, at least one hundred fifty (150) kg/sqm.

g.) *Roof.*— The wind load for roofs shall be at least one hundred and twenty (120) kg/sqm for vertical projection.

h.) *Stairs.*— Stairs shall be at least seven hundred and fifty (750) mm in clear width (clear of railings and other projections above the tread), with a rise of two hundred (200) mm and a minimum run of two hundred (200) mm.

i.) *Entrance and Exit.*— There shall be at least one (1) entrance and another one (1) for exit.

j.) *Electrical Requirements.*— All electrical installation shall conform to the requirements under the latest edition of the Philippine Electrical Code.

k.) *Mechanical Requirements.*— Mechanical systems and/or equipment installation shall be subject to the requirements under the latest edition of the Philippine Mechanical Engineering Code.

Sec. 709. *Requirements for Other Group Occupancies.*— Subject to the provisions of this Act, the NBO shall promulgate rules and regulations for each of the other Group Occupancies covering: the following: allowable construction, height, and area; location on property, exit facilities, light, ventilation, and sanitation; enclosures of vertical openings; fire extinguishing systems*; and* special hazards.

Sec. 710. *Parking Slot, Parking Area and Loading/Unloading Space Requirements.*—

a.) The parking slot, parking area and loading/unloading space requirements listed hereafter are generally the minimum off-street cum on-site requirements for specific uses/occupancies for buildings/structures, such as, all to be located outside of the road right-of-way (RROW).

b.) The size of an average automobile (car) parking slot shall be computed at two point five (2.5) m by five (5.0) m for perpendicular or diagonal parking and at two point fifteen (2.15) m by six (6.0) m for parallel parking. A standard truck or bus parking/loading slot shall be computed at a minimum of three point six (3.6) m by twelve (12.0) m. An articulated truck slot shall be computed at a minimum of three point six (3.6) m by eighteen (18.0) m which should be sufficient to accommodate a twelve (12.0) m container van or bulk carrier and a long/hooded prime mover. A

jeepney or shuttle parking/loading/unloading slot shall be computed at a minimum of three (3.0) m by nine (9.0) m. The parking slots shall be drawn to scale and the total number of which shall be indicated on the plans and specified whether or not parking accommodations are attendant-managed.

c.) In computing for parking slots, a fraction of fifty percent (50%) and above shall be considered as one (1) car parking slot to be provided. In all cases however, a minimum of one (1) car parking slot shall be provided unless otherwise allowed under this Section.

d.) Multi-floor parking garages may serve twenty percent (20%) of the parking requirements of the building/structure within a two hundred (200.0) m radius*: Provided,* that at least eighty percent (80%) of the parking requirements are complied with and integrated in the building design.

e.) For buildings/structures to be provided with features intended for the use or occupancy of the handicapped, the minimum provisions of B.P. Blg. 344 and its Implementing Rules and Regulations (IRR) with respect to parking shall be strictly observed.

f.) In addition to the on-site parking provisions mandated under this Section, off-site cum off-street parking facilities may be allowed and considered part of a project: *Provided,* that such facilities specifically consist of reserved or leased parking slots within a permanent parking building/structure and not in a vacant parking lot or parking structure/space for a commercial development*: Provided further,* that such parking slots are located no more than one hundred (100.0) m away from a residential building project or are located no more than two hundred (200.0) m away from an office or commercial building project.

g.) Direct access of parking/loading/utility slots and terminals to the RROW shall be generally disallowed to prevent the usage of the RROW as a maneuvering area.

h.) Traffic generating buildings such as shopping malls or similar facilities that have very high volumes of pedestrian and vehicular traffic may be located at major intersections or within 100.00 meters of such intersections*:*

Provided, that the distance between the street curb of the ingress/egress of such a commercial lot/property (nearest the intersection) and the straight curb of the intersection shall not be less than fifty (50.0) m.

i.) For R-2, R-3, GI, C, C-2 and C-3 uses or occupancies, front yards abutting RROW are not to be used for long-term off-street parking. Due to the very public nature of these uses (high vehicular and pedestrian concentrations), the front yard (a transition space between the RROW and the building/structure) shall be used exclusively for driveways, off RROW loading spaces, short-term off-RROW parking and landscaping (hardscape and softscape) treatment. Temporary or short-term off-street parking, particularly on driveways, shall preferably be only for visitors to these buildings/structures.

j.) For Basic R-2 and Basic R-3 uses or occupancies (for single family dwelling units only), up to fifty percent (50%) of the front yard abutting the RROW may be paved/hardscaped, such as converted into a courtyard for carport use. Such use shall not be permitted in all other uses or occupancies.

Sec. 711. *Determination of Building Bulk.—*

a.) *General.—* Building bulk, which is a volume quantity, shall be determined by the application of the Floor-Lot Area Ratio (FLAR), vertically projecting the Allowable Maximum Building Footprint (AMBF), establishing the Outermost Faces of Building (OFB) and quantifying the Allowable Maximum Volume of Building (AMVB). The building bulk shall be ultimately governed by the width of the RROW and other applicable provisions for light and ventilation (including incremental setbacks as a result of satisfying natural light and ventilation requirements for the RROW/street and the front yard of the site of the building/structure.

b.) *Application of the FLAR to the TLA.—* The FLAR designations/rights as applied to the Total Lot Area (TLA) shall be the primary and initial determinant of the building bulk. The FLAR designations/rights shall be established by the ONBO/NBO based on the carrying capacity of the setting (natural and built environments).

c.) *Establish the OFB.*— The Outermost Faces of Building/s (OFB) shall be primarily determined by the vertical projections of the outermost faces of the AMBF up to a height prescribed by the applicable BHL. This procedure shall be complemented by the determination of the angular planes needed to establish the outer limits for walls and projections of the proposed building/structure facing RROW and for their corresponding roof configurations. The ONBO/NBO shall recommend angles or slopes for the angular planes originating from the center line of the RROW/street for all lots/properties, whether in existing, new or proposed built environments.

d.) *Quantify the AMVB.*— The Allowable Maximum Volume of Building/s (AMVB) shall be determined through the following steps:

a. Multiply the AMBF (in square meters/sqm) for the lot/property by the applicable Building Height Limit/BHL (in meters/m) for the lot/property to attain the initial AMVB (in cubic meters/cu.m); the result of this step shall be the imaginary footprint prism*; and*

b. Superimpose the angular plane originating from the center of the RROW/street on the footprint prism; this step shall result in the reduction of the initially computed building volume due to the application of incremental setbacks and of roof configuration dictated by the angular plane; the result of this step shall be the AMVB.

ARTICLE VIII
LIGHT AND VENTILATION

Sec. 801. *General Requirements of Light and Ventilation.*—

a.) Subject to the provisions of the Civil Code of the Philippines on Easements of Light and View and to the provisions of this part of the Act, every building/structure shall be designed, constructed, and equipped to provide adequate light and ventilation.

b.) All buildings shall face a RROW/street or public alley or a private street which has been duly approved.

c.) No building/structure shall be altered nor arranged so as to reduce the size of any room or the relative area of windows to less than that provided for buildings/structures under this Act, or to create an additional room, unless such additional room conforms to the requirements of this Act.

d.) No building/structure shall be enlarged so that the dimensions of the required court or yard would be less than that prescribed for such a building/structure.

Sec. 802. *Percentage of Site Occupancy (PSO).—*

a) The percentage of site occupancy by a building/structures shall be taken at the ground level and shall be exclusive of courts, yards and light wells.

b) Courts, yards and light wells shall be measured clear of all projections from the walls enclosing such wells or yards with the exception of roof leaders, wall copings, sills or steel fire escapes not exceeding one point two meters (1.2 m) in width.

c) The maximum PSO shall be governed by the land use, building occupancy, type of construction and height of the building and the configuration, area, topography, nature and location of the building site;

d) The PSO shall be subject to the provisions of the local zoning ordinance and shall be in full accordance with the rules and regulations promulgated by the NBO.

Sec. 803. *Allowable Maximum Building Footprint (AMBF).—* The AMBF is measured at grade level and excludes all forms of permitted architectural projections that determine the Outermost Faces of the Building (OFB) at the upper portions of the building/structure.

Sec. 804. *Size and Dimensions of Courts.—*

a.) The minimum size of courts and their least dimensions shall be governed by the land use, building occupancy, type of construction and height of the building/structure, as *Provided* under the rules and regulations promulgated by the NBO*: Provided* that the minimum horizontal dimension of court shall be not less than two meters (2.0 m).

b.) All inner courts shall be connected to a RROW/street or yard, either by a passageway with a minimum width of one point two (1.2) m or by a door through a room or rooms.

Sec. 805. *Clear Ceiling Heights.—*

a.) Habitable rooms provided with artificial ventilation shall have clear floor to ceiling heights (clear ceiling height or CCH) of not less than two point four (2.4) m measured at right angle from the top of the finished floor (the finished floor line or FFL) to the bottom of the finished ceiling (the finished ceiling line or FCL)*: Provided*, that for buildings of more than one(1)-storey, the minimum CCH of the first floor shall be two point seven (2.7) m and that for the second floor, two point four (2.4) m and succeeding floors shall have a CCH of not less than two point one (2.1) m above the FFL. The above-stated rooms with a natural ventilation shall have CCH of not less than two point seven (2.7) m.

b.) A mezzanine level shall have a CCH of not less than one point eight (1.8) m above and below it. If a ceiling cavity is provided for the floor below the mezzanine level.

Sec. 806. *Size and Dimensions of Rooms.—*

a.) The minimum sizes of rooms and their least horizontal dimensions shall be as follows:

1.) *Rooms for human habitation.—* six square meters (6.0 sqm) with a least dimension of two meters (2.0 m);

2.) *Kitchen.—* Three (3.0) sqm with a least dimension of one point fifty (1.5) m*; and*

3.) *Toilet and Bath.—* One point two (1.2) sqm with a least dimension of point ninety (0.9) m.

Sec. 807. *Air Volume Requirements in Determining the Sizes of Rooms.—* The minimum space per room shall be provided as follows:

a) *School Rooms.—* Three cubic meters (3.0 cu.m) with one square meter (1.0 sqm) of floor area per person;

b) *Workshops, Factories, and Offices.*— Twelve (12.0) cu. m of space per person; *and*

c) *Habitable rooms.*— Fourteen (14.0) cu. m of space per person.

Sec. 808. *Window Openings and Openings.*—

a) Every room intended for any use, not provided with artificial ventilation system as herein specified in this Act, shall be provided with a window or windows with a total free area of openings equal to at least ten percent (10%) of the gross floor area (GFA) of room if the room is fully enclosed by heat-insulating panels such as cement-bonded boards (CBBs), at least fifteen percent (15%) of the GFA of the room if the room is fully enclosed by panels with some heat-absorbent properties such as wood or plastic-based materials, and at least twenty percent (20%) of the GFA of the room if the room is fully enclosed by concrete masonry units (CMUs), which are heat-absorbing materials. Such window openings shall be provided with either operable of fixed glass panels to allow natural light and/or ventilation into the building interior, and shall open directly to (or face) a court, yard, public RROW/street or alley or open water courses.

b) All existing and future carpark buildings shall provide full openings equivalent to at least thirty five percent (35%) of its total wall surfaces. Such openings shall not be covered by non-mobile billboards or similar devices that negatively affect the free entry of natural light and ventilation into the building interior and that affect the venting of fumes.

c) There shall absolutely be no openings on/at/within/through all types of abutments (such as firewalls) erected along property lines except for permitted vent wells. This provision shall be strictly applied to all new and existing developments/buildings/structures to maintain fire integrity.

Sec. 809. *Vent Shafts.*—

a) Ventilation or vent shafts shall have a horizontal cross-sectional area of not less than point one (0.1) square meter (sqm) for every meter (m) of height of shaft but in no case shall the area be less than one square meter

(1.0 sqm). No vent shaft shall have its least dimension at less than six hundred millimeters (600 mm).

b) Unless open to the outer at the top for its full area, vent shaft shall be covered by a skylight having a net free area or fixed louver openings equal to the maximum required shaft area.

c) Air ducts shall open to a RROW/street or court by a horizontal duct or intake at a point below the lowest window opening. Such duct or intake shall have a minimum unobstructed cross-sectional area of not less than point three (0.3) sqm with a minimum dimension of three hundred (300) mm. The openings to the duct or intake shall not be less than three hundred (300) mm above the bottom of the shaft and the RROW/street surface or level of court at the respective ends of the duct or intake.

Sec. 810. *Ventilation Skylights.*— Skylights shall have glass area not less than that required for the windows that are replaced. They shall be equipped with movable sashes or louvers with an aggregate net free area not less than that required for operable parts in the window that are replaced or provided with approved artificial ventilation of equivalent effectiveness.

Sec. 811. *Artificial Ventilation.*—

a) Rooms or spaces housing industrial or heating equipment shall be provided with artificial means of ventilation to prevent excessive accumulation of hot and/or pollutants;

b) Whenever artificial ventilation is required, the equipment shall be designed and constructed to meet the following minimum requirements in changes:

1.) For rooms entirely above grade and used for office, clerical, or administrative purposes, or as stores, sales rooms, restaurants, markets, factories, workshops or machinery rooms, not less than three (3) changes of air per hour shall be provided;

2.) For rooms entirely above grade and used as bakeries, hotel or restaurant kitchens, laundries other than accessory to dwellings and boiler rooms, not less than ten (10) changes of air per hour shall be provided;

3.) For auditorium and other rooms used for assembly purposes, with seats or other accommodations not less than 0.03 cubic meter (cu.m) of air per minute shall be supplied for each person;

4.) For wards and dormitories of institutional buildings not less than point forty five (0.45) cu. m of air per minute shall be supplied for each person accommodated; *and*

5.) For other rooms or spaces not specifically covered under this Section, the applicable provisions of the latest edition of the Philippine Mechanical Engineering Code shall apply.

ARTICLE IX
SANITATION

Sec. 901. *General.*— Subject to the provisions of Book II of the Civil Code of the Philippines on Property, Ownership and its Modification, all buildings/structures hereafter erected, altered, remodeled, relocated or repaired for human habitation shall be provided with adequate and potable water supply, plumbing installation and suitable wastewater treatment or disposal system, storm water drainage, pest and vermin control, noise abatement device, and such other measures required for the protection and promotion of health of persons occupying the premises and others living nearby up to a distance of one hundred meters (100 m). The pertinent provisions of the Water Code, the Sanitation Code and the applicable environmental laws that are valid and subsisting shall be fully complied with in consonance with the pertinent compliances called for under this Act.

Sec. 902. *Water Supply System.*—

a.) Whenever available, the potable water requirements for a building used for human habitation shall be supplied from existing municipal or city waterworks system.

b.) The quality of drinking water from meteoric, surface or underground sources shall conform to the criteria set in the latest approved edition of the National Standards for Drinking Water.

c.) The design, construction and operation of deep wells for the extraction of groundwater shall be subject to the provisions of the Water Code of the Philippines.

d.) The design, construction and operation of independent waterworks, systems of private housing subdivisions or industrial estates shall be governed by existing valid and subsisting laws relating to the local waterworks system.

e.) The water piping installations inside buildings and premises shall conform to the provisions of the latest edition of the National Plumbing Code of the Philippines.

Sec. 903. *Wastewater Disposal System.—*

a.) Sanitary sewage from buildings/structures and neutralized or pre-treated industrial wastewater shall be discharged directly into the nearest RROW/street sanitary sewer main of existing municipal or city sanitary sewerage system in full accordance with the criteria set by the Sanitation Code and the DENR.

b.) All buildings/structures located in areas where there are no available sanitary sewerage system shall dispose their sewage through septic tank and subsurface absorption.

c.) Sanitary and industrial plumbing installations inside buildings/structures and premises shall conform to the provisions of the latest edition of the National Plumbing Code.

Sec. 904. *Storm Drainage System.—*

a.) Rain/storm water drainage shall not be discharged into the sanitary sewer system. Such water shall be collected, stored and used when and where feasible or appropriate.

b.) Adequate provisions shall be made to drain low areas in buildings/structures and their premises.

Sec. 905. *Pest and Vermin Control.—*

a) All buildings/structures with hollow and/or wood construction shall be provided with appropriate rat proofing devices/solutions.

b) Garbage bins and receptacles shall be provided with ready means for cleaning and with positive protection against entry of pests and vermin.

c) Dining rooms/areas for public use and without artificial ventilation shall be properly screened.

Sec. 906. *Noise Pollution Control.—* Industrial establishments shall be provided with positive noise abatement devices to lower the noise level of equipment and machineries to within acceptable limits set by the DoLE and the DENR.

Sec. 907. *Pipe Materials.—* All pipe materials to be used in buildings shall conform to the latest edition of the Standard Specifications of the Philippine Standards Council.

ARTICLE X
BUILDING PROJECTION OVER PUBLIC STREETS

Sec. 1001. *General Requirements.—*

a.) No part of any building or structure or any of its appendages shall project beyond the property line of the building/structure site, except as specifically provided for under this Act.

b.) The projection of any structure or appendage over the public domain shall be the distance measured horizontally from the legal property line to the outermost point of the building projection that intrudes into the air space above the public domain.

Sec. 1002. *Projection into Alleys or Streets.—*

a.) No part of any building/structure or its appendage shall project into any part of any alley or street, national road or public highway except as

specifically provided for under this Act. This provision specifically applies to all buildings constructed since 1977.

b.) Footings located at least two point four meters (2.4 m) below grade along national roads or public highways may project not more than one hundred millimeters (100 mm) beyond the legal property line.

c.) Foundations may be permitted to encroach into the sidewalk portion of the RROW/street to a width not exceeding one hundred and fifty (150) mm*: Provided*, that the top of the said foundations is not less than six hundred (600) mm below the established grade of the carriageway portion of the RROW/street*: Provided further*, that said projections does not obstruct any existing utility line such as power, communication, gas, water or sewer lines, unless the owner concerned shall pay the corresponding entities for the rerouting of the parts of the affected utilities.

Sec. 1003. *Projection of Balconies and Appendages Over RROWs/Streets.—*

a.) The extent of any building/structure projection over an alley or RROW/street shall be uniform within a block and shall conform to the limitations to be promulgated by the NBO.

b.) The clearance between the established grade of the carriageway portion of the RROW/street and/or sidewalk and the lowermost surface of any part of the balcony shall not be less than three meters (3.0 m).

Sec. 1004. *Arcades.—* Whenever required by existing building and zoning regulations, arcades shall be constructed on the sidewalk portions of RROWs/streets. The width of the arcade and its height shall be uniform throughout the RROW/street *Provided*, that in no case, shall the lowermost portion of an arcade be less than three meters (3.0 m) above the established sidewalk grade.

Sec. 1005. *Canopies (Marquees).—*

a.) *Projection and Clearance.—* The horizontal clearance between the outermost edge of the marquee and the curb line shall be not less than three hundred (300) mm. The vertical clearance between the pavement or

ground line and the lowermost surface of any part of the marquee shall not be less than three (3.0) m.

b.) *Construction.*— A marquee shall be constructed of incombustible material or materials of not less than two (2)-hours fire-resistive construction. It shall be provided with necessary drainage facility.

c.) *Location.*— Each marquee shall be so located as not to interfere with the operation of any exterior standpipe connection or to obstruct the clear passage from stairway exits from the building/structure or the installation or maintenance of electroliers.

Sec. 1006. *Movable Awnings.*— The horizontal clearance between the awning and the curb line shall not be less than three hundred (300) mm. The vertical clearance between the lowermost surface of the awning and the pavement or ground line shall be not less than two point four (2.4) m. Collapsible awnings shall be so designated that they shall not block a required exit when collapsed or folded.

Sec. 1007. *Operable Doors, Windows in Relation to Property Lines.*— Doors, windows, and the like that are less than two point four (2.4) m above the pavement or ground line shall not, when fully opened or upon opening, project beyond the property line, with the exception of fire exit doors which when open may project into or above the public domain.

Sec. 1008. *Corner Buildings with Chaflans.*—

a.) Each corner building or solid fence on a public RROW/street or alley that is less than three point six (3.6) m in width shall be truncated at the corner. The face of the triangle so formed shall be at right angles to the bisector of the angle of the intersection of the street lines*: Provided*, that in no case shall the NBO determine the size and form of the chaflan.

b.) If the building is arcaded, no chaflan is required notwithstanding the width of the public RROW/street or alley, if such width is less than twelve (12.0) m.

ARTICLE XI

PROTECTION OF PEDESTRIANSDURING CONSTRUCTION OR DEMOLITION

Sec. 1101. *General Requirements.—*

a.) No person shall use or occupy any portion of the RROW/street, alley, particularly the sidewalk or curb and gutter portion, for the performance of work covered by a building permit, except in accordance with the provisions under this Section.

b.) No person shall perform any work on any building or structure adjacent to a public way in general use for pedestrian movement, unless the pedestrians are protected as specified under this Section.

c.) Any material or structure temporarily occupying any portion of the public domain or property, including fence, canopies and walkways, shall be adequately lighted, between sunset and sunrise.

Sec. 1102. *Storage in Public Property.—* Materials and equipment necessary for work to be done under a permit, when placed or stored on public property shall not obstruct the free and convenient approach to and used of any fire hydrant, fire or police alarm box, utility box, catch basin, or manhole and shall not interfere with any drainage gutter of any RROW/street or alley.

Sec. 1103. *Mixing of Mortar on Public Property.—*

a.) The mixing of mortar, concrete or similar materials on any portion of the public RROW/streets shall not be allowed by the LGU-OBO or by any LGU or barangay official/representative under any circumstance.

b.) The transportation of mixed concrete shall be strictly monitored by the concerned officials.

c.) Any damage caused any portion of the public domain arising from such a prohibited or regulated activities shall be the responsibility of the project's constructor and/or the entity transporting the mixed concrete.

Sec. 1104. *Protection of Utilities.* All public or private utilities above or below the ground shall be protected from any damage by any construction work being done under a permit. The protection shall be maintained while such work is being done and shall not obstruct the normal functions of any such utility.

Sec. 1105. *Walkway.—*

a.) When the LGU Building Official authorizes a sidewalk to be fenced or closed, or in case there is no sidewalk in front of the building site during construction or demolition, a temporary walkway of not less than one point two (1.2) m in clear width shall be provided.

b.) The walkway shall be capable of supporting a uniform live load of six hundred and fifty (650) kilograms per square meter (kg/sqm). A durable wearing surface shall be provided throughout the construction period.

Sec. 1106. *Pedestrian Protection.—*

a.) *Protection Required.—* Pedestrian traffic shall be protected by a railing on the RROW/street side when the walkway extends into the carriageway (roadway), by a railing when adjacent to excavations, and by such as shall be determined by the NBO.

b.) *Railings.—* Adequate railings when required shall be built substantially strong and should be at least one (1.0) m in height.

c.) *Fences.—* Fences shall be built of an approved material, not less than two point four (2.4) m in height above grade, and be placed on the side of the walkway nearest the building site. Fences shall entirely enclose the building site. Openings in such fences shall be provided with doors which shall be kept closed at all times when not in use.

d.) *Canopies.—* The protective canopy shall have a clear height of two point four (2.4) m above the railway, and shall be structurally safe. Each canopy shall have a solid fence built along its entire length on the construction side. If materials are stored or work is done on top of the canopy, the edge along the RROW/street shall be protected by a tight curb board not less than three hundred (300) mm tall and a railing not less than one (1.0) m tall shall be provided. The entire structure shall be designed to carry the loads imposed upon it: *Provided*, that the live load shall be not less than six hundred (600) kilograms per square meter (kg/sqm).

Sec. 1107. *Maintenance and Removal of Protective Devices.—*

a.) *Maintenance.*— All protective devices shall be properly maintained in place and kept in good order for the entire length of time that pedestrians may be endangered.

b.) *Removal.*— Each protective fence or canopy shall be removed within thirty (30) days after such protection is no longer required, or as determined by the Local Building Official (LBO).

Sec. 1108. *Demolition.*—

a.) The work of demolishing any building/structure shall not commence until all the necessary pedestrian protective structures are in place.

b.) The LBO may require the permittee to submit plans, specifications and complete schedule of demolition. When so required, no work shall be done until such plans, specifications and schedule are approved by the LBO.

ARTICLE XII

GENERAL DESIGN AND CONSTRUCTION REQUIREMENTS

Sect. 1201. *General Requirements.—*

a.) Buildings/structures proposed for construction shall comply with all the regulations and specifications herein set forth, governing quality, characteristics and properties of materials, methods of design and construction, type of occupancy and classification.

b.) All other matters relative to the architectural design of all buildings/structures shall conform with the provisions of the Architectural Code of the Philippines in its latest edition, as adopted and promulgated by the ONBO/NBO and prepared by RLAs of the BoC in collaboration with the Professional Regulatory Board of Architecture, pursuant to the R.A. No. 9266, or its successor law/s.

c.) All other matters relative to the structural design of all buildings and other structures not provided for in this Article shall conform with the provisions of the National Structural Code of Buildings, as adopted and promulgated by the Professional Regulatory Board of Civil Engineering pursuant to the R.A. No. Number 544, as amended, or its successor law/s.

Section 1202. *Excavation, Foundation and Retaining Walls.—* Subject to Articles 684 to 686 of the Civil Code of the Philippines on lateral and subjacent support, the design and quality of materials used structurally in excavation, footings, and in foundations shall conform to accepted engineering practice/s and with the following requirements:

a.) *Excavation and Fills.—*

1.) Excavation or fills for buildings or structures shall be so constructed or protected such that they do not endanger life or property;

2.) Whenever the depth of excavation for any construction endangers the stability or safety of the lateral and subjacent support of the adjoining property or an existing structure thereon would be affected in a manner that the stability or safety of the same is endangered, the person undertaking or causing the excavation to

be undertaken shall be responsible for the expense of underpinning or extending the foundation or footings of the aforementioned property or structure; *and*

3.) Excavation and other similar disturbances made on public property shall, unless otherwise excluded by the Local Building Official (LBO), be restored immediately to its former condition within forty eight (48) hours from the start of such excavation and disturbances by whosoever caused such excavation or disturbance.

b.) *Footings, Foundations, and Retaining Walls.—*

1.) Footings and foundations shall be of the appropriate type, of adequate size, and capacity in order to safely sustain the superimposed loads under seismic or any conditions of external forces that may affect the safety or stability of the building/structure. It shall be the responsibility of the architect and/or engineer to adopt the type and design of the same in accordance with the standards set forth by the National Building Official (NBO); *and*

2.) Whenever or wherever there exists in the site of the construction an abrupt change in the ground levels or level of the foundation such that instability of the soil could result, retaining walls of adequate design and type of construction, shall be provided and such shall be of adequate design and type of construction as prescribed by the NBO.

Sec. 1203. *Veneer.—*

a.) *Design Requirements.—* The design of all veneer shall comply with the following requirements:

1.) Veneer shall support no load other than its own weight and the vertical dead load of veneer immediately above;

2.) Surfaces to which veneer is attached shall be designed to support the additional vertical and lateral loads imposed by the veneer;

3.) Consideration shall be given to differential movements of the supports including those caused by temperature changes, shrinkage, creep and deflection;

4.) Veneer anchored to its backing shall be designed such that seismic effects on the total assemblage are considered;

5.) Connections for anchored veneer shall be designed to resist horizontal forces equal to twice the weight of the veneer; *and*

6.) Anchors supports and ties shall be non-combustible and corrosion-resistant.

Sec. 1204. *Enclosure of Vertical Openings.—*

a.) *General.—* Vertical openings shall be enclosed depending upon the fire-resistive requirements of a particular type of construction as set forth in this Act.

b.) *Elevator Enclosures.—* Walls and partitions enclosing elevators shall be in full accordance with the fire-resistive construction required under the Types of Construction. Enclosing walls of elevator shafts may consist of wire glass set in metal frames on the entrance side only. Elevator shafts extending through more than two (2) floors shall be equipped with an approved means of adequate ventilation to and through the main roof of the building; Automatic sprinklers shall be provided around the perimeter of the opening. The distance between the sprinklers shall not exceed one point eight meters (1.8 m) center-to-center.

c.) *Other Vertical Openings.—* All shafts, ducts, chutes, and other vertical openings not covered in paragraph (b) above shall have enclosing walls conforming to the requirements specified under the type of construction of the building in which they are located. In other than Group A Occupancies, rubbish and linen chutes shall terminate in rooms separated from the rest of the building by a One(1)-Hour Fire-Resistive Occupancy Separation. Openings into the chutes shall not be located in the required exit corridors or stairways.

d.) *Air Ducts.—* Air ducts passing through a floor/level shall be enclosed in a shaft. The shaft shall be as required in this Act for vertical openings.

Dampers shall be installed where ducts pierce the shaft enclosure walls. Ducts in Group A Occupancies need not be enclosed in a shaft if conforming to the mechanical provisions of this Act.

Sec. 1205. *Floor Construction.—*

a.) Floors shall be of such materials and construction as specified under Article 5 Fire-Zones and Fire-Resistive Standards and under Article 6 - Types of Construction.

b.) All floors shall be so framed and secure into the framework and supporting walls as to form an integral part of the whole building.

c.) The types of floor construction used shall provide means to prevent the lateral buckling of beams and girders.

Sec. 1206. *Roof Construction and Covering.—*

a.) *Roof Covering.—* Roof covering for all buildings/structures shall be fire-retardant. The use of combustible roof insulation shall not be permitted.

b.) *Roof Trusses.—* All roofs shall be so framed and tied into the framework and supporting walls so as to form an integral part of the whole building/structure. Roof trusses shall have all joints well fitted and shall have all tension members well tightened before any load is placed in the truss. Diagonal and sway bracing shall be used to brace all roof trusses. The allowable working stresses of materials in trusses shall conform to this Act.

c.) *Attics.—*

1.) *Access.—* An attic access opening shall be provided in the ceiling of the top floor/level of buildings and shall be located in a readily accessible part of the building. An opening shall not be less than six hundred square millimeters (600 sqmm) or six hundred millimeters (600 mm) in diameter. The minimum clear headroom of eight hundred (800) mm shall be provided above the access opening. For ladder requirements, refer to the Philippine Mechanical Engineering Code.

2.) *Area Separation.*— Enclosed attic spaces of combustible construction shall be divided into horizontal areas not exceeding two hundred and fifty (250) sqm by fire-resistive partitions extending from the ceiling to the roof. Except, that where the entire attic is equipped with an approved automatic fire-extinguishing system, the attic space may be divided into areas not to exceed seven hundred and fifty (750) sqm. Openings in the partitions shall be protected by self-closing doors.

d.) *Draft Stops.*— Regardless of the type of construction, draft stops shall be installed in trusses roofs, between roof and bottom chords or trusses, in all buildings exceeding two thousand (2,000) sqm. Draft stops shall be constructed as for attic area separations.

e.) *Ventilation.* Enclosed attics including rafter spaces formed where ceilings are applied direct to the underside of roof rafters, shall be provided with adequate ventilation for protection against rain.

f.) *Roof Drainage System.* -

1.) *Roof Drains.*— Roof drains shall be installed at low points of the roof and shall be adequate in size to discharge water from tributary areas.

2.) *Overflow Drains and Scuppers.*— Where roof drains are required, adequate overflow drains shall be provided.

3.) *Concealed Piping.*— Roof drains and overflow drains, when concealed within the construction of the building, shall be installed in accordance with the provisions of the National Plumbing Code.

4.) *Not Over Public Property.*— Roof drainage water from a building shall not be permitted to flow over public property.

5.) *Flashing.*— Flashing and counter-flashing shall be provided at the intersection of the roof and vertical surfaces.

Sec. 1207. Stairs, Exits and Occupant Loads.—

a.) *General.*— The construction of stairs and exits shall conform to the occupant load requirements of buildings, reviewing stands, bleachers and grandstands, as hereby enumerated:

1.) *Determinations of Occupant Loads.*— The Occupant load permitted in any building or portion thereof shall be determined by dividing the floor area assigned to that use by the unit area allowed per occupant as determined by the National Building Official (NBO)';

2.) *Exit Requirements.*— Exit requirements of a building or portion thereof used for different purposes shall be determined by the highest occupant load. No obstruction shall be placed in the required width of an exit;

3.) *Posting of Room Capacity.*— Any room having an occupant load of more than fifty (50), where fixed seats are not installed, and which is used for classroom, assembly, or similar purpose shall have the capacity of the room posted in a conspicuous place near the main exit from the room; *and*

4.) *Changes in Elevation.*— Except in Group A Occupancies, changes in floor elevations of less than three hundred (300) mm along any exit serving a tributary occupant load of ten (10) or more shall be provided with ramps.

b.) *Exits.*—

1.) *Number of Exits.*— Every building or usable portion thereof shall have at least one exit. In all occupancies, floors above the first floor having an occupant load of more than ten (10) shall have at least two (2) exits. Each mezzanine level used for non-storage purposes, if greater in area than one hundred eighty five square meters (185 sqm) or more than eighteen meters (18.0 m) in any dimension, shall have at least two (2) stairways to an adjacent floor.

2.) *Occupant Load.*— Every storey or portion thereof, having an occupant load of five hundred (500) up to nine hundred ninety nine (999) shall have at least three (3) exits. Every storey or portion thereof having an occupant load of one thousand (1,000) or more shall have at least four (4) exits. The number of exits required from any floor/level of a building shall be determined by using the occupant loads of floors which exit through the level under consideration as follows: fifty percent (50%) of the occupant load

in the first adjacent floor/level above (and the first adjacent floor/level below, when a floor/level below exits through the level under consideration) and twenty five percent (25%) of the occupant load in the floor/level immediately beyond the first adjacent floor/level. The maximum number of exits required for any floor/level shall be maintained until egress is provided from the building/structure. For purposes of this Section, basement or cellars and occupied roofs shall be provided with exits as required for floors/levels. Floors above the second floor/level, basements and cellars used for other than service of the building shall have not less than two (2) exits.

3.) *Width.*— The total width of exits in meters shall not be less than the total occupant load served divided by one hundred and sixty five (165). Such width of exits shall be divided approximately equally among the separate exits. The total exit width required from any floor/level of a building shall be determined by using the occupant load of that floor/level plus the percentage of the occupant loads of floors which exits through the floor/level under consideration as follows: fifty percent (50%) of the occupant load in the first adjacent floor/level above (and the first adjacent floor/level below when a floor/level below exits through the floor/level under consideration) and twenty five percent (25%) of the occupant load in the floor/level immediately beyond the first adjacent floor/level. The maximum exit width from any floor/storey of a building shall be maintained.

4.) *Arrangement of Exits.*— If only two (2) exits are required, these shall be placed a distance of not less than one-fifth (1/5) of the perimeter of the area served measured in a straight line between exits. Where three (3) or more exits are required, these shall be arranged at a reasonable distance apart such that if one becomes blocked, the others will still be available.

5.) *Distance to Exits.*— In a building without a sprinkler system, the distance from an exterior exit door, a horizontal exit, exit

passageway or an enclosed stairway, measured along the line of travel, shall be no more than forty five meters (45.0 m). In a building equipped with a complete automatic fire extinguishing system, the distance to or from exits may be increased to sixty (60.0) m.

c.) *Doors.*— The provisions herein shall apply to every exit door serving an area having an occupant load of more than ten (10) or serving hazardous rooms or areas.

1.) *Swing.*— Exit door shall swing in the direction of exit travel when serving any hazardous areas or when serving an occupant load of fifty (50) or more. Double acting doors shall not be used as exits serving a tributary occupant load of more than one hundred (100); nor shall they be used as a part of fire assembly, nor equipped with public hardware. A double acting door shall be provided with a view panel of not less than one thousand three hundred (1,300) square centimeters (sqcm).

2.) *Type of Lock or Latch.*— Exit doors shall be operable from the inside without the use of a key or any special knowledge or effort: *Except*, that this requirement shall not apply to exterior exit doors in a Group E or F Occupancy if there is a conspicuous, readily visible and durable sign on or adjacent to the door, stating that the door is to remain unlocked during business hours. The locking device shall be of a type that will readily be distinguishable as locked. Flush bolts or surface bolts are prohibited.

3.) *Width and Height.*— Every required exit doorway shall be of a size as to permit the installation of a door not less than nine hundred (900) mm in width and not less than two meters (2.0) m in height. When installation in exit doorways, exit doors shall be capable of openings at least ninety (90) degrees and shall be so mounted that the clear width of the exit way is not less than sveen hundred (700) mm. In computing the required exit width, the net dimension of the exitway shall be used.

4.) *Door Leaf Width.*— No leaf of an exit door shall exceed one point two (1.2) m in width.

5.) *Special Doors.*— Revolving, sliding, and overhead doors shall not be used as required exits.

6.) *Egress from Door.*— Every required exit door shall give immediate access to an approved means of egress from the building/

7.) *Change in Floor Level at Doors.*— Regardless of the occupant load there shall be a floor or landing on each side of an exit door. The floor or landing shall be leveled with, or not more than fifty (50) mm lower than the threshold of the doorway*: Except*, that in Group A and B occupancies, a door may open on the top step of a flight of stairs or an exterior landing: *Provided,* that the door does not swing over the top step or exterior landing and the landing is not more than two hundred (200) mm below the floor level.

8.) *Door Identification.*— Glass doors shall conform to the requirements in Sec. 1005 of this Act. Other exit doors shall be so marked that they are already distinguishable from the adjacent construction.

9.) *Additional Doors.*— When additional doors are provided for egress purposes, they shall conform to all provisions in the following cases: Approved revolving doors having leaves which will collapse under opposing pressures may be used in exit situations: *Provided*, that such doors have a minimum width of two (2.0) m or they are not used in occupancies where exits are required to be equipped with panic hardware or at least one conforming exit door is located adjacent to each revolving doors installed in a building and the revolving door shall not be considered to provide any exit width.

d.) *Corridors and Exterior Exit Balconies.*— The provisions herein shall apply to every corridor and exterior exit balcony serving as required exit for an occupant load of more than ten (10).

1.) *Width.*— Every corridor or exit balcony shall not be less than one point one (1.1) m in width.

2.) *Projections.*— The required width of corridors and exterior exit balconies shall be an obstructed*: Except*, that trim handrails, and doors when fully opened shall not reduce the required width by more than two hundred (200) mm. Doors in any position shall not reduce the required width of the corridor by more than one-half (1/2).

3.) *Access to Exits.*— When more than one (1) exit is required, they shall be arranged to allow going to either direction from any point dead ends permitted by this Act.

4.) *Dead Ends.*— Corridors and exterior exit balconies with dead ends are permitted when the dead end does not exceed six (6.0) m in length.

5.) *Construction.*— Walls and ceilings of corridors shall not be less than one(1)-hour fire-resistive construction*: Provided*, that this requirement shall not apply to exterior exit balconies, railings, and corridors of one(1)-storey building housing a Group E and F Occupancy occupied by one tenant only and which serves an occupant load of thirty (30) or less, nor to corridors, formed by temporary partitions. Exterior exit balconies cannot project into an area where protected openings are required.

6.) *Openings.*— When corridor wall are required to be one (1)-hour fire-resistive construction, every interior door opening shall be protected as set forth in generally recognized and accepted requirements for dual purpose fire exit doors. Other interior openings except ventilation louvers equipped with approved automatic fire shutter shall be seven (7) mm thick fixed wire glass set in steel frames. The total area of all openings other than doors, in any portion of an interior corridor wall shall not exceed twenty-five percent (25%) of the area of the corridor wall of the room being separated from the corridor.

e.) *Stairways.*— Except stairs or ladders used only to access, equipment, every stairway serving any building or portion thereof shall conform to the following requirements:

1.) *Width.*— Stairways serving an occupant load of more than fifty (50) shall not be less than one point one (1.1) m. Stairways serving an occupant load of fifty (50) or less may be nine hundred (900) mm wide. Private stairways serving an occupant load of less than ten (10) may be seven hundred and fifty (750) mm wide. Trim and handrails shall not reduce the required width by more than one hundred (100) mm;

2.) *Rise and Run.*— The rise of every step in a stairway shall not exceed two hundred (200) mm and the run shall not less than two hundred and fifty (250) mm. The maximum variations in the height of risers and the width of treads in any one flight shall be five (5) mm*: Except*, in case of private stairways serving an occupant load of less than ten (10), the rise may be two hundred (200) mm and the run may be two hundred and fifty (250) mm, except as provided in sub-paragraph (3) below;

3.) *Winding Stairways.*— In Group A Occupancy and in private stairways in Group B Occupancies, winders may be used if the required width of run is provided at a point not more than three hundred (300) mm from the side of the stairway where the treads are narrower but in no case shall any width of run be less than one hundred and fifty (150) mm at any point;

4.) *Circular Stairways.*— Circular stairs may be used as an exit if the minimum width of run is not less than two hundred and fifty (250) mm. All treads in any one flight between landings shall have identical dimensions within a five (5) mm tolerance;

5.) *Landing.*— Every landing shall have a dimension measured in the direction of travel equal to the width of the stairway. Such dimension need not exceed one point two (1.2) m when the stairs have a straight run. Landings when provided shall not be reduced

in width by more than one hundred (100) mm by a door when fully open;

6.) *Basement Stairways.*— Where a basement stairway and a stairway to an upper storey terminate in the same exit enclosure, an approved barrier shall be provided to prevent persons from continuing on to the basements. Directional exit signs shall be provided as specified in this Act;

7.) *Distance Between Landings.*— There shall be not more than three point six (3.6) m vertical distance between landings;

8.) *Handrails.*— Stairways shall have handrails on each side and every stairway required to be more than three (3.0) m in width shall be provided with not less than one intermediate handrail for each three (3.0) m of required width. Intermediate handrail shall be spaced approximately equal within the entire width of the stairway. Handrails shall be placed not less than eight hundred (800) mm nor more than nine hundred (900) mm above the nosing of treads and ends of handrails shall be returned or shall terminate in newel posts or safety terminals*: Except*, in the following cases: Stairways that are one point one (1.1) m or less in width and stairway serving one (1) individual dwelling unit in Group A or B Occupancies may have one handrail, except that such stairway open on one or both sides shall have handrails provided on the open side or sides; or stairway having less than four (4) risers need not have handrails;

9.) *Exterior Stairway Protection.*— All openings in the exterior wall below or within three (3.0) m, measured horizontally of an exterior exit stairway serving a building over two (2) storeys in height shall be protected by a self-closing fire assembly having a three-fourths (0.75)-hour fire-resistive rating*: Except*, that opening may be unprotected when two (2) separated exterior stairways serve an exterior exit balcony;

10.) *Exterior Stairway Construction.*— Exterior stairway shall be of incombustible material*: Except*, that on Type III buildings which do not exceed two (2) storeys in height, which are located in less fire-

restrictive Fire Zones, as well as on Type I buildings, may be of wood not less than fifty (50) mm in nominal thickness. Exterior stairs shall be protected as required for exterior walls due to location on property as specified in this Act. Exterior stairways shall not project into an area where openings are required to be protected. Where there is enclosed usable space under stairs, the walls and soffits of the enclosed space shall be protected on the enclosed side as required for one (1)-hour fire-resistive construction;

11.) *Stairway to Roof.*— In buildings four (4) or more storeys in height, one (1) stairway shall extend to the roof unless the roof has C slope greater than one (1) in three (3); *and*

12.) *Headroom.*— Every required stairway shall have a headroom clearance of not less than two (2.0) m. Such clearance shall be established by measuring vertically from a plane parallel and tangent to the stairway tread nosing to the soffit above all points.

f.) *Ramps.*— A ramp conforming to the provisions of this Act may be used as an exit. The width of ramps shall be as required for corridors.

g.) *Horizontal Exit.*— If conforming to the provisions of this Act, a horizontal exit may be considered as the required exit. All openings in a separation wall shall be protected by a fire assembly having a fire-resistive rating not less than the occupant load served by such exit. The capacity shall be determined by allowing point three (0.3) sqm of net floor area per ambulatory occupant and one point nine (1.9) sqm per non-ambulatory occupant. The dispersal area into which the horizontal exit loads shall be provided with exits as required by this Act.

h.) *Exit Enclosures.*— Every interior stairway, ramp, or escalator shall be enclosed as specified in this Act*: Except*, that in other than Group D Occupancies, as an enclosure will not be required for stairway, ramp, or escalator serving only one (1) adjacent floor and not connected with corridors or stairways serving other floors. Stairs in Group A Occupancies need not be enclosed.

1.) Enclosure walls shall not be less than two (2)-hour fire-resistive construction. There shall be no openings into exit enclosures except exit doorways and openings in exterior walls. All exit doors in an exit enclosure shall be appropriately protected.

2.) Stairway and ramp enclosures shall include landings and parts of floors connecting stairway flights and shall include a corridor on the ground floor leading from the stairway to the exterior of the building. Enclosed corridors of passageways are not required from unenclosed stairways.

3.) A stairway in an exit enclosure shall not continue below the grade level exit unless an approved barrier is provided at the ground floor level to prevent persons from accidentally continuing into the basement.

4.) There shall be no enclosed usable space under stairways in an exit enclosure, nor shall the open space under such stairways be used for any purpose.

i.) *Smokeproof Enclosures.*— A smokeproof enclosure shall consist of a vestibule and a continuous stairway enclosed from the highest point to the lowest point by walls of two-hour fire-resistive construction. In buildings five (5) storeys or more height, one of the required exits shall be a smokeproof enclosure.

1.) Stairs in smokeproof enclosures shall be of incombustible construction.

2.) There shall be no openings in smokeproof enclosures, except exit doorways and openings in exterior walls. There shall be no openings directly into the interior of the building. Access shall be through a vestibule with one wall at least fifty percent open to the exterior and having an exit door from the interior of the building and exit door leading to the smokeproof enclosure. In lieu of a vestibule, access may be by way of an open exterior balcony of incombustible materials.

3.) The opening from the building to the vestibule or balcony shall be protected with a self-closing fire assembly having one(1)-hour fire-resistive rating. The opening from the vestibule or balcony to the stair tower shall be protected by a self-closing fire assembly having a one (1)-hour fire-resistive rating.

4.) A smokeproof enclosure shall exit into a public way or into an exit passageway leading to a public way. The exit passageway shall be without other openings and shall have walls, floors, and ceilings of two (2)-hour fire-resistance.

5.) A stairway in a smokeproof enclosure shall not continue below the grade level exit unless an approved barrier is provided at a ground floor level to prevent persons from accidentally walking into the basement.

j.) *Exit Outlets, Courts, and Passageways.*— Every exit shall discharge into a public way, exit court, or exit passageway. Every exit court shall discharge into a public way or an exit passageway. Passageways shall be without openings other than required exits and shall have walls, floors, and ceilings of the same period of fire-resistance as the walls, floors and ceilings of the building but shall not be less than one (1)-hour fire-resistive construction.

1.) *Width.*— Every exit court and exit passageway shall be at least as wide as the required total width of the tributary exits, such required width being based on the occupant load served. The required width of exit courts or exit passageway shall be unobstructed except as permitted in corridors. At any point where the width of an exit court is reduced from any cause, the reduction in width shall be affected gradually by a guardrail at least nine hundred (900) mm in height. The guardrail shall make an angle of not more than thirty (30) degrees with the axis of the exit court.

2.) *Slope.*— The slope of exit courts shall not exceed one (1) in ten (10). The slope of exit passageway shall not exceed one (1) in eight (8).

3.) *Number of Exits.*— Every exit court shall be provided with exits as required in this Act.

4.) *Opening.*— All openings into an exit court less than three (3.0) m wide shall be protected by fire assemblies having not less than three-fourth (0.75)-hour fire-resistive rating. Except, that openings more than three (3.0) m above the floor of the exit court may be unprotected.

k.) *Exit Signs and Illuminations.*— Exits shall be illuminated at any time the building is occupied with light having an intensity of not less than ten point seven (10.7) lux at floor level: *Provided*, that for Group A Occupancies, the exit illumination shall be provided with separate circuits or separated sources of power, but not necessarily separate from exit signs when these are required for exit signs illumination.

l.) *Aisles.*— Every portion of every building in which are installed seats, tables, merchandise, equipment, or similar materials shall be provided with aisles leading to an exit.

1.) *Width.*— Every aisle shall be not less than eight hundred (800) mm wide if serving only one (1) side, and not less than one (1.0) m wide if serving both sides. Such minimum width shall be measured at the point farthest from an exit, cross aisle, or foyer and shall be increased by thirty (30.0) mm for each meter of length towards the exit, cross aisle or foyer.

2.) *Exit Distance.*— In areas occupied by seats and in Groups H and I Occupancies without seats, the line travel to an exit door by 90 degree angles shall be not more than forty five (45.0) m. With standard spacing, as specified in this Act, aisles shall be so located that there will be not more than seven (7) seats between the wall and aisle and not more than fourteen (14) seats between aisles. The number of seats between aisles may be increased to thirty (30) where exit doors are provided along each side aisle of the row of seats at the rate of one (1) pair of exit doors for every five (5) rows of seats*: Provided,* that the distance between seats back to back is

at least one (1.0) m. Such exit doors shall provide a minimum clear width of one point seven (1.7) m.

3.) *Cross Aisles.*— Aisles shall terminate in a cross aisle, foyer, or exit. The width of the cross aisle shall be not less than the sum of the required width of the widest aisle plus fifty percent (50%) of the total required width of the remaining aisle leading thereto. In Groups C, H and E Occupancies, aisles shall not be provided a dead end greater than six (6.0) m in length.

4.) *Vomitories.*— Vomitories connecting the foyer or main exit with the cross aisles shall have a total width not less than the sum of the required width of the widest aisles leading thereto plus fifty percent (50%) of the total required width of the remaining aisles leading thereto.

5.) *Slope.*— The slope portion of aisles shall not exceed a fall one (1) in eight (8).

m.) *Seats.*—

1.) *Seat Spacing.*— With standard seating, the spacing of rows of seats from back-to-back shall not less than eight hundred and forty (840) mm. With continental seating, the spacing of rows of unoccupied seat shall provide a clear width measured horizontally, as follows: four hundred and fifty (450) mm clear for rows of eighteen (18) seats or less; five hundred (500) millimeters clear for rows of thirty five (35) seats or less; five hundred and twenty five (525) mm clear for rows of forty five (45) seats or less*; and* five hundred and fifty (550) mm clear for rows of forty six (46) seats or more.

2.) *Width.*— The width if any seat be not less than four hundred and fifty (450) mm.

n.) *Reviewing Stands, Grandstands and Bleachers.*—

1.) *Height of Stands.*— Stands made of combustible framing shall be limited to eleven (11) rows or two point seven meters (2.7 m) in height.

2.) *Design Requirements.*— The minimum unit live load for reviewing stands, grandstands and bleachers shall be five hundred kilograms per square meter (500 kg/sqm) of horizontal projection for the structure as a whole. Seat and footboards shall be one hundred and eighty kilograms per lineal meter (180 kg/lm). The sway force, applied to seats, shall be thirty five (35) kl/lm parallel to the seats and fifteen (15) kl/lm perpendicular to the seats. Sway forces need not to be applied simultaneously with other lateral forces.

3.) *Spacing of Seats.*—

i. *Row spacing.*— The minimum spacing of rows of seats measured from back-to-back shall be: six hundred (600) mm for seats without backrests in open air stands; seven hundred and fifty (750) mm for seats with backrests, and eight hundred and fifty (850) mm for chair seating. There shall be a space of not less than three hundred (300) mm between the back of each seat and the front of the seat immediately behind it.

ii. *Rise Between Rows.*— The maximum rise from one row of seats to the next shall not exceed four hundred (400) mm.

iii. *Seating Capacity.*— For determining the seating capacity of a stand the width of any seat shall not be less than four hundred and fifty (450) mm nor more than four hundred and eighty (480) mm.

iv. *Number of Seats Between Aisles.*— The number of seats between any seat and an aisle shall not be greater than fifteen (15) for open air stands with seats without backrests in buildings.

4.) *Aisles.* -

i. *Aisles Required.*— Aisles shall be provided in all stands: *Provided,* that aisles may be omitted when all the following conditions exists; Seats are without backrests; the rise from row to row does not exceed three hundred (300) mm per row; the number of rows does not exceed eleven (11) in

height; the top seating board is not over three meters (3.0 m) above grade*; and* the first seating board is not more than five hundred (500) mm above grade.

ii. *Obstructions.*— No obstruction shall be placed in the required width of any aisle or exit-way.

iii. *Stairs Required.*— When an aisle is elevated more than two hundred (200) mm above grade, the aisle shall be provided with a stairway or ramp whose width is not less than the width of the aisle.

iv. *Dead End.*— No vertical aisle shall have a dead end more than sixteen (16) rows in depth regardless of the number of exits required.

v. *Width.*— Aisles shall have a minimum width of one point one (1.1) m.

5.) *Stairs and Ramps.*— The requirements in this Act shall apply to all stairs and ramps except for portions that pass through the seating area.

i. *Stair Rise and Run.*— The maximum rise of treads shall not exceed two hundred (200) mm and the minimum width of the run shall be two hundred and eighty (280) mm. The maximum variation in the width of treads in any one flight shall not be more than five (5) mm and the maximum variation in one (1) height of two (2) adjacent rises shall not exceed five (5) mm.

ii. *Ramp Slope.* -The slope of a ramp shall not exceed one (1) in eight (8). Ramps shall be roughened or shall be of approved non-slip material.

iii. *Handrails.*— A ramp with a slope exceeding one (1) in ten (10) shall have handrails. Stairs for stands shall have handrails. Handrails shall conform to the requirements of this Act.

6.) *Guardrails.*—

i. Guardrails shall be required in all locations where the top of a seat plank is more than one point two (1.2) m above grade, and elevated more than six hundred (600) mm above grade at the front of stands. Where only sections of stands are used, guardrails shall be provided as required in this Act.

ii. Railings shall be one point one (1.1) m above the rear of a seat plank or one point one (1.1) m above the rear of the steps in the aisle when the guardrail is parallel and adjacent to the aisle*: Except*, that the height may be reduced to nine hundred (900) mm for guardrails located in front of the grandstand.

iii. A mid-rail shall be placed adjacent to any seat to limit the open distance above the top of any part of a seat to two hundred and fifty (250) mm, where the seat is at the extreme end or at the extreme rear of the bleachers or grandstand. The intervening space shall have one (1) additional rail midway in the opening*: Except*, that railings may be omitted when stands are placed directly against a wall or fence giving equivalent protection; stairs and ramps shall be provided with guardrails. Handrails at the front of stands and adjacent to an aisle shall be designed to resist a load of seventy five (75) kg/lm applied at the top rail. Other handrails shall be designed to resist a load of forty (40) kg/lm.

7.) *Foot Boards.*— Footboards shall be provided for all rows of seats above the third row or beginning at such point where the seating plank is more than six hundred (600) mm above grade.

8.) Exits.—

i. *Distance to Exit.*— The line of travel to an exit shall not be more than forty five (45.0) m. For stands with seats without backseats this distance may be measured by direct line from a seat to the exit from the stand.

ii. *Aisle Used as Exit.*— An aisle may be considered as only one (1) exit unless it is continuous at both ends to a legal building exit or to a safe dispersal area.

iii. *Two (2) Exits Required.*— A stand with the first seating board not more than five hundred (500) mm above grade of floor may be considered to have two (2) exits when the bottom of the stand is open at both ends. Every stand or section of a stand within a building shall have at least two (2) means of egress when the stand accommodates more than fifty (50) persons. Every open air stand having seats without backrest shall have at least two (2) means of egress when the stand accommodates more than three hundred (300) persons.

iv. *Three (3) Exits Required.*— Three (3) exits shall be required for stands within a building when there are more than three hundred (300) occupants within a stand and for open air stands with seats without backrests where a stand or section of a stand accommodates more than one thousand (1,000) occupants.

v. *Four (4) Exits Required.*— Four (4) exits shall be required when a stand or section of a stand accommodates more than one thousand (1,000) occupants*: Except*, that for an open air stand with seats without backrests, four (4) exits need not be *Provided* unless there are accommodations for more than three thousand (3,000) occupants.

vi. *Width.*— The total width of exits (in meters) shall not be less than the total occupant load served divided by one hundred and sixty five (165)*: Except*, that for open air stands with seats without backrests, the total width of exits (in meters) shall not be less than the total occupant load served divided by five hundred (500) when existing by stairs, and divided by six hundred and fifty (650) when existing by ramps (or horizontally). When both horizontal and stair exits are used,

the total width of exits shall be determined by using both figures as applicable. No exit shall be less than one point one (1.1) m in width. Exits shall be located and set apart at a reasonable distance. When only two (2) exits are provided, they shall be spaced not less than one-fifth (1/5) of the perimeter.

9.) *Securing of Chairs.*— Chairs and benches used on raised stands shall be secured to the platforms upon which they are placed*: Except*, that when less than twenty five (25) chairs are used upon single raised platforms, the fastening of seats to the platform may be omitted. When more than five hundred (500) loose chairs are used in connection with athletic events, chairs shall be fastened together in groups of not less than three (3), and shall be tied or staked to the ground.

10.) *Safe Dispersal Area.*— Each safe dispersal area shall have at least two (2) exits. If more than six thousand (6,000) persons are to be accommodated within such an area, there shall be a minimum of three (3) exits, and for more than nine thousand (9,000) persons, there shall be a minimum of four (4) exits. The aggregate clear width of exits from a safe dispersal area shall be determined on the bases of not less than one (1) exit unit of six hundred (600) mm for each five hundred (500) persons to be accommodated and no exit shall be less than one point one (1.1) m in width, and at a reasonable distance apart that shall be spaced not less than one-fifth (1/5) of the perimeter of the area.

o.) *Special Hazards.*—

1.) *Boiler Rooms.*— Except in Group A Occupancies, each boiler room and every room containing an incinerator or liquified petroleum gas (LPG) or liquid fuel-fired equipment shall be provided with at least two (2) means of egress, one of which may be a ladder. All interior openings shall be protected as provided for in this Act.

2.) *Cellulose Nitrate Handling.*— Film laboratories, projection rooms and nitro-cellulose processing rooms, and similar rooms/spaces, shall have at least two (2) exits.

Sec. 1208. *Skylights.*—

a.) All skylights shall be constructed with metal or approved alloy frames, except those for Groups A and J Occupancies. Frames of skylights shall be designed to carry loads required for roofs. All skylights, the glass of which is set at an angle of less than forty five (45) degrees from the horizontal, if located above the first floor, shall be set at least one hundred (100) mm above the roof. Curbs on which the skylights rest shall be constructed of incombustible materials except for Types I or II construction.

b.) Spacing between supports in one direction for flat wired glass in skylights shall not exceed six hundred and twenty five (625) mm. Corrugated wired glass may have supports at one point five (1.5) m apart in the direction of the corrugation. All glass in skylights shall be wired glass*: Except*, that skylights over vertical shafts extending through two (2) or more floors shall be glazed with plain glass as specified in this Act: *Provided*, that wired glass may be used in ventilation equal to not less than one-eight (1/8) the cross-sectional area of the shaft but never less than one point two (1.2) m is provided at the top of such a shaft. Any glass not wired glass shall be protected above and below with a screen constructed of wire not smaller than two point five (2.5) mm in diameter with a mesh not larger than twenty five (25) mm. The screen shall be substantially supported below the glass.

c.) Skylights installed for the use of photographers may be constructed of metal or alloy frames and plate glass without wire netting.

d.) Ordinary glass may be used in the roof and skylights for greenhouses: *Provided*, that height of the greenhouses at the ridge does not exceed six (6.0) m above the grade. The use of wood in the frames of skylights will be permitted in greenhouses outside of highly restrictive Fire Zones if the height of the skylight does not exceed six (6.0) m above grade, but in other cases metal or alloy frames and sash bars shall be used.

e.) Glass used for the transmission of light, if placed in floors or sidewalks, shall be supported by metal or reinforced concrete frames, and such glass shall not be less than twelve point five (12.5) mm thick. Any such glass over one hundred (100) square centimeters (sqcm) in area shall have wire mesh embedded in the same or shall be provided with a wire screen underneath as specified for skylights in this Act. All portions of the floor lights or sidewalk lights shall be of the same strength as required for floor is surrounded by a railing not less than one point one (1.1) m in height, in which case the construction shall be calculated for not less than roof loads.

Sec. 1209. *Bays, Porches, and Balconies.*— Walls and floors in bay and oriel windows shall conform to the construction allowed for exterior walls and floors of the type of construction of the building/structure to which they are attached. The roof covering of a bay or oriel window shall conform to the requirements of the roofing of the main roof. Exterior balconies attached to or supported by wall are required to be of masonry, and shall have brackets or beams constructed of incombustible materials. Railings shall be provided for balconies, landings, or porches which are more than seven hundred and fifty (750) mm above grade.

Sec. 1210. *Penthouses and Roof Structures.*—

a.) *Height.*— No penthouse or other projection above the roof in structures of other than Type V construction shall exceed eight point four (8.4) m above the roof when used as an enclosure for tanks or for elevators which run to the roof, and in all other cases shall not extend more than three point six (3.6) m in height including roof.

b.) *Area.*— The aggregate area of all penthouses and other roof structures shall not exceed one-third (1/3) of the area of the supporting roof.

c.) *Prohibited Uses.*— No penthouse, bulkhead or any other similar projection above the roof shall be used for purposes other than shelter of mechanical equipment or shelter of vertical shaft openings in the roof. A penthouse or

bulkhead used for purposes other than that allowed by this Section shall conform to the requirements of this Act for an additional floor.

d.) *Construction.*— Roof structures shall be constructed with walls, floors and roof as required for the main portion of the building, except in the following cases:

1.) On Types III and IV constructions, the exterior walls and roofs of penthouses which are one point five (1.5) m or more from an adjacent property line may be of one(1)-hour fire-resistive incombustible construction.

2.) Walls not less than one point five (1.5) m from an exterior wall of a Type IV construction may be of one(1)-hour fire-resistive incombustible construction. The above restriction shall not prohibit the placing of wood flagpoles or similar structures on the roof of any building.

e.) *Towers and Spires.*— Towers and spires when enclosed shall have exterior walls as required for the building/structure to which they attached. Towers not enclosed and which extend more than twenty (20.0) m above grade shall have their framework constructed of steel or reinforced concrete. No tower or spire shall occupy more than one-fourth (1/4) of the RROW/street frontage of any building/structure to which it is attached and in no case shall the base area exceed one hundred an fifty (150) sqm unless it conforms entirely to the type of construction requirements of the building/structure to which it is attached and is limited in height as main part of the building/structure. If the area of the tower and spire exceeds ten (10.0) sqm in any of its horizontal cross section, its supporting frames shall extend directly to the ground. The roof covering of the spires shall be as required for the main room of the rest of the structure. Skeleton towers used as radio masts, neon signs or non-mobile billboard frames and placed on the roof of any building/structure shall be constructed entirely of incombustible materials when more than seven point five (7.5) m in height, and shall be directly supported on an incombustible framework to the ground. No such skeleton towers shall be supported on roofs of

combustible framings. They shall be designed to withstand a wind load from any direction in addition to any other loads.

Sec. 1211. *Chimneys, Fireplaces, and Barbecues.—*

a.) *Chimneys.—*

1.) *Structural Design.—* Chimneys shall be designed, anchored, supported, reinforced, constructed and installed in accordance with generally accepted engineering principles and practices. Each chimney shall be capable of producing a draft at the appliance not less than that required for the safe operation of the appliance connected thereto. No chimney shall support any structural load other than its own weight unless it is designed to act as a supporting member. Chimneys shall not be introduced in a wood-framed building.

2.) *Walls.—* Each masonry chimney shall have walls of masonry units, bricks, stones, listed masonry chimney units, reinforced concrete or equivalent solid thickness of hollow masonry and lined with suitable liners in accordance with the following requirements:

i. *Masonry Chimneys for Residential Type Appliances.—* Masonry chimneys shall be constructed of masonry units or reinforced concrete with walls not less than one hundred (100) mm thick, or of rubble stone masonry not less than three hundred (300) mm thick. The chimney liner shall be in accordance with this Act;

ii. *Masonry Chimneys for Low Heat Appliances.—* Masonry chimneys shall be constructed of masonry units or reinforced concrete with walls not less than two hundred (200) mm thick*: Except*, that rubble stone masonry shall be not less than three hundred (300) mm thick. The chimney liner shall be in accordance with this Act;

iii. *Masonry Chimneys for Medium-Heat Appliances.*— Masonry chimneys for medium-heat appliances shall be constructed of solid masonry units of reinforced concrete not less than two hundred (200) mm thick*: Except*, that stone masonry shall be not less than three hundred (300) mm thick and, in addition shall be lined with not less than one hundred (100) mm of firebrick laid in a solid bed of fire clay mortar with solidly filled head, bed, and wall joints, starting not less than six hundred (600) mm below the chimney connector entrance. Chimneys extending seven point five (7.5) m or less above the chimney connector shall be lined to the top;

iv. *Masonry Chimneys for High-Heat Appliances.*— Masonry chimneys for high-heat appliances shall be constructed with double walls of solid masonry units or reinforced concrete not less than two hundred (200) mm thick, with a space of not less than fifty (50) mm between walls. The inside of the interior walls shall be of fire-brick not less than one hundred (100) mm thick laid in a solid bed of fire clay mortar with solidly filled head, bed, and wall joints;

v. *Masonry Chimneys for Incinerators Installed in Multi-Storey Buildings (Apartment-Type Incinerators).*— Chimneys for incinerators installed in multi-storey building using the chimney passageway as a refuse chute where the horizontal grate area of combustion chamber does not exceed point eighty (0.8) sqm shall have walls of solid masonry or reinforced concrete, not less than one hundred (100) mm thick with a chimney lining as specified in this Act. If the grate area of such an incinerator exceeds point eight (0.8) sqm, the walls shall not be less than one hundred

(100) mm of firebrick except that in case theses are higher than nine (9.0) m above the roof of the combustion chamber, common brick alone two hundred (200) mm thick, may be used; *and*

vi. *Masonry Chimneys for Commercial and Industrial Type Incinerators.*— Masonry chimneys for commercial and industrial type incinerators of a size designed for not more than one hundred and ten kilograms (110 kg) of material or solid fuel per hour and having a horizontal grate area not exceeding point five (0.5) sq m shall have walls of solid masonry or reinforced concrete not less than one hundred (100) mm thick with lining of not less than one hundred (100) mm of firebrick, which lining shall extend for not less than twelve (12.0) m above the roof of the combustion chamber. If the design capacity of grate area of such an incinerator exceeds one hundred and ten kilograms per hour (110 kgh) and point eight (0.8) sqm respectively, walls shall not be less than two hundred (200) mm thick, lined with not less than one hundred (100) mm of firebrick extending the full height of the chimney.

3.) *Linings.*— Fire clay chimney lining shall not be less than fifteen (15) mm thick. The lining shall extend from two hundred (200) mm below the lowest inlet, or, in the case of fireplace, from the throat of the fireplace to a point above enclosing masonry walls. Fire clay chimney linings shall be installed ahead of the construction of the chimney as it is carried up, carefully bedded one on the other in fire clay mortar, with close-fitting joints left smooth on the inside. Firebrick not less than five hundred (500) mm thick may be used in place of fire clay chimney.

4.) *Area.*— No chimney passageway shall be smaller in area than the vent connection of the appliance attached thereto.

5.) *Height.*— Each masonry chimney shall extend at least six hundred (600) mm above the part of the roof through which it passes and at least six hundred (600) mm above the highest elevation of any part of a building/structure within three (3.0) m of the chimney.

6.) *Corbeling.*— No masonry chimney shall be corbeled from a wall more than one hundred fifty (150) mm nor shall a masonry chimney be corbeled from a wall which is less than three hundred (300) mm thick unless it projects equally on each side of the wall. In the second floor of a two(2)-storey building of Group A Occupancy, corbeling of masonry chimneys on the exterior of the enclosing walls may equal the wall thickness. In every case the corbeling shall not exceed twenty five (25) mm protection for each course of brick.

7.) *Change in Size or Shape.*— No change in the size or shape of a masonry chimney shall be made within a distance of one hundred and fifty (150) mm above or below the roof joints or rafters where the chimney passes through the roof.

8.) *Separation.*— When more than one (1) passageway is contained in the same chimney, masonry separation at least one hundred (100) mm thick bonded into the masonry wall of the chimney shall be provided to separate passageways.

9.) *Inlets.*— Each inlet to any masonry chimney shall enter the side thereof and shall be of metal not less than three (3) mm thick or of refractory material sixteen (16) mm thick.

10.) *Clearance.*— Combustible materials shall not be placed within fifty (50) mm of smoke chamber or masonry chimney walls when built within a structure, or within twenty five (25) mm when the chimney is built entirely outside the structure.

11.) *Termination.*— All incinerator chimneys shall terminate in a substantially constructed spark arrester having a mesh not exceeding twenty (20) mm.

12.) *Cleanouts.*— Cleanout openings shall be provided at the base of each masonry chimney.

b.) *Fireplaces and Barbecues.*— Fireplaces, barbecues, smoke chambers and fireplace chimneys shall be of solid masonry or reinforced concrete and shall conform to the minimum requirements specified in this Act.

1.) *Fireplace Walls.*— Walls of fireplaces shall not be less than two hundred (200) mm thick. Walls of fireboxes shall not be less than two hundred and fifty (250) mm thick*: Except*, that where a lining of firebrick is used, such walls shall not be less than two hundred (200) mm thick. The firebox shall not be less than two hundred (200) mm thick. The firebox shall not be less than five hundred (500) mm in depth. The maximum thickness of joints in firebrick shall be ten (10) mm.

c.) *Hoods.*— Metal hoods used as part of a fireplace or barbecue shall not be less than No. 18 gauge copper, galvanized iron, or other equivalent corrosion-resistant ferrous metal with all seams and connections of smokeproof unsoldered construction. The goods shall be sloped at an angle of forty five (45) degrees or less from the vertical and shall extend horizontally at least one hundred and fifty (150) mm beyond the limits of the firebox. Metal hoods shall be kept at minimum distance of two (2.0) m from combustible materials.

d.) *Circulators.*— Approved metal heat circulators may be installed in fireplaces.

e.) *Smoke Chamber.*— Front and side walls shall not be less than two hundred (200) mm in thickness. Smoke chamber back walls shall not be less than one hundred and fifty (150) mm thick.

f.) *Fireplace Chimneys.*— Walls of chimneys without flue lining shall not be less than two hundred (200) mm thick. Walls of chimneys with flue lining shall not be less than one hundred (100) mm thick and shall be constructed in accordance with the requirements of this Act.

g.) *Clearance of Combustible Materials.*— Combustible materials shall not be placed within fifty (50) mm of a fireplace, smoke chamber or chimney walls when built entirely within a structure, or within twenty five (25) mm of such elements when the chimney is built entirely outside the structure. Combustible materials shall not be placed within one hundred and fifty (150) mm of the fireplace opening. No such combustible material within three hundred (300) mm of the fireplace opening shall project more than three (3) mm for every twenty five (25) mm of clearance from such opening. No part of metal hoods used as part of a fireplace, barbecue or heating stoves shall be less than four hundred (400) mm from a combustible material. This clearance may be reduced to the minimum requirements set forth in this Act.

h.) *Area of Flues, Throats, and Dampers.*— The net cross-sectional area of the flue and of the throat between the firebox and the smoke chamber of a fireplace shall not be less than the requirements to be set forth by the ONBO. Where dampers are used, they shall be of not less than No. 12 gauge metal. When fully opened, damper opening shall be not less than ninety percent (90%) of the required flue area. When fully open, damper blades shall not extend beyond the line of the inner face of the flue.

i.) *Lintel.*— Masonry over the fireplace opening shall be supported by a non-combustible lintel.

j.) *Hearth.*— Every fireplace shall be provided with a brick, concrete, stone or other approved non-combustible hearth slab at least three hundred (300) mm wider on each side than the fireplace opening and projecting at least four hundred fifty (450) mm therefrom. This slab shall not be less than one hundred (100) mm thick and shall be

supported by a non-combustible material or reinforced to carry its own weight and all imposed loads.

Sec. 1212. *Fire-Extinguishing Systems.—*

a.) *Fire-Extinguishing Systems.—* When required, standard automatic fire-extinguishing systems shall be installed in the following places, and in the manner provided in this Act:

1.) In every floor, basement or cellar with an area of two hundred (200) sqm or more, and which is used for habitation, recreation, dining, study, or work, and which has an occupant load of more than twenty (20);

2.) In all dressing rooms, rehearsal rooms, workshops or factories, and other rooms with an occupant load of more than ten (10) or assembly halls under Group H and I occupancies with occupant load of more than five hundred (500), and if the next doors of said rooms are more than thirty (30.0) m from the nearest safe fire dispersal area of the building or opening to an exit court or RROW/street; *and*

3.) In all rooms used for storage or handling of photographic X-ray, nitrocellulose films and other inflammable articles.

b.) *Dry Standpipes.—* Every building four (4) or more storeys in height shall be equipped with one (1) or more dry standpipes.

1.) *Construction and Tests.—* Dry standpipes shall be of wrought iron or galvanized steel and together with fittings and connections shall be of sufficient strength to withstand twenty (20) kilograms per square centimeter (kg/sqcm) of water pressure when ready for service, without leaking at the joints, valves, or fittings. Tests shall be conducted by the owner and/or by the constructor in the presence of a representative of the LGU-OBO whenever deemed necessary for the purpose of certification of its proper function.

2.) *Size.—* Dry standpipes shall be of such size as to be capable of delivering nine hundred (900) liters (l) of water per minute simultaneously from each of any three (3) outlets under the

pressure created by one (1) fire engine or pumper based on the standard equipment available.

3.) *Number Required.*— Each building four (4) or more storeys in height, where the area of any floor above the third floor is nine hundred and fifty (950) sqm or less, shall be equipped with at least one (1) dry standpipe and an additional standpipe shall be installed for each additional nine hundred and fifty (950) sqm or fraction thereof.

4.) *Location.*— Standpipes shall be located within enclosed stairway landings or near such stairways as possible or immediately inside of an exterior wall and within three hundred (300) mm of an opening in a stairway enclosure of the balcony or vestibule of a smokeproof tower or an outside exit stairway.

5.) *Siamese Connections.*— Subject to the provisions of subparagraph (2), all one hundred (100) mm diameter dry standpipes shall be equipped with a two(2)-way Siamese fire department connection. All one hundred and twenty five (125) mm dry standpipes shall be equipped with a three (3)-way Siamese fire department connection and one hundred fifty (150) mm diameter dry standpipes shall be equipped with a four(4)-way Siamese fire department connections. All Siamese inlet connections shall be located on a RROW/street-front of the building and not less than three hundred (300) mm nor more than one point two (1.2) m above grade and shall be equipped with a clapper-checks and substantial plugs. All Siamese inlet connections shall be recessed in the wall or otherwise substantially protected.

6.) *Outlets.*— All dry standpipes shall extend from the ground floor to and over the roof and shall be equipped with a sixty three (63) mm outlet nor more than one point two (1.2) m above the floor level at each floor. All dry standpipes shall be equipped with a two(2)-way sixty three (63) mm outlet above the roof. All outlets shall be equipped with gate valves.

7.) *Signs.*— An iron or bronze sign with raised letters at least twenty (25) mm high shall be rigidly attached to the building adjacent to all Siamese connections and such signs shall read "CONNECTION TO DRY STANDPIPE".

c.) *Wet Standpipes.*— Every Group H and I Occupancy of any height, and every Group C Occupancy of two (2) or more storeys in height and every Group D, D, E, F, and G Occupancy of three (3) or more storeys in height and every Group G and E Occupancy over one thousand eight hundred (1,800) sqm in area shall be equipped with one (1) or more interior wet standpipes extending from the cellar or basement into the topmost floor: *Provided*, that Group H buildings having no stage and having a seating capacity of less than five hundred (500) need to be equipped with interior wet standpipes.

1.) *Construction.*— Interior wet standpipes shall be constructed of the same materials as those required for dry standpipes.

2.) Size.—

i. Interior wet standpipes shall have an internal diameter sufficient to deliver one hundred and ninety (190) liters (l) of water per minute under two (2.0) kilograms per square centimeter (kg/sqcm) pressure at the hose connections. Buildings of Group Hand I Occupancy shall have wet standpipes systems capable of delivering the required quantity and pressure from any two (2) outlets simultaneously; for all other occupancies, only one (1) outlet need to be opened at any one (1) time. In no case shall the internal diameter of a wet standpipe be less than fifty (50) mm, except when the standpipe is attached to an automatic fire-extinguishing system.

ii. Any approved formula which determined pipe sizes on a pressure drop basis may be used to determine pipe size for wet standpipe systems. The LBO may require discharge capacity and pressure tests on completed wet standpipe systems.

iii. *Number required.*— The number of wet standpipe when required in this Act shall be so determined that all portions of the building are within six (6.0) m of a nozzle attached to a hose twenty three (23.0) m in length.

iv. *Location.*— In Group H and I Occupancies, outlets shall be located as follows: one (1) on each side of the stage, one (1) at the rear of the auditorium and one (1) at the rear of the balcony. Where occupant loads are less than five hundred (500), the above requirements may be waived: *Provided,* that portable fire-extinguishers of appropriate capacity and type are installed within easy access from the said locations. In Group B, C, D, E, F, and G Occupancies, the location of all interior wet standpipes shall be in accordance with the requirement for dry standpipes: *Provided further,* that at least one (1) standpipe is installed to cover not more than six hundred and fifty (650) sqm of floor area.

v. *Outlets.*— All interior wet standpipes shall be equipped with a thirty eight (38) mm valve in each floor, including the basement or cellar of the building, and located not less than three hundred (300) mm nor more than one point two (1.2) m above the floor.

vi. *Threads.*— All those threads used in connection with the installation of such standpipes, including valves and reducing fittings shall be uniform with that prescribed by the NBO.

vii. *Water Supply.*— All interior wet standpipes shall be connected to a RROW/street main not less than one hundred (100) mm in diameter, or when the water pressure is insufficient, to a water tank or sufficient size as provided in subparagraph (8). When more than one (1) interior wet standpipe is required in the building, such standpipe shall be connected at their bases or at their tops by pipes of equal size.

viii. *Pressure and Gravity Tanks.*— Tanks shall have a capacity sufficient to furnish at least one thousand five hundred (1,500) liters per minute (lpm) for period of not less than ten (10) minutes. Such tanks shall be located so as to provide not less than two (2.0) kg/sqcm pressure at the topmost base outlet for its entire supply. Discharge pipes from pressure tanks shall extend fifty (50) mm into and above the bottom of such tanks. All tanks shall be tested in place after installation and proved tight at a hydrostatic pressure fifty percent (50%) in excess of the working pressure required. Where such tanks are used for domestic purposes, the supply pipe for such purposes shall be located at or above the center line of such tanks. Incombustible supports shall be provided for all such supply tanks and not less than a nine hundre (900) mm clearance shall be maintained over the top and under the bottom of all pressure tanks.

ix. *Fire pumps.*— Fire pumps shall have a capacity of not less than one thousand (1,000) liters per minute (lpm) with a pressure of not less than two (2.0) kg/sqcm at the topmost hose outlet. The source of supply for such pump shall be a street water main of not less than one hundred (100) mm, diameter or a well or cistern containing a one(1)-hour supply. Such pumps shall be supplied with an adequate source of power and shall be automatic in operation.

x. *Hose and Hose Reels.*— Each hose outlet of all interior wet standpipe shall be supplied with a hose not less than thirty eight (38) mm in diameter. Such hose shall be equipped with a suitable brass or bronze nozzle and shall be not over twenty three (23.0) m in length. An approved standard form of wall hose reel or rack shall be provided for the hose and shall be located so as to make the hose readily accessible at

all times and shall be recessed in the walls or protected by suitable cabinets.

d.) *Basement Pipe Inlets.*— Basement pipe inlets shall be installed in the first floor of every store, warehouse or factory where there are cellars or basements under same: *Except*, wherein such cellars or basements there is installed, a fire-extinguishing system as specified in this Act or where such cellars or basement are used for banking purposes, safe deposit vaults, or similar uses.

1.) *Material.*— All basement pipe inlets shall be of cast iron, steel, brass or bronze with lids of cast brass or bronze and shall consist of a sleeve not less than two hundred (200) mm in diameter through the floor extending to and flush with the ceiling below and with a top flange, recessed with an inside shoulder, to receive the lid and flush with the finished floor surface. The lid shall be a solid casting and shall have a ring lift recessed on the top thereof, so as to flushed. The lid shall have the words 'FOR FIRE DEPARTMENT ONLY, DO NOT COVER UP" cast on the top thereof. The lid shall be installed in such a manner as to permit its removal readily from the inlet.

2.) *Location.*— Basement pipe inlets shall be strategically located and kept readily accessible at all times to the LGU Fire Department.

3.) *Approval.*— All fire-extinguishing systems, including automatic sprinklers, wet and dry standpipes, automatic chemical extinguishers, basement pipe inlets, and the appurtenances thereto shall meet the approval of the LGU Fire Department as to installation and location and shall be subject to such periodic test as it may require.

Sec. 1213. *Stages and Platform.*—

a.) *Stage Ventilators.*— There shall be one (1) or more metal ventilators or other incombustible material near the center and above the highest part of any working stage raised above the stage roof and having a total ventilation area equal to at least five percent (5%) of the floor

area within the stage walls. The entire equipment shall conform to the following requirements:

1.) *Opening Action.*— Ventilators shall open by spring action or force of gravity sufficient to overcome the effects of neglect, rust, dirt, or expansion by heat or wrapping of the framework.

2.) *Glass.*— Glass, if used in ventilators shall be protected against falling on the stage. A wire screen, if used under the glass, shall be so placed that if clogged, it cannot reduce the required ventilating area or interfere with the operating mechanism or obstruct the distribution of water from the automatic fire extinguishing systems.

3.) *Design.*— Ventilators, penthouses, and supporting framework shall be designed in accordance with this Act.

4.) *Spring Actuation.*— Springs, when employed to actuate ventilator doors, shall be capable of maintaining full required tension indefinitely. Springs shall be no stressed more than fifty percent (50%) of their rated capacity and shall not be located directly in the air stream, nor exposed to elements.

5.) *Location of Fusible Links.*— A fusible link shall be placed in the cable control system on the underside of the ventilator at or above the roof line or as approved by the LBO, and shall be so located as not to be affected by the operation of fire-extinguishing systems.

6.) *Control.*— Remote, manual, or electrical control shall provide for both opening and closing of the ventilator doors for periodic testing and shall be located at a point on the stage designated by the LBO. When the remote control of ventilator is electrical, power failure shall not affect its instant operation in the event of fire. Hand winches may be employed to facilitate operation of manually-controlled ventilators.

b.) *Gridirons.*—

1.) Gridirons, fly galleries, and pin-rails shall be constructed of incombustible materials. Gridirons and fly galleries shall be

designed to support a live load of not less than three hundred sixty seven (367) kilograms per square meter (kg/sqm). Each loft block well shall be designed to support three hundred seventy three (373) kilograms per linear meter (kg/lm) and the head block well shall be designed to support the aggregate weight of all the loft block wells served. The head block well shall be provided with an adequate strongback or lateral brace to offset torque.

2.) The main counterweight sheave beam shall be designed to support a horizontal and vertical uniformly distributed live load sufficient to accommodate the weight imposed by the total number of loft blocks in the gridiron. The sheave blocks shall be designed to accommodate the maximum load for the loft or head blocks served with a safety factor of five (5).

3.) *Rooms Accessory to Stage.*— In a building having a stage, the dressing room sections, workshops, and store rooms shall be located on the stage side of the proscenium wall and shall be separated from each other and from the stage by not less than a One (1)-hour Fire Resistive Occupancy Separation.

4.) *Proscenium Walls.*— A stage shall be completely separated from the auditorium by a proscenium wall or not less than two (2)-hour incombustible construction. The proscenium wall shall extend not less than one point two (1.2) m above the roof over the auditorium. Proscenium walls may have the addition to the main proscenium openings, one (1) opening at the orchestra pit level and not more than two (2) openings at the stage floor level, each of which shall be not more than two (2.0) sqm in area. All openings in the proscenium walls of stage shall be protected by a fire assembly having a one and one-half (1.5) hour fire-resistive rating. The proscenium opening, which shall be the main opening for viewing performances, shall be provided with a self-closing fire-resistive curtain as specified in this Act.

5.) *Stage Floor.*— The type of construction for storage floors shall depend upon the requirements based on the type of Occupancy and the corresponding fire-resistive requirements. All parts of the stage floor shall be designed to support not less than six hundred and twenty (620) kg/sqm. Openings through stage floor shall be equipped with tight-fitting wood trap doors of not less than five (5) mm nominal thickness.

6.) *Platforms.*— The type of construction for platforms shall depend upon the requirements based on the type of Occupancy and corresponding fire-resistive requirements. Enclosed platforms shall be provided with one (1) or more ventilators conforming to the requirements of stage ventilators*: Except,* that the total area shall be equal to five percent (5%) of the area of the platform. When more than one (1) ventilator is provided, these shall be so spaced as to provide proper exhaust ventilation. Ventilators shall not be required for enclosed platform having a floor area of forty five (45.0) sqm or less.

7.) *Stage Exits.*— At least one (1) exit not less than nine hundred (900) mm in width shall be provided from each side of the stage opening directly or by means of a passageway not less than nine hundred (900) mm in width to a RROW/street or exit court. An exit stair not less than seven hundred and fifty (750) mm wide shall be provided for egress from each fly gallery. Each tier of dressing rooms shall be provided with at least two (2) means of egress each not less than seven hundred and fifty (750) mm wide and all such stairs shall be constructed in accordance with the requirement specified in this Act. The stairs required in this sub-section need not be enclosed.

Sec. 1214. *Motion Picture Projection Rooms.*—

a.) *General.*— The provisions of this Section shall apply only where ribbon type motion picture films in excess of twenty two (22) mm width and

electric projection equipment are used. Each motion picture machine using ribbon type film in excess of twenty two (22) mm width and electric arc projections equipment, together with all electrical devices, rheostats, machines, and all such films present in any Group C, I, or H Occupancy, shall be enclosed in a projection room large enough to permit the operator to walk freely on either side and back of the machine.

b.) *Construction.*— Every projection room shall be of not less than one(1)-hour fire-resistive construction throughout and the walls and ceiling shall be finished with incombustible materials. The ceiling shall not be less than two point four (2.4) m from the finished floor. The room shall have a floor area of not less than seven (7.0) sqm and three point five (3.5) sqm for each additional machine.

c.) *Exit.*— Each projection room shall have at least two (2) doorways separated by not less than one-third (1/3) of the perimeter of the room, each at least seven hundred and fifty (750) mm wide and two (2.0) m high. All entrances to a projection room shall be protected by a self-closing fire assembly having a three-fourths (3/4) hour fire-resistive rating. Such doors shall open outward and lead to proper exits as required in this Act and shall not be equipped with any latch. The maximum width of such door shall be sven hundred and fifty (750) mm.

d.) *Ports and Openings.*— Ports in projection room walls shall be of three (3) kinds: projection ports; observation ports*; and* combination ports used for both observation and for stereopticon, spot or floodlight machines.

a.) *Ports Required.*— There shall be provided for each motion picture projector not more than one (1) projection port, which shall be limited in area to scene hundred and fifty (750) sqcm, and not more than one (1) observation port, which shall be limited in area to one thousand three hundred (1,300) sqcm. There shall be not more than three (3) combination ports, each of which shall not exceed seven hundred and fifty (750) mm by six hundred (600) mm. Each port opening shall be completely covered with a pane of glass*: Except*, that when acetate safety film is used, projection

ports may be increased in size to an area not to exceed four thousand five hundred (4,500) sqcm.

b.) *Shutters.*— Each port and every other opening in projection room walls, including, any fresh-air inlets but excluding exit doors and exhaust ducts, shall be provided with a sheet metal shutter of not less than two point four (2.4) mm thick or its equivalent large enough to overlap at least twenty five (25) mm on all sides of such openings. Shutters shall be arranged to slide without binding in guides constructed or material equal to the shutters in strength and fire-resistance. Each shutter shall be equipped with a seventy four degrees (74°) fusible link, which when fused by heat will cause closure of the shutter by gravity. Shutters of a size greater than one thousand three hundred (1,300) sqcm shall be equipped with a counter-balance. There shall also be a fusible link located over the upper magazine of each projector, which upon operating, will close all the shutters. In addition, there shall be provided suitable means for manually closing all shutters simultaneously from any projector head and from a point within the projection room near each exit door. Shutters may be omitted when only acetate safety film is used.

e.) *Ventilation.*—

a.) *Inlet.*— A fresh-air inlet from the exterior of the building not less than nine hundred (900) sqcm and protected with wire netting, shall be installed within fifty (50) mm of the floor in every projection room, the source of which shall be remote from other outside vents or flues.

b.) *Outlets.*— Ventilation shall be provided by one (1) or more mechanical exhaust systems which shall draw air from each arc lamp housing to outdoors either directly or through an incombustible flue used for no other purpose. Exhaust capacity shall not be less than point five cubic meter (cu.m) nor more than one point four (1.4) cu.m per minute for each arc lamp plus five point six (5.6) cu. m for the room itself. Systems shall be controlled

from within the enclosure and shall have pilot lights to indicate operation.

The exhaust systems serving the projection room may be extended to cover rooms associated therewith such as rewind rooms. No dampers shall be installed in such exhaust systems. Ventilation of these rooms, shall not connected in any way with ventilating or air-conditioning systems serving other portions of the building. Exhaust ducts shall be of incombustible material and shall either be kept twenty five (25) mm from combustible material or covered with ten (10) mm of incombustible heat-insulating material.

f.) *Regulation of Equipment.*— All shelves, fixtures, and fixed equipment in a projection room shall be constructed of incombustible materials. All films not in actual use shall be stored in metal cabinets having individual compartments for reels or shall be in generally accepted shipping containers. No solders shall be used in the construction of such cabinets.

Sec. 1215. *Lathing, Plastering, and Installation of Wall Boards.*— The installation of lath, plaster and gypsum wall board shall conform to the fire-resistive rating requirements and the type of construction of the building.

ARTICLE XIII
ELECTRICAL AND MECHANICAL REGULATIONS

Sec. 1301. *Electrical Regulations.*— All electrical systems, equipment and installation mentioned in this Act shall conform to the provisions of the Philippine Electrical Code, as adopted by the PRC Professional Regulatory Board of Electrical Engineering, pursuant to Republic Act No. 7920, otherwise known as the *"New Electrical Engineering Law"*.

Sec. 1302. *Mechanical Regulations.*— All mechanical systems, equipment and installations mentioned in this Act shall conform to the provisions of the Philippine Mechanical Engineering Code, as adopted by the PRC Professional Regulatory Board

of Mechanical Engineering, pursuant to Republic Act No. 8495, otherwise known as the *"Philippine Mechanical Engineering Act of 1998"*.

ARTICLE XIV
PHOTOGRAPHIC AND X-RAY FILMS

Sec. 1401. *Storage and Handling.—*

a.) Storage rooms of unexposed photographic and X-ray films shall be provided with automatic fire extinguishing systems in the following cases:

1.) When unexposed films in generally accepted safety shipping containers exceed the aggregate fourteen cubic meters (14.0 cu.m);

2.) Where shelving used for storage of individual packages not in said shipping containers exceed one point four (1.4) cu.m in capacity*; and*

3.) When storage is not in generally accepted safety shipping containers in any section exceeding fourteen (14.0) cu. m.

b.) Film negatives in storage or in process of handling shall be kept in heavy manila envelopes, not exceeding twelve (12) films to an envelope. Expanding envelopes shall not be used.

c.) Film negatives shall be kept in properly insulated vented cabinets, vented storage vaults or outside storage houses. Not more than one hundred ten kilograms (110.0 kg) shall be stored in any single cabinet. Where the film stored exceeds four hundred and fifty (450.0) kg, it shall be in vented storage vault or in a detached structure or roof vault. Door openings in vault shall be of four (4)-hour fire-resistive construction and shall be kept closed except when in use.

d.) Only incandescent electric light shall be permitted, and the same shall be protected with substantial wire guards, vapor roof globes or both. Portable lights on extension cords are prohibited. Conspicuous "NO SMOKING" signs shall be posted. No films shall be stored within six hundred (600) mm of steam pipes, chimneys or other sources of heat.

e.) There shall be first aid provisions of types using water or water solutions. Discarded films shall be stored and handled in the same manner as other films until removed from the premises.

Sec. 1402. *Classes of Film Exempted.—*

a.) The provisions of this Article do not apply to the following:

1.) Film for amateur photographic use in original packages or "roll" and "film pack";

2.) Films in quantities of less than one point four (1.4) cu.m; safety film;

3.) Dental X-ray film*; and*

4.) Establishments manufacturing photographic films and their storage incidental thereto and films stored or being used in standard motion picture booths.

b.) Safety photographic X-ray film may be identified by the marking on the edge of the film.

Sec. 1403. *Fire Extinguishing System.* Unless otherwise provided in this Act, all fire extinguishing system when so required shall be of a type, specifications, and methods of installation as prescribed in accordance with the requirements of the NBO.

ARTICLE XV
PRE-FABRICATED CONSTRUCTION

Sec. 1501. *Prefabricated Assembly.—*

a.) The NBO shall prescribe special tests to determine the structural adequacy, durability, soundness, weather and fire resistance of the prefabricated assemblies.

b.) Every device or system to connect prefabricated assemblies shall be capable of developing the strength of the different members as an integral structure: *Provided*, that in the case of members forming part of a structural frame as specified in this Act. Anchorages and connections

between members and the supporting elements of the structure or walls shall be capable of withstanding all probable external and internal forces or other conditions for structurally adequate construction. In structural design, proper allowances shall be made for any material to be displaced or removed for the installation of pipes, conduits or other equipment.

c.) Placement of prefabricated assemblies shall be inspected to determine compliance with this Act.

ARTICLE XVI
PLASTICS/PLASTIC DERIVATIVES

Sec. 1601. *Approved Plastics/Plastic Derivatives*. Approved plastic or plastic derivative materials shall be those which have a flame-spread rating of two hundred and twenty five (225) or less and a smoke density not greater than that obtained from the burning of untreated wood under similar conditions when tested in accordance with generally accepted engineering practices. The products of combustion shall be no more toxic than the burning of untreated wood under similar conditions.

Section 1602. *Installation.—*

a.) *Structural Requirements.—* All plastic materials shall be of adequate strength and durability to withstand the prescribed design loads. Sufficient and substantial technical data shall be submitted to establish stresses, maximum unsupported spans, and such other information as may be deemed necessary for the various thicknesses and forms used.

b.) *Fastenings.—* Fastenings shall be adequate to withstand design loads and internal and external stresses required of the assembly. Proper allowances of plastic materials in conjunction with other materials with which it is assembled or integrated shall be provided.

Sec. 1603. *Glazing of Openings.—*

a.) Doors, sashes and framed openings in exterior walls of all buildings/structures, except Types IV and V Constructions may be glazed or equipped with approved plastics/plastic derivatives*: Provided,* that:

1.) The wall in which such glazing is installed is so located that openings are not required to be fire-protected.

2.) Except for Type I Construction, the location size, and spacing of such glazed openings do not exceed the values set forth by the NBO.

3.) Plastic/plastic derivatives used in glazed openings for Type II Construction shall be materials appropriate for use according to flame-spread characteristics and the location, size, and spacing of the openings do not exceed the values set forth by the NBO.

Sec. 1604. *Skylights.—*

a.) *General.—* Approved plastics plastic derivatives may be used in skylights installed on roofs of Types I, II, or III constructions and all buildings in these categories shall be equipped with an approved automatic fire-extinguishing system in Groups A, B, C, E, F, J, H-3 and H-4 Occupancies: *Provided,* that:

1.) Approved plastics may be used in any type of construction or occupancy as a fire venting system when approved by the LBO;

2.) Plastic/plastic derivatives may be used in approved skylights in Type II one(1)-hour fire-resistive construction which are located three hundred (300.0) mm or more above the lower place of the ceiling. The walls of the skylight well shall be no less fire-resistive than the adjacent ceiling; *and*

3.) Where fire-resistive ceiling is not required in one (1)-storey buildings, approved plastics/plastic derivatives may be used in skylights.

b.) *Installation Requirements.—*

1.) Except in Group A Occupancies, no skylight shall be installed within three (3.0) m of a property line.

2.) The edges of dome-type skylights shall be properly flashed.

3.) Plastic/plastic derivative skylights shall be separated from each other by at least two point five (2.5) m laterally and three (3.0) m along the slope of the roof.

c.) *Allowable areas.*— The area of individual plastic skylights shall not exceed ten (10.0) sqm. The total aggregate area of plastics used in skylights, monitors, and sawtooth glazing shall not exceed twenty percent (20.0%) of the floor area of the room or occupancy sheltered.

Sec. 1605. *Light-Transmitting Panels in Monitors and Sawtooth Roofs.*—

a.) *General.*— Where a fire-resistive rating is not required for the roof structure, and in all buildings/structures provided with an approved automatic fire-extinguishing system, approved plastics/plastic derivatives may be used with or without such as the light-transmitting medium in monitors and sawtooth*: Except*, that plastics used in monitors or sawtooth roofs of Type II Construction shall be of materials appropriate to be used according to flame-spread characteristics.

b.) *Allowable Area.*— The area of individual plastic glazing used in monitors and sawtooth glazing shall not exceed fifteen (15.0) sqm. The total aggregate area of plastics used in skylights, monitors, and sawtooth glazing shall not exceed twenty percent (20.0%) of the floor area of the room or occupancy sheltered.

c.) *Area Separation.*— The area of such plastic panels shall be separated from each other by a section of incombustible material or by a section of the roofing material of the structure not less than one point five (1.5) m in length. The lower edge of the plastic material shall be at least one hundred and fifty (150) mm above the surface of the adjoining roof surface.

d.) *Curb Requirements.*— Plastic/plastic derivative skylights in roofs having a slope of less than 1 in 3 shall have a one hundred (100) mm high curb. The curb may be omitted where a wire screen not smaller than No. 12 U.S. gauge with a mesh not larger than twenty five (25) mm is provided

immediately below the skylight. The screen shall be substantially mounted below the skylight.

Sec. 1606. *Plastic Light Diffusers in Ceilings.—*

a.) *General.—* Ceiling light diffusers having an area greater than ten percent (10.0%) of any ten (10.0) sqm of room area shall be of approved plastics/plastic derivatives conforming to the requirements specified in this Act.

b.) *Installation.—* Plastic light diffusers shall be installed in such a manner that they will not readily become detached when subjected to room temperature of eighty degrees Centigrade (80°C) for fifteen (15) minutes*: Except*, for the plastic/plastic derivative light diffusers which are installed in the first floor area of Group C Occupancies having egress directly to the exterior of the building/structure*; and* plastic/plastic derivative light diffusers which are located between an approved automatic fire-extinguishing system and the area to be protected other than public corridors for Group A, B, C, D, E, G, H and I Occupancies if tests required by the NBO have established that such installation will not interfere with the efficient operation of such automatic fire-extinguishing systems.

Sec. 1607. *Partitions.—* Where partitions are not required to be of fire-resistive or incombustible construction, approved plastics/plastic derivatives conforming to the requirements specified in this Act may be used.

Sec. 1608. *Exterior Veneer.—*

a.) *General.—* Exterior veneer may be of approved plastic/plastic derivative materials, and shall conform to the provisions of this Article.

b.) *Height.—* Plastic/plastic derivative veneer shall not be attached to any exterior wall above the first storey*: Provided*, that plastic veneer may be attached to exterior walls above the first storey of buildings located outside of highly restrictive Fire Zones: *Provided further*, that the height of

the veneer is not in excess of ten (10.0) m above the adjacent grade of elevation.

c.) *Ara.*— Sections of plastic/plastic derivative veneer shall not exceed fifteen (15.0) sqm in area*: Except*, that in less restrictive Fire Zones, the area may be increased by fifty percent (50.0%).

d.) *Separation.*— Sections of plastic/plastic derivative veneer shall be separated by a minimum of one point two (1.2) m vertically and six hundred (600) mm horizontally.

Sec. 1609. *Awnings and Canopies.*—

a.) Plastic materials appropriate for use according to Flame Spread characteristics may be utilized in awnings and canopies*: Provided*, that such awnings and canopies are constructed in accordance with provisions governing projections and appendages as specified in this Act.

b.) Approved plastics/plastic derivatives may be used in awnings where untreated canvass is permitted.

c.) Approved plastics/plastic derivatives may be used in lieu of plain glass in green-houses in less restrictive Fire Zones.

ARTICLE XVII
SHEET METAL PAINT SPRAY BOOTHS

Sec. 1701. *Sheet Metal Paint Spray Booths.*—

a.) *General.*— Paint spray booths shall be constructed of steel of not less than No. 18 U.S. gauge in thickness and shall be designed in accordance with this Act.

b.) *Area.*— The area of a paint spray booth shall not exceed one hundred fifty square meters (150.0 sqm) nor ten percent (10.0%) of the basic area permitted for the major use of the building according to its Occupancy Group.

c.) *Floor Construction.*— The floor shall be constructed of incombustible material.

d.) *Interior Surface.*— Paint spray booths shall be designed to permit the free passage of the exhaust air from all parts of the building interior and all interior surfaces shall be smooth and continuous without outstanding edges.

Sec. 1702. *Fire Protection.*— Every spray booth having an open front elevation larger than one (1.0) sqm and which is not equipped with doors, shall have a fire curtain or metal deflector not less than one hundred millimeters (100.0 mm) deep, installed at the upper outer edge of the booth opening.

Sec. 1703. *Light.*— Paint spray booths shall be illuminated through hammered wire or heat-treated glass panels. The glass panels shall be located in such a manner as to reduce the hazard of ignition caused by paint spray deposit.

Sec. 1704. Ventilation.—

a.) *General.*— Mechanical ventilation shall be provided direct to the exterior of the building/structure. The mechanical exhaust system shall be designed to move the air through any portion of the paint spray area at the rate of not less than thirty lineal meters (30.0 lm) per minute. The blades of exhaust fans shall be constructed of non-ferrous material and shall be mounted in such a manner as to prevent contact with the exhaust duct. The motor shall not be mounted in the spray booth or the duct system and belts shall be enclosed where they enter the booth or duct system.

b.) *Exhaust Ducts.*— Exhaust ducts shall be constructed of steel having a thickness not less than the values set by the NBO. The discharge point for ducts in a paint spray booth shall be not less than two meters (2.0 m) from the adjoining combustible construction nor less than (eight 8.0) m from adjoining exterior wall openings*: Except,* that the discharge point for exhaust ducts is not regulated in a waterwash spray booth.

ARTICLE XVIII
GLASS AND GLAZING

Sec. 1801. *General Requirements.*

a.) This Section shall apply to exterior glass and glazing in all Occupancies except Groups A, B, and J Occupancies not over three (3)-storeys in height, and to interior and exterior glass and glazing in all occupancies subject to human impact as specified in this Act.

b.) Standards for materials shall conform to the provisions set by the NBO on glass dimensional tolerances, breaking stress levels and design safety factors.

c.) Each glass light shall bear the manufacturer's label designating the type and thickness of glass. Each glass light with special performance characteristics such as laminated, heat-strengthened, fully tempered or insulated, shall bear the manufacturer's identification showing the special characteristics and thickness, by etching or other permanent identification that shall be visible after the glass is glazed.

Sec. 1802. *Area Limitation.*— Exterior glass and glazing shall be capable of safely withstanding the load due to wind pressures for various height zones above ground, acting inward or outward. The area of individual glass lights shall not be more than the maximum allowable area of glass according to the wind load multiplied by the appropriate adjustment factor.

Sec. 1803. *Glazing.*— Glass firmly supported on all four (4) edges shall be glazed with minimum laps and edge clearances in accordance with Sec. 1801 paragraph (b)*: Provided*, that glass edge clearance in fixed openings shall be not less than what is required for wind and earthquake drift. For glass not firmly supported on all four (4) edges and design shall be submitted for approval of the LBO. Glass supports shall be considered firm when deflection of the support at design load does not exceed 1/175 of the span.

Sec. 1804. *Louvered Windows.*— Regular plate, sheet, or patterned glass in jalousies and louvered windows shall not be thinner than five point six (5.6) mm minimal, and not longer than one point two (1.2) m. Exposed glass edges shall be smooth.

Sec. 1805. *Impact.*— Frameless glass doors, glass in doors, fixed glass panels and similar glazed openings which may be subject to accidental human impact shall conform with the requirements set forth by the NBO on impact loads of glass, except in the following cases:

a.) Bathtub and shower enclosures shall be constructed from approved shatter-resistant materials, such as: wire reinforced glass not less than five point six (5.6) mm thick; fully tempered glass not less than four point eight (4.8) mm thick; or laminated safety glass not less than six point four (6.4) mm thick.

b.) Glass lights located not less than four hundred and fifty (450.0) mm above the adjacent finished floor or walking surface.

c.) Glass lights when the least dimension is not greater than four hundred and fifty (450.0) mm.

d.) Glass lights one point five (1.5) sqm or less in area.

ARTICLE XIX
THE USE OF COMPUTERS

Sec. 1901. *General Rule.*— The use of computers for all or any part of the design of buildings/structures under this Act is permitted*: Provided,* that all programs to be used are duly documented.

Sec. 1902. *Program Documentation to be Filed by Design Engineer.*— A documented program as defined under this shall be filed by the concerned Design Engineer/s with the LGU-OBO for official reference and review.

Sec. 1903. *Submission of Computer-Generated Computations.*— A copy of the output sheets for computer-generated computations shall be submitted as a part of the engineering design calculations. The output sheets shall be accompanied by a certification of a Design Engineer and/or consultant that the output sheets are the results obtained through the use of documented programs. The certification should include the identification of the specific program used for each portion of the computer-generated computations being submitted by the Design Engineer to the LGU-OBO.

ARTICLE XX
SIGNS, DISPLAYS AND BILLBOARDS

Sec. 2001. *General Requirements.*—

a.) No sign, signboard or non-mobile billboard shall be erected in such manner as to confuse or obstruct the view or interpretation of any official traffic sign, signal or related public information device.

b.) No sign, signboard or non-mobile billboard shall be constructed as to unduly obstruct the natural view of the landscape, distract or obstruct the view of the public as to constitute a traffic hazard, or otherwise defile, debase or offend aesthetic and cultural values and traditions.

Sec. 2002. *Maintenance.*— All signs, together with all of their supports, braces, guys and anchors, shall be kept in repair and in proper state of preservation. The display of all signs shall be kept neatly painted and secured at all times.

Sec. 2003. *Design and Construction.*— Sign structures shall be designed and constructed to resist all forces in accordance with the National Structural Code for Buildings. For signs on the firewalls, roof or deck roof of buildings/structures, the dead and lateral loads shall be transmitted through structural frame of the building/structure to the ground in such a manner as not to overstress any of the elements of the building/structure. The weight of earth superimposed over footings may be used in determining the dead load resisting moment. Such earth shall be carefully placed and thoroughly compacted.

a.) *General.*— The supports and anchorage of all signs, sign structures or non-mobile billboards shall be placed in or upon private property and shall be constructed in conformity with the requirements of this Act.

b.) *Materials.*— Materials for construction of signs or sign structures shall be of the quality and grade as specified under this Act.

c.) *Restrictions on Combustible Materials.*— All signs or sign structures erected in highly restrictive Fire Zones shall have structural members of incombustible materials. Ground signs may be constructed of any material meeting the requirements of this Act. Combinations signs, roof signs, wall signs, projecting signs and signs on canopies/marquees shall be constructed of incombustible materials. No combustible material other than approved materials shall be used in the construction of electrical signs or sign structures.

d.) *Non-Structural Trim.*— Non-structural trim and portable display surfaces shall only be of materials duly approved and promulgated by the NBO, or any combination thereof.

e.) *Display Surfaces.*— Display surfaces in all types of signs, signboards and non-mobile billboards shall only be of materials duly approved and promulgated by the NBO.

Sec. 2005. *Projections and Clearances.*—

a.) *Clearances from High Voltage Power Lines.*— Clearances of signs from high voltage power lines shall be in accordance with the Philippine Electrical Code.

b.) *Clearances from Fire Escapes, Exits, or Standpipes.*— No signs or sign structures shall be erected in such a manner that any portion of its surface or supports shall interfere in any way with the free use of any fire escape, exit or standpipe.

c.) *Obstruction of Windows and Openings.*— No sign shall obstruct any window or opening to such an extent that natural light and ventilation are reduced to a point below that required under this Act. Non-mobile billboards shall not be constructed in such a way that these obstruct light

and ventilation from windows or openings facing RROWs/streets or other public spaces, particularly in the case of carpark buildings/structures, whereby all openings shall be free of any sign structure.

d.) *Projection Over Alleys.*— No sign or sign structure shall project into any public alley below a height of three (3.0) m above the established sidewalk grade, nor project more than three hundred (300) mm where the sign structure is located three to four point five (3.0 -4.5) m above the established sidewalk grade. The sign or sign structure shall not project more than one (1.0) m into the public alley where the sign or sign structure is located more than four point five (4.5) m above established sidewalk grade.

Sec. 2006. *Lighting.*— Signs shall be illuminated only by electrical means in accordance with the Philippine Electrical Code.

Sec. 2007. *Regulation of Non-Mobile Billboards.*— Any non-mobile billboard erected, modified, retrofitted, rehabilitated or otherwise altered and thereafter exhibited after the effective date of this Act shall comply with the requirements stated hereafter. The LBO shall take immediate steps to rectify all forms of non-compliances under this Act, particularly for signs and sign structures erected since 1977 that persistently violate the NBCP.

Sec. 2008.— *Position of Non-Mobile Billboards Along National RROWs, ROWs and Legal Easements.*

a.) No billboard shall be located in a position that obstructs or obscures the view of vehicular or pedestrian traffic in such a manner as to endanger their safe movement thereof. Non-mobile billboards shall not be erected in a manner that can confuse or obstruct the view or interpretation of any official traffic sign, signal or device.

b.) The outermost portion or projection of a non-mobile billboard or its support structure or its lighting system shall be located at least five (5.0)

m from the outermost line of the national street or RROW, RRROW, UROW, WROW, legal easement, and the like.

c.) Billboards shall not be erected on any structure or portion thereof found within the national RROW, RRROW, UROW, WROW, legal easement, and the like. The air rights over such ROWs and legal easements shall not be availed of for the purpose of erecting non-mobile billboards.

d.) Temporary signs, regardless of material, intended use and size, including election-related signs or signs showing the names and/or likeness of elective/appointed officials, shall not be strung or installed over or across a national RROW, RRROW, UROW, WROW, legal easement, and the like, unless otherwise permitted by the barangay or LGU concerned*: Provided,* that in no case shall the period of display exceed seven (7) calendar days. The barangay or LGU shall thereafter remove said temporary sign/s.

e.) Reckoned from the edge of the national RROW, all displays shall have a minimum clear/unobstructed viewing distance of from fifty to one hundred (50.0 to 100.0) m within the Metropolitan Manila Area (MMA) and up to two hundred and one (201) m outside the MMA.

f.) A non-mobile billboard shall not be located more than two hundred and one (201.0) m of the outermost portion of all interchanges or of the outermost portion of the national road right-of-way (RROW) of all underpasses, overpasses, bridges, tunnels, station/terminal/inter-modal/multi-modal structures, and the like or from the center of an intersection. For existing/proposed national RROW widths of forty (40.0) m wide or wider, a distance of from fifty to one hundred and fifty (50.0 to 150.0) m shall apply.

g.) Parts of a non-mobile billboard including its support structure shall not be placed on, in or over any public property/the public domain, including national public/transportation/utility ROWs or utility/drainage easements or upon telephone/utility poles or upon natural features such as trees, rocks, and the like. In particular, non-mobile billboards shall not be erected or maintained or violate the air rights above a carriageway/roadway, railway or waterway/vessel-way.

h.) Non-mobile billboards shall not be erected at residual areas at or along intersections of national RROWs, RRROWs, ROWs and legal easements or at or along intersections of such public spaces.

i.) Non-mobile billboards that may obscure or obstruct the view of vehicular or pedestrian traffic or that may interfere, imitate, resemble or be confused with official traffic signs, signals or devices shall not be permitted. A billboard that prevents a clear and unobstructed view of official traffic signs in approaching or merging traffic shall not be permitted.

j.) A billboard that may impair any scenic vista or view corridor from the national RROW/legal easement or from a building/structure along such RROW/legal easement shall not be permitted.

Sec. 2009. *Position within Private Property or Public Property Outside RROWs/ROWs/Legal Easements.—*

a.) All non-mobile billboards shall be erected in conformity with the front, side and rear setback and yard requirements prescribed in the latest IRR of this Act and in the applicable LGU zoning regulations. In case of conflict between such laws/regulations, the provisions of the Act shall generally prevail. However, if the provisions under the LGU ordinances are more stringent than the Act, then such LGU ordinance shall prevail.

b.) Parts of a non-mobile billboard shall not be placed on, in or over any private/public property without the written consent of the property owner or lawful possessor and without the permit of the barangay or LGU concerned. This particularly applies to non-mobile billboards and their outdoor lighting provisions mounted on firewalls and deliberately intruding into the air rights of adjoining properties, unless a current and valid lease agreement for the use of such air rights exists.

c.) A non-mobile billboard mounted on a fire-walled property shall not utilize the air rights of a private/public property adjoining such a fire-walled property without the written consent of the property owner or lawful possessor of the affected property and without the permit of the barangay

or LGU concerned. In case of the presence of official consent by the affected property's owner or lawful possessor for a firewall-mounted non-mobile billboard, the same may opt to share in the income that may be derived from the billboard in exchange for the use of the air rights. In case of the lack of consent or refusal by the affected property's owner or lawful possessor for a firewall-mounted non-mobile billboard, only a painted or sticker-type display may be placed on the firewall, still subject to the prior consent of the affected property's property owner or lawful possessor and to the prior permission of the barangay or LGU concerned. Neither a non-mobile billboard mounted on the firewall nor a display painted on or made to adhere to the firewall shall be allowed if there is lack of consent or official refusal/objection by the affected property's owner or lawful possessor.

d.) A billboard shall not be erected or maintained upon or above the roof of any building/structure if the same is in violation of the NBCP and its IRR or of more stringent laws.

e.) A billboard shall not be constructed on a property where the same can obscure or shade the windows or doors of adjacent buildings/structures. Non-mobile billboards shall not be made of reflective material that can redirect unwanted light towards adjacent buildings/structures.

Sec. 2010. *Non-Mobile Billboard Spacing and Density.—*

a.) Non-mobile billboards located upon or oriented towards traffic traveling upon the same side of a national RROW/street with a minimum sixty (60.0) m width shall be spaced no less than five hundred (500.0) m apart. For narrower national RROWs, the spacing shall be between two hundred meters to five hundred (200.0 -500.0) depending on the allowed vehicle speeds on the RROW as determined by the ONBO, in coordination with the appropriate agencies. This distance shall be measured along a straight line between the two(2.0) nearest points of the billboards. The minimum spacing required shall not apply to two (2.0) displays viewed from different directions but which share a common support structure.

b.) Regardless of national RROW widths, non-mobile billboards shall not be located within a one hundred (100.0) m radius of another billboard even if the two (2.0) billboards are on different RROWs/streets.

c.) Non-mobile billboards shall only be single-faced or double-faced. In the case of double-faced billboards, the allowed display surface area/billboard unit on each face shall not exceed twenty eight square meters (28.0 sqm) per billboard unit/display/face*: Provided* that applicable setback, yard and building height limit (BHL) requirements of the NBCP and its IRR are satisfied.

d.) Triple, quadruple or higher multi-faced billboards shall not be permitted as these are already configured as buildings or solid structures that unnecessarily block natural light and ventilation and pose public safety problems.

e.) Non-mobile billboards shall not be placed within or above any portion of a RROW or ROW, particularly at the sides, below or on top of the exterior of public structures such as elevated expressways and transit alignments/stations/terminals, and the like, but shall be allowed at the enclosed sides of loading platforms and pedestrian access-ways at such public structures. Existing non-mobile billboards and their support structures, if non-compliant with this Act, shall be removed within three (3.0) months after the effectivity of this Act.

Sec. 2011. *Non-Mobile Billboard Display Content and Lighting.—*

a.) All display content for non-mobile billboards and temporary signs shall conform to the standards set by the NBO and by the government agency tasked or to be tasked with reviewing and approving the display.

b.) All content exhibited in a foreign language shall similarly exhibit the corresponding translation in either English or the local dialect/s.

c.) A billboard with any form of commercial content shall not be permitted within all properties zoned as residential nor within residential subdivisions. In the case of a new residential subdivision, only commercial billboards containing information on the residential subdivision shall be allowed.

d.) Billboards with any commercial content shall not be erected within a two hundred and one (201.0) m distance of the nearest property line of declared historic or cultural sites or of institutional sites such as schools, churches, hospitals, government buildings, public parks/playgrounds/recreation areas, convention centers, cemeteries or any other area which shall be free of non-mobile billboards with commercial content.

e.) Non-mobile billboards shall be illuminated only by luminaires exuding a fixed/non-oscillating/non-fluctuating amount of light that shall that shall not produce glare or unwanted reflectance when directed at a display.

Sec. 2012. *Allowable Dimensions for Non-Mobile Billboard Displays.—*

a.) A billboard unit shall have a surface or display area of between seven point five (7.5) sqm minimum and twenty eight (28.0) sqm maximum for existing/proposed national urban RROWs/ROWs and between twenty eight point one (28.1) sqm minimum and fifty six (56.0) sqm maximum for existing/proposed national rural RROWs/ROWs.

b.) The minimum dimension of one (1.0) side of a minimum display or billboard unit shall be one meter (1.0 m).

c.) The maximum dimension of one (1.0) side of a maximum display or billboard unit shall be eleven (11.0) m, subject to compliance with the billboard height limitation under this Act.

d.) No billboard shall exceed fifteen (15.0) m in height, measured from the average elevation of the surface of the natural ground or existing sidewalk or carriageway level (whichever is higher) up to the highest point of the non-mobile billboard or any of its components. This maximum height is contingent on the prior satisfaction of the applicable setback, yard and building height limit (BHL) requirements of this Act and its IRR.

e.) All non-mobile billboards shall be erected in conformity with the building height limits (BHL) prescribed in the latest IRR of this Act and in the applicable LGU zoning regulations.

f.) Allowable variations from the standard measurements shall be reflected in the IRR of this Act.

Sec. 2013. *Placement of Billboards with Respect to Emergency Exits, Doors and Windows.*— Billboards shall not be erected in such a manner that any portion of its display or supports will interfere in any way with the free use or operation of any fire escape, emergency exit, door, window, standpipe, and the like. A non-mobile billboard shall not be erected, constructed and maintained so as to obstruct any emergency exit or other openings or to prevent free passage from one part of a roof to any part thereof. A non-mobile billboard in any form or shape shall not be attached to a fire escape in any manner or be so placed as to interfere with an opening required for introducing natural light and ventilation into a building/structure. This provision shall particularly apply to all tall buildings exceeding five (5)-storeys.

Non-mobile billboards shall also not be used to wrap buildings/structures to deprive the occupants of natural light, ventilation and view. This particularly applies to all types of residential and office buildings as well as above-grade parking buildings, where exhaust venting shall be severely compromised by such billboards.

Sec. 2014. *Fees and Inventory of Billboards.*— As of the effective date of this Act, the following fees for a non-mobile billboard shall apply:

a.) A one-time billboard inventory fee of Two Thousand Five Hundred Pesos (P2,500.00);

b.) An annual inspection fee of Seven Thousand Five Hundred Pesos (P7,500.00)*; and*

c.) A building permit fee for a new non-mobile billboard structure in accordance with the NBCP and its IRR.

The inventory fees shall be collected by the LGU for turnover to the Office of the NBO (ONBO), the lead agency for the conduct of the inventory. The ONBO in coordination with the other agencies such as the MMDA (for the Metropolitan Manila Area/MMA only) and with the provincial LGUs, shall use additional revenues to conduct a thorough countrywide inventory of all non-mobile billboards, including

plotting the exact location of each sign, determining whether or not each sign has a valid permit from the ONBO, MMDA and the LGU-OBO charged with regulating billboards at the LGU level.

Sec. 2015. *Non-Mobile Billboard Permit Required.*— Except as otherwise provided in this Act, no billboard shall hereinafter be erected, constructed, maintained or altered until a billboard permit has been issued by the LBO and the NBO after payment of the required fees. An application for a non-mobile billboard shall be made in writing by a duly licensed outdoor advertising company and/or by legitimate entities with in-house outdoor advertising services, on the permit forms furnished by the authorities concerned and shall include such information as may be required for a complete understanding of the proposed work.

The construction/erection permit or annual inspection clearances issued by the LGU-OBO for a qualified entity to erect/operate/maintain a non-mobile billboard may be revoked by the ONBO and the MMDA (for the MMA) and by the ONBO and the DILG (for all other areas) if the non-mobile billboard is:

1.) In violation of any provision of this Act and/or its latest IRR or derivative regulations and/or poses a clear threat to public welfare, safety and health*; and/*or

2.) In violation of any provision of this Act and/or its IRR or of any provision of subsequent derivate rules and regulations (guideline/s, standard/s, manual/s of procedure, and the like) as subsequently promulgated by the ONBO.

The permit/s or clearance/s issued by the LGU for the erection/operation/maintenance of a non-mobile billboard as revoked by the ONBO may be officially reinstated by the ONBO and the MMDA (for the MMA) and by the ONBO and the DILG (for all other areas) if the violations found have been properly addressed/remedied.

Sec. 2016. *Abatement of Dangerous Billboards.* -When any non-mobile billboard is found or declared to be dangerous or ruinous, the LBO, duly designated as such by the LGU) shall order its repair or demolition at the expense of the Owner, 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 the New Civil Code or this Act and its IRR. To facilitate the identification of the Owner, the necessary contact information shall be exhibited on the right lower corner of a non-mobile billboard, permanently attached to its support structure.

Sec. 2017. *Official Signs Exempted*. -The following official signs are exempt from the restrictions of this Act that may also apply to signs:

a.) Official highway route number signs, street name signs, directional, or other official government signs;

b.) Directional, information or public service signs, such as those advertising availability of restrooms, telephone or similar public conveniences;

c.) Official traffic signs, signals, devices, and the like*; and*

d.) Official signs for memorial or historical places.

Sec. 2018. *Possible Exemption for Non-Mobile Billboards Only Above the Sidewalk Portion of the RROW.*— Satisfaction of the following conditions, whereby the permitted non-mobile billboard is made to effectively contribute to positive urban design/redevelopment, may allow the placement or erection of non-mobile billboards but only above the sidewalk portion of the RROW:

a.) If the billboard and its cantilevered support structure is used to effectively hold in place and disguise/conceal overhead electrical, telephone, cable TV and similar utility lines that hover above the sidewalk and that may pose possible danger to pedestrians*: Provided*, that such utility lines are also effectively concealed from the view of persons within a property/building or structure without unduly compromising considerations of natural light and ventilation;

b.) If the billboard and its cantilevered support structure is also used to effectively provide a shelter from the elements for the pedestrians passing underneath. As such, the billboard serves as a component of a virtual covered sidewalk system;

c.) If the non-mobile billboard to cover the utility lines is officially permitted by the ONBO and the MMDA (for the MMA) and the DILG (for areas outside the MMA)*; and*

d.) If the allowed non-mobile billboard does not exceed 1.2 m in height and provides a clear vertical distance of at least 4.0 m for pedestrians passing underneath.

Sec. 2019. *Assisting Entities.*— In compiling the billboard inventory and in the crafting of the IRR of this Act, the ONBO as the lead agency that shall promulgate the IRR, shall collaborate with other national agencies, the concerned LGUs, the MMDA, billboard permit holders, non-governmental organizations and citizens' groups.

Sec. 2020. *National Organization of Non-Mobile Billboard Constructors.*— A national organization of Non-Mobile Billboard Constructors shall be accredited by the ONBO, and shall be registered with the Securities and Exchange Commission (SEC), as a non-profit, non-stock corporation that shall self-regulate the billboard industry in accord with this Act, with oversight functions by the ONBO. Membership in the said organization shall be required for all billboard constructors.

All companies/entities desiring to engage in the construction/erection, alteration and maintenance of non-mobile billboards shall be members in good standing of any local, national or international outdoor advertising association and shall abide by the Code of Ethics and Guidelines that may be thereafter adopted by such associations, duly approved by the NBO.

Sec. 2021. *Responsible State-Regulated Professional.*— Since billboards affect the natural and built environments for which the registered and licensed Architects and/or Environmental Planners are the primarily responsible State-regulated professionals, it shall be unlawful for any natural or juridical person to erect, construct, enlarge, alter, repair, move, improve, remove, convert, use or maintain any billboard or cause the same to be erected unless the signature and dry seal of a registered and licensed Architect or Environmental Planner appears on the construction/erection plans and specifications of the billboard. The involvement of

such a professional shall ensure that all laws and regulations pertaining to the placement/siting, number, erection and maintenance of billboards are fully enforced.

ARTICLE XXI
PUBLIC BUILDINGS/STRUCTURES

Sec. 2101. *Plan/Design of Public Buildings/Structures and Their Sites/Grounds.—*

a.) *General.—*

1.) Public buildings/structures are permanent edifices owned by the government, whether State/national or local, its agencies, including government-owned and/or controlled corporations (GOCCs).

2.) The design of public buildings/structures shall fully conform to the applicable provisions of this Act. Aside from being logically functional and structurally sound, these shall should promote, enhance and express the aesthetic presentability, customs and traditions, socio-economic values, environmental quality and cultural heritage of the region concerned towards evolving a distinct Filipino Architecture.

3.) The architectural character of public buildings/structures shall fully express the nature of their function, use or occupancy and shall reflect their identity/character as public buildings/structures compatible with their total macro/micro and natural/built environments.

4.) Public buildings/structures shall be designed for permanence but with maximized flexibility to allow for future adjustments in their uses/occupancies.

5.) The use of indigenous and/or locally manufactured/produced materials such as marble, stone, adobe, clay tiles, wood products, coco wood, capiz shells, and the like should be maximized unless their production or usage are banned or regulated by the government to promote the efforts to conserve natural resources.

6.) The use of natural light and ventilation by means of proper orientation, cross ventilation, convection, sun control devices, and the like should be maximized to conserve energy.

7.) Choice of architectural finishes should aim to minimize operating and maintenance costs.

8.) The architectural plan and design shall basically reflect the functional manner or spatial utilization and/or the evolving Filipino, Asian or international usage of spaces that need to be projected if required or used, more than just attention to pure forms/images.

9.) Only the use of good to high quality materials, labor, technologies and construction methods within the approved budget, shall be specified by its planners and designers to ensure permanence, long continued use and low operating and maintenance cost of public buildings or structures.

10.) Plans and designs of all public buildings shall fully comply with all of the planning and design requirements under this Act its IRR, DRs and Referral Codes (RCs), specifically including R.A. No. 9514 and the B.P. No. 344.

11.) Strictly consider proper landscaping analysis and design not only for aesthetics but more so for the prevention of erosion of its site and immediate vicinity, for organic planning and design and for ecological balance.

12.) The foregoing provisions are not intended to limit the creativity of the designer nor preclude the use of advanced or innovative technology particularly in instances wherein mandated compliances under this Act shall present a major difficulty in or hamper the proper execution of the plan, design or architectural concept.

13.) The applicable open space requirement, otherwise referred to as the Percentage of Site Occupancy (PSO) or Allowable Maximum Building Footprint (AMBF) for buildings/structures, that shall be fully satisfied.

14.) There applicable Angles/Slopes emanating from the centerlines of RROWs/streets that limit architectural projections shall be fully complied with to satisfy natural light and ventilation requirements along both the RROWs and the front yards of the buildings/structures.

15.) The applicable FLAR rights, GFA and TGFA at maximum development, including the maximum building/enclosed area additions, shall be fully complied with.

16.) No public building/structure shall be modified to the point where it detracts from the visual harmony of the host community. Additions and alterations shall only be in the same architectural style as the original public building/structure. Additional building materials and color, on the exterior face, shall be similar to the existing building/structure. Roof slope and/or parapet construction shall generally match those at the pre-existing building/structure. All public building modifications shall be approved by the BRC, including repainting, which shall still comply with the prescribed/original color scheme/s. Public building additions shall preferably not be constructed at the front yard area and encouraged at the rear yards*: Provided* no violations of the minimum standards prescribed under this Act are made. Roof or gutters of public building additions shall not be drained onto neighboring parcels. If provided, retaining walls, shall not be altered, demolished, or changed by public building additions. Walls for such additions shall have the proper structural foundation independent from that of the retaining wall.

17.) To avoid interference with utility and wastewater lines and surface water drainage, future excavations at sites/grounds of public buildings shall preferably not exceed pointy three (0.30) m in depth. Utility meter centers shall not be obstructed or altered and the maintenance of utility meter centers shall be conducted by authorized personnel only.

18.) Rainwater harvesting/collection devices shall be preferably maintained for public buildings but kept completely out of public view.

19.) Front and optional side yard areas visible to the public shall not be used for storage of any form. Personal property shall be stored completely out of public view. No lumber, metals or other bulk materials shall be kept, stored or allowed to accumulate on any part of the public building or grounds except during periods of construction or alteration. No machinery or equipment shall be stored or operated upon any part of the development unless necessary and customary for the ordinary use of the property or for limited construction or alteration work. Generator sets shall be pre-approved by the LGU-OBO before any installation commences. The appropriate pollution control or mitigation devices should be provided.

20.) No activities in the designated front yard areas, including porches and decks to be introduced, shall compromise or detract from the public character of the development. The BRC and LGU-OBO shall be primarily responsible for creating a list of specifically prohibited activities in such areas. Unless specifically permitted, restricted and monitored by the LGU-OBO, no business or commercial activity shall be conducted within the public building or any part of its site/grounds, particularly if such activity will result in or involve exterior advertising, such as signs, non-mobile/mobile billboards, and the like, increased traffic or parking, significant deliveries and/or shipments or external storage of commercial goods.

21.) Dangerous, noxious, and offensive activities are absolutely prohibited within the public building and its site. Activities causing unreasonable or continuing annoyance or nuisance to the public building end-users are similarly prohibited. The BRC and LGU-OBO shall define these.

22.) Unless forming part of carefully considered and proposed engineering interventions, changes to the artificial/future surface water drainage patterns on-site are prohibited. Adjacent properties shall be protected from surface run-off. Drainage of site and structure run-off shall be directed to the nearest RROW/street or other appropriate channeling/discharge/collection devices.

23.) All grounds surrounding public buildings/structures shall be maintained in such a manner as to prevent or minimize the risk of fire and other dangers to the grounds/site, as well as the neighboring parcels. This includes landscaping maintenance, including tree-trimming, removal of dry or high grass, removal of dead tree limbs, and the like

24.) All users/occupants of and visitors to the public building/structure and its grounds/site are enjoined to fully respect other entities' rights to enjoy and to make full use of public AFSUs by using common courtesy and good judgment at all times.

25.) The concerned national agency or LGU shall be responsible for the maintenance of all landscaping elements onsite, including vegetation, paving, decorative items, fountains, and the like No person shall remove any landscaping element nor add any element to the designated public/common areas, unless permitted by the duly-designated building and grounds administrator.

26.) Parking on any designated on-street parking areas is permitted only during operating hours. Parking in landscaped or other areas not intended for vehicle use is absolutely prohibited. Vehicles violating parking requirements will be subject to immediate towing at the owner's expense. Washing, maintenance, and repair of motor vehicles are prohibited onsite.

27.) Domesticated animals and household pets may be periodically allowed onsite subject to control by their Owner. Owners shall clean up after their pets. Pet owners shall be liable to other users/occupants and visitors of the public building/structure and its

site/grounds for any harm and/or damage to persons or property caused by pets.

28.) No firearms or other weapons, including dangerous recreational items such as real bow and arrows, shall be used or brought inside a public building/structure and its grounds/site, except by duly authorized law officers, which includes security services.

b.) *Site Selection.*—

1.) Where a project site is yet to be selected, the potential site shall be compatible with the project usage. The site should be accessible, and near power, water, sewerage, drainage as well as transportation, communication and solid waste management systems for practical and economic considerations.

2.) Site analysis should show an accurate and thorough understanding of the site. It should include, but not be limited to, consideration of topography, point of access, existing buildings/structures/utilities/services, trees, ground cover, soil characteristics, existing and approved land uses, views and vulnerabilities to flooding, erosion, seismic activity or other threats.

3.) The site shall be properly and completely described, clearly defining its technical boundaries, showing access thereto such as highway, street/RROW or alley and indicating legal easements, encroachments, approved building lines, proposed road widening, existing buildings/structures, utilities/services and trees. For site on rolling grounds or steep slope, its contour lines shall be shown at convenient intervals.

c.) *Site Development.*—

1.) *Location and Orientation.*— Locate and orient the buildings to maximize the use of natural ventilation and lighting and to minimize energy consumption within the constraints of the functional requirements, the topography and site configuration.

2.) *Site Drainage.*— Drainage is a basic site design consideration and shall be done in conjunction with siting and orientation of buildings, location of parking lots and roads, consideration of topography and

compliance with functional site requirements. Parking lots, roads and walks shall be graded to assure positive drainage for each major site element and shall be coordinated into a total drainage system. Existing drainage ways, if any, should be utilized to retain the original character of the site and to avoid unnecessary earthwork.

3.) *Grading Design.*— Balance the cut and fill for the entire site as closely as possible to eliminate the need for hauling earth on or off the site. If topography for areas required for parking, roadways and other site features require cut and fill, selection of finished elevations for backfilling of the entire site should be well studied and appropriate.

4.) *Vehicular and Pedestrian Access and Circulation.*— Access and circulation patterns to and within the site shall be studied in the process of site planning. Easy and direct access and smooth circulation should be provided for all vehicles and pedestrians, especially for disabled persons.

5.) *Site Utilities and Services.*— Provide adequate underground utilities and services such as concrete or masonry trenches with retractable covers for maintenance to help avoid future diggings at roadways/carriageways. The trench alignments shall be coordinated with paving of streets/RROWS and landscaping works, including future extensions/expansions, to avoid conflicts with such site elements. The most economical run shall be provided to help minimize the possibility of future utility relocation. The location of underground site utilities and services such as power, water supply, sewerage communications and drainage systems shall be coordinated to reduce the possibility of utility/service crossings and contamination.

Sec. 2102. *Aerodromes, Airports and Heliports/Helipads.*— As may be applicable, the planning and design of all aerodromes, airports and heliports, including helipads on buildings/structures shall be thoroughly coordinated with the

CAAP and the DOTr particularly on the applicable standards or combinations thereof, such as ICAO SARP, CAAP MoS, and the like with respect to airport airside components such as the runway strip (airstrip), runway, taxiways, aprons, and the like and landside components such as terminal buildings, curbside and parking.

ARTICLE XXII
SUSTAINABLE DESIGN AND GREEN ARCHITECTONICS FOR BUILDINGS/STRUCTURES, THEIR SITES/GROUNDS AND AFFECTED PORTIONS OF RROWS/STREETS

Sec. 2201. *Principles of Sustainable Design and Green Architectonics.—*

a.) *General Principles.—*

1.) Sustainable Design is premised on designing physical objects, the built environment and services to substantially comply with the principles of economic, social and ecological sustainability, without compromising natural and other resources that shall be bequeathed to future generations.

2.) Considerations of proper siting, land utilization, orientation and resource management shall be included as primary climate change adaptation features of buildings/structures and their respective sites/grounds.

3.) The high floodwater line (HFL) to be determined by the DPWH, instead of the sidewalk surface, shall be the reference for developing/constructing the first floor of buildings/structures. While the constructed levels below the HFL may be used for activities, the same shall not be enclosed.

4.) The Water Code provisions on legal easements along waterways shall be fully complied with. Failure to comply will subject the violator/s to the penalties prescribed under this Act.

5.) The paving material for RROW/streets and the use of masonry walls and metal roofs for buildings/structures shall be reduced to help address the steady increase in reflected light and heat.

6.) Walking for distances of less than three hundred meters (300 m) by making the pedestrian environment conducive to walking/ambulation shall be promoted.

7.) The controlled use of non-pollutive, man-powered conveyances such as bicycles, tri-bikes, trike-wagons, and the like shall also be promoted: *Provided* that the same do not constitute a public nuisance to pedestrians and vehicles alike;

8.) Water impounding structures such as ponds or pools at low-lying areas shall be developed;

9.) Proper clustering and orientation of buildings for sun, wind and storm protection and for the beneficial use of reflected light and heat and cast shadows shall be observed;

10.) Where applicable, tree-planting at all public lands and open spaces, shall be promoted, and incentives provided thereof;

11.) The development of managed tree farms that shall produce the raw materials for commercial wood products for use as construction/finishing materials in buildings/grounds and their sites/grounds shall be promoted;

12.) Stewardship of the RROW/street by the owners of properties or buildings/structures facing such RROWs/streets shall be promoted;

13.) Incentives shall be provided for privately initiated planning and design solutions that address unsightly RROW/street components such as clustered posts on sidewalks and overhead catenaries, (such as power, telephone, and cable lines, through commercial solutions such as lighted pylons and signages.

14.) Incentives shall be provided for the private maintenance and upkeep of buildings/structures facing major RROWs/streets.

15.) The planning and design of settlements and communities shall always factor in considerations of climate change and the possibility of local disasters, disaster preparedness (emergency management), disaster response/mitigation and the disaster resiliency of all the buildings/structures within, where applicable. The BRC and the LGU-OBO shall identify and designate safe, secure and readily

accessible public assembly and evacuation areas in times of such disasters or other public emergencies.

b.) *Energy and Resource Efficiency.—*

1.) The architectonics of a building shall be energy-efficient, to effectively reduce energy consumption, water consumption, operating costs and environmental impact. A building shall be sustainably planned, designed, used/occupied, managed and maintained. The key principles of Green Buildings revolve around its site and surroundings, energy/water/material efficiency, indoor air quality, waste reduction and low operating/maintenance costs.

2.) The passive Green Building design features of a building require it to use less energy resources and other resources while maintaining a comfortable lifestyle for its occupants;

3.) The active Green Building design features of a building/structure imply the use of equipment that run on renewable resources such as wind turbines, solar panels, and the like, that help conserve natural and non-renewable resources;

4.) Rainwater harvesting facilities or storm/surface water impounding structures or water forms such as controlled/monitored ponds or pools shall be introduced, particularly where no drainage system or drainage right-of-way (DROW) is available;

5.) A green roof, which consists of managed and/or productive soil and plant material on top of a deck roof may be introduced on top of a building/structure: *Provided* that the proper, supportive structural and sanitary engineering provisions are also provided;

6.) The use of recycled materials for the construction and finishing of buildings/structures shall be practiced where applicable;

7.) The lowering of carbon footprints by all of the users/occupants of buildings/structures shall be factored into all physical planning, design, construction, administration/management, use/occupancy, operation and maintenance of all buildings/structures shall be factored in and put into practice as much as possible;

8.) The use of construction/finishing materials with low stored energy values (relating to sourcing, manufacturing, transportation relating to the sourcing/production/delivery, installation, use, operation and maintenance, shall be practiced by all architects, engineers, allied designers, constructors, developers, owners for all buildings/structures and their grounds/sites;

9.) The use of construction/finishing materials with low toxicity, particularly in case of fire shall be specified;

10.) Where applicable, the use of alternative construction/finishing materials and building technologies that provide better insulation against excessive light, heat, sound/noise, and pollution, shall be specified;

11.) Maximization of natural light and ventilation for buildings/structures through full compliance with the pertinent provisions under this Act;

12.) Where applicable, energy conservation and management including the use of automated/building management systems (BMS) for the electrical, electronics, mechanical and sanitary/plumbing components of the building/structure, the use of LEDs and CFLs, where applicable shall be observed: *Provided,* that the proper waste handling procedures are also practiced, particularly in the case of CFLs, and the like;

13.) Domestic water conservation and management through low-flow water fixtures, waterless urinals (when suitable), dual flush toilets, fixtures with motion sensors, and the like shall be utilize where applicable;

14.) The use of the correct colors and color combinations in conjunction with proper construction/finishing material selection for the building/structure exterior to address heat and light reflection shall be observed

15.) Old but structurally-fit buildings/structures shall be conserved, preserve, and/or adaptively reused;

16.) Proper matching of the appropriate lot sizes and configurations with the intended use/occupancy for the building/structure and its site/grounds shall be observed.

c.) *Layout, Form and Finish.—*

1.) Climatic characteristics establish the basic factors that need to be taken into account in terms of building features related to the architecture of high-density mixed-use buildings in hot-humid a tropical climate.

2.) While most rooms are artificially ventilated (for indoor climate control), end-users shall benefit from outdoor breezes. In particular, breezes shall pass through the non-air-conditioned communal/common building spaces and outdoor spaces. The orientation and construction of buildings/structures shall exploit the maximum amount of air movements.

3.) While natural ventilation is a shall, it is equally important to complement it with sufficient provisions that protect the end-users from excessive sun, light and heat.

4.) The exterior color selection for a building/structure shall balance reflected light and heat.

5.) Non-traditional building materials that have high to very high insulating, pest-proofing, fire-resisting, water-repelling and other beneficial properties is encouraged, such as wood-wool cement-bonded board (CBB), fiber cement board (FCB), and the like which come in different densities, textures and finish preparations shall be used when applicable.

6.) Major buildings should be designed with relatively open, elongated plan form with rooms generally distributed in single rows to allow maximum cross ventilation and penetration of breezes (passive cooling techniques through the floor, walls and ceiling).

7.) Projecting canopies or broad overhanging eaves shall provide shading to outdoor social and circulation areas; shading devices shall provide both essential protection and a means to define and articulate architectural characteristics;

8.) High ceilings or use of double roof construction should be used as applicable, and enclosed ceiling cavities, shall be either actively or passively cooled;

9.) Inexpensive insulating and pest-proofing devices for all building/structure elements shall be considered;

10.) Window openings shall always relate to sunlight, such as the integration of shading devices to minimize direct radiation, reduce sky glare, permit adequate natural lighting and allow outward views;

11.) The use of water and water mist/spray can also be employed to cool the building environment and its grounds.

12.) The architectural materials used shall reflect the development image, visual context, the site's setting within the area and degree of harmony, or contrast, being sought. Where possible, properly-treated/processed local materials, preferably pest-proof and more importantly, fire-resistant or retardant, shall be extensively used.

13.) Quality materials and furniture, roadway, footpath and hard open space surfaces, shade structures, fencing, walls, lighting, bollards, rails, and the like, shall be introduced to heighten the environmental quality of grounds development.

14.) As the general/overall environmental sustainability is a foremost consideration in construction and finishing material selection, commercially-grown hardwood/softwood varieties, processed wood products from wood wastes/debris/driftwood or recycled wood are preferred over naturally grown/harvested tree varieties, particularly Philippine hardwoods which are banned for construction use. The use of alternative construction and finishing materials such as the CBB or FCB, and the like, which use both natural and artificial components, shall be encouraged to avail of their superior material qualities.

15.) The use of imported construction/finishing materials is only recommended if the comparative environmental planning/design

value of the material is high to very high (and if the stored energy value is low).

16.) Other sustainable design and green architectonic concerns shall include:

i. The correct physical orientation to achieve maximum indoor climate control and energy efficiency;

ii. The employment of passive cooling/lighting technology as applicable for both the buildings and their grounds to make them all active recreational areas;

iii. Exterior/interior areas shall use a good mix of light colors for body, and dark colors for accent to achieve a good measure of climate and psychological control;

iv. The maximization of operational efficiency indoors and outdoors (reduction of carbon footprints) through the correct use of materials, lighting, forms, finishes and textures, and the like;

v. Visitor-friendly and worker-friendly environments should be safe and easy to use at all times for people of all ages, physical capabilities and backgrounds;

vi. Optimum rooms for future operational expansion and growth and the maximization of the use of all generated spaces by allowing for the flexibility and multiplicity of space uses shall be provided;

vii. The use of locally available (but of good quality) and/or imported but locally-sourced materials shall be maximized to generate cost savings, to facilitate project implementation, and for ease of upkeep/maintenance; to the greatest extent possible, local building materials should be utilized, especially if they relate to the local architectural style, as is often the case with wood or stone construction.

viii. The maximization of building and equipment lifecycles through the proper selection/mix of the necessary components shall be observed.

ix. The use of trees, plants and other soft landscaping elements shall be maximized to cleanse/purify the atmosphere at the micro-environment level and to achieve exterior and interior micro-climate control near-ground ambient temperature/heat levels caused by heat/light-reflective materials;

x. Maximum attention shall be given to health and sanitation matters;

xi. Maximum attention shall be given to safety and security matters, particularly the fire integrity and defensibility of buildings/structures;

xii. The well-being of all identified end-users of the proposed building/structure shall be a paramount concern, where the resulting structure shall be safe for everyone to use, such as including children, the elderly and the disabled, women, and the like

xiii. Buildings shall preferably be self-contained systems that shall be planned/designed to promote health and sanitation, worker efficiency and minimal disturbance to the natural and built environments.

xiv. Maximum attention shall be accorded to architectural provisions fully addressing safety and security concerns, such as fire integrity of buildings/structures, fire protection provisions and response mechanism (including fire/floor/level searches and fire-fighting), incidents/accidents, natural disasters (earthquake, tsunami, grass fire, flooding, and the like), crime, medical (including first aid and CPR) and related emergency responses, telecommunications/linkages to the proper authorities, evacuation, and the like; monitoring and prevention management devices and techniques which should be well in place when the building operates.

xv. Rooflines shall reflect the local architectural style (primarily based on functional considerations) and be consistent with the characteristics of the natural environment.

d.) *Civil Works.—*

1.) The building grounds shall be developed to enable all types of end-users to move around freely and safely. This requires the removal or treatment of site hazards, such as abrupt changes in ground elevation, presence of large amounts of running or surface water, sharp rocks or geologic formations, soft soil, and the like.

2.) Natural lighting and ventilation shall be provided within the grounds and the RROWs/streets: *Provided,* that all requirements under this Act are fully satisfied but it is equally important to introduce provisions that protect all end-users from excessive sun, light and heat.

3.) The use of the correct surface color and texture selection for horizontal construction materials to balance reflected light and heat and to reduce near-ground ambient temperature is a shall. The use of paving materials that allow surface water percolation is highly encouraged, such as porous/well-drained asphalt mixes, smooth stones, paver blocks/tiles on sand bedding, and the like.

4.) When choosing between asphalt and concrete pavement, the light and heat absorption or reflection properties (and ambient heat generated by the material), surface traction and surface water runoff or percolation shall become key factors for material choice.

5.) All site developments should be sufficiently drained to prevent a host of health-related problems, particularly where stagnant water can be found. Only properly sized, connected and sloped drainage and sewerage lines shall be in place.

6.) If at all possible, all developments shall never interfere with the normal movement of water/hydraulics in and around the building site. Intervention is encouraged if damage is caused to the land by excessive water movements, such as scouring and erosion.

e.) *Environmental.—*

1.) Building plans and designs shall relate/adapt to the hot-humid tropical environment of the Philippines that feature high humidity levels. All buildings shall incorporate indoor-outdoor (or organic design-oriented) relationships through use of open-sided lobbies, verandas, patios, and courtyard gardens where applicable. Building design should also take advantage of any views fronting or surrounding the site to help maximize organic relationships with the host site. Established principles for creating sustainably-planned/designed, green architectonics-oriented and tropical design-oriented plan and design solutions shall be fully integrated into all buildings/structures.

2.) The maintenance of minimum sanitation and hygiene standards is also essential for restaurants, bars, and toilet/bathing facilities. Usually sanitation standards, in the form of a national or local public health code (such as The Sanitation Code), shall be continually reviewed for adequacy. Public health standards also relate to room size, ventilation, and fenestration (door, window or other natural light and/or ventilation opening) requirements.

3.) Maximum attention shall be given to engineering provisions fully addressing safety and security matters, including the fire integrity of buildings/structures, fire protection provisions and response mechanism (including building floor/level fire searches and fire-fighting), incidents/accidents (including yacht-related events/occurrences at the marina), natural disaster (earthquake, tsunami, grass fire, flashflood, animal attack, and the like), crime, medical (including first aid and CPR) and related emergency responses, telecommunications/linkages to the proper authorities, evacuation, and the like; monitoring and prevention management devices and techniques shall similarly be well in place when a building/facility operates.

4.) In the case of portions of mixed-use/commercial buildings/structures that are made of highly combustible materials, such as dried leaves/grass, bamboo, sawali, rattan, plywood, plyboard, softwood, and the like, the plans/designs of such buildings/structures shall extensively consider wind directions during the dry months; the outermost projections of such buildings/structures, such as roof eaves, balconies, awning windows, and the like shall also preferably be at least six (6.0) m away from the adjoining structures' outermost projection/s; in areas where wind is strong during the summer months, a system of fire hydrants positioned at a minimum of say eighteen to twenty four (18.0 – 24.0) m apart should be in place; it would also be most helpful if the individual buildings/structures are surrounded by trees with large leaves that not only act as fire buffers but heighten comfort, privacy and security as well.

5.) Good physical planning and design are only as good as the operation and management of the building/structure. Sustainable development requires an environmental management program (EMP) that shall cover environmental awareness, good practice, staff training, visitor education and environmental monitoring and evaluation procedures.

6.) The sewage treatment system (STS) of a building/structure shall be adequate, especially when sited at environmentally-sensitive locations, such as rolling terrain, waterways, habitats, and the like Sewage from buildings/structures shall be treated in accordance with the effluent standards of DENR Administrative Order No. 35, series of 1990 or later superseding issuances. The use of treated/processed sewage water for toilet flushing or for watering plants shall be encouraged to help reduce the amount of sewage.

7.) Standards with respect to the degree of sewage treatment required -primary, secondary, or tertiary -and the disposal technique of effluent, based on preventing any pollution. Investigation shall be implemented to tap potentials for recycling sewage effluent,

especially in water-deficient areas, for use as landscaping irrigation water or other domestic or even possible potable use.

8.) In the absence of a sewer system, septic tanks shall fully process sewage before direct discharge to the wastewater drainage system.

9.) Flooding arising from natural causes shall be prevented as much as possible through correct and economical engineering interventions, such as interceptor trenches, culverts, dikes, retention or impounding structures, and the like (as needed).

10.) Wastewater shall be processed by chemical means to limit its negative effect on living organisms, such as bio-oxygen demand (BOD) of 10 parts per million (ppm) or less or better. Wastewater may be mixed. However, sewage water and kitchen wastewater may be mixed with other types of wastewater only after they have undergone the proper treatment or processing.

11.) Water sources can be rainwater, freshwater, well-sourced water, other types of harvested ground water or seawater (as applicable). Distances between source points and usage points shall be minimized. A three to four (3-4) day supply reserve may be ideal for most types buildings/structures and should be considered in the designed water storage capacity. Use low-pressure distribution systems to minimize system leakages.

12.) A solid waste management program for the building/structure shall be well coordinated by all stakeholders (public and private sectors) as it is not the sole responsibility of the public sector. Any waste management system shall be integrated with that of the rest of the host community and the LGU. The recycling of solid waste should be required to the greatest extent possible. No person, shall dump refuse on any part of the site/grounds, except in the designated areas for such material/refuse. No weeds, rubbish, debris, objects or materials of any kind shall be placed or permitted to accumulate within such grounds/site. Garbage and recycling materials shall be placed in covered containers only, preferably out of public view.

Waste shall be segregated by using separate trash containers for biodegradable and non-biodegradable trash. Trash collection and handling shall be conducted according to or higher than local standards. The composting of contained and inoffensive kitchen and yard waste is encouraged only if space can be made available. Approved composting devices shall be maintained completely out of public view. The incineration of trash and refuse is prohibited under law. Solid waste handling or disposal sites shall never be allowed in identified preservation and conservation areas, particularly within watersheds. Solid waste collection shall be performed routinely every twelve (12) hours if possible.

The segregation of organic and inorganic solid wastes shall be performed immediately after collection. Ideally, separate waste bins shall be supplied at the source so that segregation is done earlier. The following practice of color-coding solid wastes may be followed:

i. Green garbage bags for biodegradable wastes, such as materials that decompose or that can be reduced to finer particles such as kitchen and garden wastes;

ii. Black garbage bags for non-biodegradable wastes, such as materials that do not decompose such as plastics, styropor, tetra-packaging, ceramics, glass, construction debris (concrete, metals, and the like);

iii. Yellow garbage bags for pathological/infectious wastes, such as used cotton/gauze/bandages/strips, used sanitary napkins/tampons/condoms, used tissue paper/table napkin, hospital/medical/dental wastes, body or animal parts, cadavers/carcasses, body fluids, blood, used dental or medical implements, syringes, and the like*; and*

iv. Transparent garbage bags for types of waste to be identified by the users.

13.) Sorting and storage facilities shall be well away from activity areas so that foul odors shall not permeate such areas. Organic solid

wastes (particularly kitchen and leftover food or food waste) on-site as these readily decompose, attract pests and unwanted insects/animals and emit foul odor shall not be stored. The hauling or removal of waste off-site should be done either late at night or dawn. The use of open dumpsites is prohibited by law as the use of sanitary landfills is prescribed.

14.) The applicable provisions periodic issuances of the Department of Energy (DoE) shall be used as the primary reference for energy conservation in buildings/structures and their sites/grounds. An electrical inspection shall be satisfied for the renewal of the annual LGU-issued permit to operate the building/structure. A mix of power sources shall be employed so that the electrical system shall not be overly dependent on one (1) power source. If a generator is used, noise and fume abatement measures shall all be in place.

15.) To maximize the cooling of structures/buildings, the correct architectural orientation with respect to sun, wind and rain shall be prioritized. Passive cooling techniques, wide/extended overhangs and other green architectonic solutions or tropical architecture devices should be widely employed in the planning and design of buildings/structures. The positioning of buildings/structures under/behind/beside exterior natural or artificial shading devices shall be practiced, such as ornamental or shade trees, heat-reflecting or absorbing (as applicable) walls or greenery, and the like Use light exterior colors for the structures to reflect unwanted light and heat and to provide for a cooler interior. While electric fans are preferred over air-conditioners, the building/structure shall always offer building users the option to avail of either means of artificial ventilation. Use only low consumption -high output electrical devices such as LED luminaires or better. Use only rated electrical devices to be able to monitor consumption properly.

16.) If the technology becomes fully accessible at a low acquisition/operating/maintenance cost, the use of devices that can

economically harness solar, wind, tide/wave and geothermal power in appropriate quantities for domestic use shall be promoted.

f.) *Social and Cultural Inclusion.—*

1.) Emphasis shall be placed on architectural designs for the handicapped, in compliance with both B.P. No. 344, and with R.A. No. 7277, otherwise known as the *"Magna Carta for Disabled Persons of 1991"* and thrit IRR or their successor laws/IRRs, including provisions for the physically-disabled, sensory-impaired, slower moving elderly people, and the mentally-ill and retarded. This design approach shall also being extended to end-users who are handicapped. Barrier-free architectural design shall be applied to buildings/structures, attractions and AFSU (where applicable), with techniques applied such as the use of hard, relatively smooth, wide indoor paved surfaces, ramped access with automatic door openings or through bars at entrances to buildings/structures, and restrooms and public telephones designed for use by persons on wheelchairs. In high ambulatory/pedestrian traffic areas, vehicular traffic should be well separated from pedestrian access-ways for safety reasons in general and especially for the safety of the handicapped. At such areas, presentation techniques should include those that can be appreciated by the sensory-impaired and retarded, with special programs organized where relevant.

2.) Emphasis shall also be placed on design considerations that address various sensitivities related to gender and age, such as the physical needs of end-users such as women, young adults, children, babies and the elderly, particularly as the same relates to ambulatory and sanitation-or personal hygiene-related activities.

3.) Through Memorandum Circulars, the NBO shall periodically prescribe materials, methodologies, processes and practices that may be lawfully introduced and used for all types of projects that shall feature sustainable design and green architectonics solutions.

ARTICLE XXIII
BASEMENTS

Sec. 2301. *Maximum Configuration of Basement Levels.*— While basements may be developed for medium to very high density residential, commercial, institutional and mixed-use developments, its planning, design and construction shall observe the following limitations:

a.) The minimum road right-of-way (RROW) width that services the lot on which the basement can be constructed should be at least ten (10.0) m wide;

b.) For basements to be allowed, the prescribed setbacks and yards shall be satisfied for the building/structure above grade inasmuch as the very same setbacks shall apply below grade to determine the maximum depth or width of the basement level;

c.) If this Act's prescriptions for introducing natural light and ventilation into all basement levels are first satisfied, the maximum depth of the basement can then be made equal to fifty percent (50%) of the height of the building above grade; if the prescriptions for natural lighting and ventilation are satisfied, the basement depth can therefore be as much as one-third (1/3) of the combined height of the building to be constructed above grade and below grade;

d.) The center portion of all basement levels shall be reserved for the satisfaction of the basement level and may extend by a minimum clear distance of one point four (1.4) m from the OFB at grade level;

e.) The OFB at the second and lower basement levels shall follow the line of the OFB at grade level; *and*

f.) All drainage structures below grade shall not exceed the OFB below grade.

Sec. 2302. *Minimum Provisions for Natural Lighting and Ventilation at Basement Levels.* If basements are to be developed, the following minimum provisions for natural light and ventilation shall be satisfied:

a.) A primary or main natural light and ventilation shaft (vertical) with a clear distance of at least three (3.0) m shall be located at the center of the building and shall traverse the entire combined height of the building above and below grade;

b.) Secondary or support natural light and ventilation shaft/s (angular) with a clear distance of at least one point two (1.2) m shall emanate from the front and rear perimeters of the building and shall traverse the entire depth of the basement; the angular shaft/s shall be at an angle of sixty degrees (60°) from the horizontal, consistent with the maximum Philippine solar angle; separate angular shafts emanating from the side perimeters of the building are encouraged; *and*

c.) Both the vertical and angular shafts shall only be used for natural air and light intake and shall not be used for any form of exhaust or air exchange to keep the temperature inside the shafts at a minimum.

ARTICLE XXIV
THE PUBLIC DOMAIN
LEGAL EASEMENTS, VIEW CORRIDORS/SIGHT LINES, STREETS/ROAD RIGHT-OF-WAY (RROW) AND SIDEWALKS/ARCADES

Sec. 2401. *Legal Easements.*— As prescribed under this Act and under the Water Code of the Philippines, legal easements are areas prescribed by law to be free of obstructions or of constructed buildings/structures intended for permanent occupancies.

a.) *Allowed or Encouraged Structures/Developments Within Legal Easements.*—

1.) Hard-scaped (paved) pedestrian access-ways such as walks, footpaths or arcades (covered or roofed sidewalks without any habitable structures above or below it); temporary or movable

hard-scape elements such as gazebos, sheds, fountains and like structures with large footprints shall not encroach on the easement.

2.) Soft-scaped developments (with optional paving) such as park strips, linear parks, and the like as well as small tree clusters are encouraged for recreational and soil stabilization/protection purposes.

3.) Masonry or stone steps leading down to water or wooden boardwalks are allowed*: Provided* that all necessary safety precautions are taken, such as non-slip finishing for surfaces, handrails and railings.

4.) Other forms of soil stabilization/protection including anti-erosion/scouring measures/structures within the easement are allowed, such as seawall construction, rip-rapping, embankment protection, and the like*: Provided* that no enclosed/semi-enclosed habitable structures are built on, above or below such structures.

5.) Permanent utility/service lines (power, water, telecommunications, gas, and the like) are allowed within the easement: *Provided* that these are either below grade (underground) or above grade (overhead).

6.) If wider than nine (9.0) m, the legal easement may include a roadway/carriageway component on which vehicles can pass or on which the same may temporarily park, such as an esplanade, and the like.

7.) Pedestrian access-ways, and the like and to be located at/above/below the easement may also be developed for public use, such as a promenade, and the like.

b.) *Disallowed and Prohibited Structures/Developments Within Legal Easements.*— As it is situated outside of private property limits, the legal easement is public land, such as public domain, that should be equally enjoyed by all members of the community. The legal easement shall not be used for any form of building/structure that may go against the easement's public recreational character and as such, the following uses and others similar thereto are absolutely prohibited:

1.) Residential and like uses whether temporary or permanent;

2.) Long-term or overnight vehicle parking, such as unless the easement is duly designated by law as day and/or night pay-parking zones;

3.) As a depository of stalled, wrecked or abandoned vehicles, mechanical devices, and the like;

4.) Use of the easement for the conduct of specific commercial, institutional and/or industrial activities not compatible with its stated character;

5.) Unauthorized recreational or entertainment usage, and the like which will only benefit certain entities and which will ultimately result in inconvenience/nuisance/safety problems to the general public;

6.) No portion of the easement whether at grade (on the ground), below grade or above grade may be leased or developed by the government or by private entities for purposes inconsistent with its character and intended function. In particular, any form of semi-permanent/permanent or semi-enclosed/enclosed residential, commercial, industrial, institutional or government structure/use and like, structures/uses at any portion of the public easement is prohibited; *and*

7.) All semi-enclosed or enclosed, semi-permanent or permanent habitable building projections (particularly arcade structures) or any other building projection or structural element (eaves, roof, cantilevered beams, foundations, and the like) located above or below the easement are absolutely prohibited;

c.) All forms of enclosures such as fences, perimeter walls, and the like, intended to limit the use of the easement for private enjoyment/benefit or to restrict full access to the public easement are absolutely prohibited unless the same are erected for reason of public safety*; and*

d.) Any other form of private use, gain, enjoyment or profit at the expense of the motoring or walking public.

Sec. 2402. *View Corridors and/or Sight Lines.—*

a.) *Preservation of View Corridors and/or Sight Lines.—*

1.) The carriageway/roadway portion of the RROW shall be free of structures, particularly commercial signs or sign structures that will impede the view corridor and sight lines within the RROW.

2.) To dignify very important public or historical/cultural buildings/structures, all forms of commercial signs and sign structures intruding into RROW leading to or away from such buildings/structures shall not be allowed. Specifically disallowed from such RROW are commercial signs and sign structures such as non-mobile billboards supported from any building wall or projection (such as arcades).

3.) View corridors or sight lines from buildings/structures on a higher or lower lot shall not be entirely blocked by the intervening property to allow some sight lines to exist.

4.) In case of allowed structures within the RROW for transportation, such as elevated ramps, flyovers, tracks, stations, terminals, and the like, the appropriate designs shall be adopted to maximize light, ventilation and view.

Sec. 2403. *Streets/Road Rights-of-Way (RROWs).—*

a.) No building/structure shall be constructed unless it adjoins or has direct access to public space, yard or street/RROW on at least one (1) of its sides. All buildings shall face a public street/RROW or alley, which has been duly approved by the proper authorities for residential, institutional, commercial and industrial occupancies.

b.) RROW Development Levels. The RROW consists of three (3) different physical levels as follows:

1.) *RROW Above Grade.—* refers to the portion of the RROW reckoned from the finished surface of the roadway/carriageway and/or the sidewalk/arcade all the way up to the air. If this level of the RROW is utilized for whatever purpose, the Air Rights or the right to

develop, benefit and profit from the use of the RROW above grade shall be relinquished by the government/general public and should therefore be compensated, such as leased and paid for by the proponent/end-user/beneficiary of the proposed building/structure. The minimum clear height for the utilization of air rights above RROW shall be four point twenty seven (4.27) m from the finished crown elevation of the roadway/carriageway;

2.) *RROW at Grade.*— refers to the portion of the RROW reckoned from the natural grade line up to the finished surface of the roadway/carriageway and/or the sidewalk/arcade. This portion of the RROW is generally utilized for the movement of the general public (motorists and pedestrians). If this level of the RROW is utilized for whatever purpose, the right to develop, benefit and profit from the use of the RROW at grade is relinquished by the government/general public and should therefore be compensated, such as leased and paid for by the development proponent/end-user/beneficiary; *and*

3.) *RROW Below Grade.*— refers to the portion of the RROW reckoned from the finished surface of the roadway and/or the sidewalk all the way down into the ground. If this level of the RROW is utilized for whatever purpose, the right to develop, benefit and profit from the use of the RROW below grade is relinquished by the government/general public and should therefore be compensated, such as leased and paid for by the development proponent/end-user/beneficiary.

c.) *Allowed or Encouraged Structures/Developments Within the RROW.*— The RROW at all its physical levels may only be used for the following types of structures/uses or others similar to them, to wit:

1.) Transportation structures and like uses whether temporary or permanent, such as mass transit alignments (particularly light and heavy rail) at grade, mass transit stations and terminal facilities above grade (RROW air rights utilization) or below grade, and the like; these also include waiting sheds, traffic outposts, and the like;

2.) Limited commercial structures/uses above grade (RROW air rights utilization) or below grade*: Provided*, that these are ancillary or supplementary/complementary to the transportation structures/uses allowed in the previous paragraph, and the like; commercial signs and signage structures on the exterior of the commercial structure are disallowed and prohibited;

3.) Improvements on the RROW and on all its components/elements found at all its physical levels, such as sidewalks, arcades, roadway/carriageway, medians, planting strips, street furniture, elevated or underground crossings or access-ways, noncommercial traffic and directional signages, and the like*; and*

4.) Public utility/service structures/uses (power, water, drainage, sewerage, telecommunications, gas, and the like) at all physical levels of the RROW*: Provided,* that these do not restrict nor impede the movement of people and vehicles*: and Provided further,* that the rights to utilize the RROW are properly secured and permitted.

d.) *Disallowed and Prohibited Structures/Developments at RROW.*— If situated outside of private property limits, the RROW is public land, such as public domain, which should be equally enjoyed by all members of the community. The RROW is not to be used for the following types of buildings/structures/occupancies or others similar to these:

1.) Any form of semi-permanent/permanent or semi-enclosed/enclosed commercial structure/use and like structures/uses;

2.) Any form of temporary, semi-permanent/permanent or semi-enclosed/enclosed residential structure/use and like structures/uses;

3.) Government structures/use unless the same are located below or above grade; in such cases, the proposed structure shall be properly planned/designed and constructed;

4.) Long-term or overnight vehicle parking, such as unless duly designated as day and/or night pay-parking zones;

5.) As a depository of stalled, wrecked or abandoned vehicles, mechanical devices, and the like;

6.) The conduct of other commercial/business/industrial activities incompatible with the character of the RROW;

7.) Unauthorized recreational or entertainment usage, and the like which will only benefit certain entities and which will ultimately result in inconvenience/nuisance/safety problems to the general public; nor any other form of private use, gain, enjoyment or profit at the expense of the motoring or walking public.

e.) *Access to Buildings/Structures/Dwellings.*— Multiple living units on same lot on which apartments, rowhouses or accessorias or a group of single-detached buildings are built be *Provided* with a RROW/street directly connecting said buildings or units to a public street/RROW or alley as follows:

1.) For commercial or industrial areas, sufficient lane widths, shoulders and maneuvering spaces for long-bodied/articulated vehicles should be considered within the RROW.

2.) Privately-owned RROW/streets shall be duly registered and annotated in the lot title as such for as long as the apartments, rowhouses, and the like, using said RROW/street, still exist.

3.) Alignment of RROW/street shall be integrated into the existing street/road network, particularly with the provision of chaflans of the appropriate width.

4.) No obstruction should exist within the RROW/streets servicing multiple housing of more than seventy five (75) dwelling units.

Sec. 2404. *Sidewalks.*—

a.) Subject to existing laws and regulations, the local planning authority shall determine which street/RROW shall have an open sidewalk or an arcaded (covered) sidewalk, or a combination of both.

b.) The minimum width of the sidewalk for a RROW width of nine (9.0) m or more shall be one point two (1.2) m on each side of the RROW or a total of two point four (2.4) m on both sides of the RROW/street.

c.) Sidewalk widths shall be based on the following considerations:

1.) Volume of pedestrians (end-users, visitors, and the like) who will use the sidewalk on a regular basis;

2.) Type, intensity or level of operation and size/expanse of the allowed uses/occupancies along the RROW;

3.) The types and volume of street furniture, such as street lighting and traffic signs/signal supports, pedestrian barriers/aids, and the like, and other urban design elements that will be allowed as permanent developments within the width of the sidewalk;

4.) The width of the planting strips;

5.) The spatial needs for servicing utility/service lines underneath the sidewalk and for utility/service poles;

6.) Compliance with accessibility requirements as stipulated under B. P. No. 344;

7.) Provisions for commuters, such as waiting sheds, loading/unloading areas, and the like;

8.) Provisions for vehicle crossings/driveways between the roadway/carriageway and the front yards of lots or buildings/structures or provisions for loading/unloading platforms if allowed;

9.) Need for introduction of allowed uses/elements within the sidewalk area only if there is sufficient sidewalk width, such as bicycle lanes, jogging lanes, and the like*; and*

10.) Climate, light, ventilation, safety, security and overall maintenance of the sidewalk and all its surface areas.

11.) Sidewalks shall be of uniform width throughout the entire length of the street/RROW. The sidewalk width grade and finish of the dominant use/occupancy along the RROW shall be generally observed.

12.) The width of the sidewalk shall include both the paved and unpaved (planted) portions.

13.) The minimum width of the planting strip (for grass and shrubs) is two hundred (200.0) mm for each side of the RROW. The minimum

width of planting strip (for trees) is three hundred (300.0) mm for each side of the RROW.

14.) The sidewalk pavement shall have a non-slip surface and shall slope down from the building line towards the curb line at not more than 1/50 and shall level off with the curb.

15.) Sidewalks of two (2.0) m or more in width shall include on its outer side a planting strip of not less than eight hundred (800.0) mm in width up to a maximum of one-third (1/3) of the allowed sidewalk width, separating the curb from the sidewalk pavement. The planting strip shall always be near the curbline.

16.) Combined open and arcaded sidewalks shall be provided with a planting strip of not less than eight hundred (800.0) mm in width up to a maximum of one-third (1/3) of the allowed sidewalk width, as a separating strip between the arcaded portion and the open portion of the sidewalk.

d.) *Grade of Sidewalks.—*

1.) Sidewalks shall, as much as possible, be level and of uniform grade throughout the entire length of the street/RROW.

2.) Whenever the slope of the street does not exceed 1/12, the sidewalk grade shall follow the level or slope of the street/RROW.

3.) Whenever the slope of the street is 1/10, the sidewalk shall be maintained level for every twenty to forty (20.0 to 40.0) m of run. Sidewalks of different levels shall be joined by means of a ramp having any convenient slope not exceeding 1/6.

4.) When the grade of two (2) connecting sidewalks are between 1/10 and 1/8, the two sidewalks shall be joined by means of a ramp having any convenient slope not exceeding 1/10.

e.) *Driveways, Entrances and Exits and Driveways Across Sidewalks.—*

1.) To maximize the use of the sidewalk area, the surface of the sidewalk and the driveway shall as much as possible, be at the same plane. The entry ramp of the driveway connecting the roadway surface to the sidewalk surface shall have a slope ranging from 1/3 to 1/4.

2.) Whenever the height of the curb is more than two hundred (200.o) mm, the driveways may be constructed across the entire width of the sidewalk*: Provided* that the driveway shall be joined to the sidewalk by means of a ramp of rough finish shall have a slope of not more than 1/8. The driveway and the ramp shall be made of the same materials as that of the sidewalk.

3.) Entrances and exits of buildings abutting sidewalks shall be made of either ramps or steps.

4.) Entrance and exits ramps shall have a slope not exceeding 1/10.

5.) Entrance or exit steps shall have treads of not less than three hundred (300.0) mm. The minimum number of steps shall be two (2) with risers not exceeding one hundred (100.0) mm.

6.) No portion of either entrance or exit ramps or steps shall intrude into the sidewalk pavement.

f.) *Obstruction on Sidewalks.—*

1.) Under no circumstances shall obstruction of any kind be allowed on sidewalks, whether open or arcaded. This specifically refers to all forms of commercial signs and commercial structures that impede sight lines or pedestrian traffic along the sidewalk.

2.) Planted areas forming part of the sidewalk or arcade shall not be fenced in to allow the passage of pedestrians and disabled in transit.

g.) *Curb Configurations.—*

1.) Mountable curbs shall only be allowed if the sidewalk width on each side of the RROW is at a minimum of five (5.0) m wide.

2.) For greater protection of pedestrians and the disabled, raised curbs are encouraged for use along sidewalks that are less than five (5.0) m in width.

ARTICLE XXV

TRANSITORY AND FINAL PROVISIONS

Sec. 2501. *Existing Buildings and Structures.* All buildings or structures constructed under P.D. No. 1096 or complementing existing city or municipal building codes or ordinances, if lawfully constructed in accordance therewith from 1977 through 2011, shall be respected subject to such limitations established in this Act.

However, all alterations, additions, enlargement/expansions, fit-out, conversions, and/or repairs, rehabilitation, renovation, retrofit, to be made in such building or structures shall be subject to the provisions of this Act.

Sec. 2502. *Transitory Clause and Non-Conforming Billboards.—*

a.) Within nine (9.0) months from the date of the effectivity of this Act, any non-conforming non-mobile billboard, including those designed/constructed in full compliance with this Act and its IRR or in compliance with LGU building codes or ordinances existing as of the approval of this Act shall be dismantled, removed or altered to conform to the provisions of this Act. The cost of dismantling, removal or alteration shall be charged to the Owner of the non-complying billboard. The Owners of such altered billboards shall thereafter secure a certificate of compliance and thereafter secure the required permits and pay the necessary fees.

b.) Existing billboards erected without permits before enactment of this Act shall be given written notice to secure a permit and conform to the new requirements within ninety (90.0) days. For non-complying Owners, the LGU shall dismantle such billboards at the expense of the Owner.

c.) All non-mobile billboards that are erected in the manner, position or places other than those named/described herein, or are erected, displayed or maintained without the permit thereon having been paid as hereinafter provided or are declared by the appropriate authorities as unaesthetic/unsightly or unsafe or otherwise non-complying with this Act,

shall be subject to summary removal at the expense of the Owner, upon order of the ONBO or the LGU-OBO.

Sec. 2503. *Implementing Rules and Regulations (IRR).—*

a.) Within ninety (90.0) days after the effectivity of this Act, the NBO, in full consultation with the pertinent Professional Regulatory Boards (PRBs) under the PRC, and in coordination with other agencies of the national and local governments, the NBO and the ONBO shall adopt and promulgate such rules and regulations, to carry out the provisions of this Act and which shall be effective fifteen (15) days following their publication in the Official Gazette or in thrice for three (3) consecutive weeks in a newspaper of national circulation. An updating/amendment of the IRR shall be undertaken by the ONBO every two (2) years, including the provision/s on the permit and related fees.

b.) The portion of the IRR of this Act, which shall specifically address the proper spacing, density, sizing and proportioning/configuration and format of non-mobile billboards within RROWs/streets as partly determined by allowed vehicle speeds, ROWs and legal easements, shall be crafted by the ONBO, DOTr and the MMDA for the Metropolitan Manila Area (MMA) and by the ONBO, the DOTr, DILG and the provincial LGUs for all other areas outside the MMA, in collaboration with the concerned PRBs, particularly the PRBs for Architecture and Environmental Planning, which both have jurisdiction over urban design. The concerned private sector entities shall assist the said agencies in completing their tasks.

c.) Depending on future need, the ONBO, again in full consultation with the concerned PRBs under the PRC, shall also prepare and promulgate the necessary guidelines, standards and manuals of procedure in accordance with the IRR of this Act.

d.) The IRR of this Act may be annexed as the IRR of the LGU Zoning Ordinance (ZO).

e.) Any portion of the IRR of this Act may be annexed or amended or made part of any executive issuance relating to concerns anent any building/structure on Philippine soil.

Sec. 2504. *Interim Implementing Rules and Regulations (IIRR).*— Until such time that the IRR of this Act is promulgated by the ONBO/NBO, the interim implementing rules and regulations for this Act shall be the 2004 Revised IRR of P.D. No. 1096 (1977 NBCP). All Memorandum Circulars promulgated by the Office of the DPWH Secretary (acting as the National Building Official) prior to 2011 shall only continue to have binding force and effect, when not in conflict with any of the provisions of this Act or until revoked or amended by the ONBO/NBO.

Sec. 2505. *Separability Clause.*— If any provision of this Act or the application thereof to any person or circumstance declared unconstitutional or invalid for any reason, the same shall not affect the validity of the other provisions, which shall remain valid and subsisting.

Sec. 2506. Repealing Clause.— P.D. No 1096, s. 1977, Section 477 of R.A. No. 7160, and all other laws, decrees, provisions of charters, executive issuances, orders, circulars, ordinances, rules and regulations, guidelines, standards, procedural manuals or parts thereof contrary to or inconsistent with any provision of this Act are hereby repealed, amended or modified accordingly.

Sec. 2507. *Enforcement of the Act.*— It shall be the primary duty of the ONBO/NBO, in collaboration with the LGU-OBOs/LBOs to effectively enforce the provisions of this Act. All duly constituted law enforcement agencies, including the concerned PRBs of the PRC, and officers of national, provincial, city or municipal government or of any political subdivision thereof, shall, upon the call or request of the ONBO/NBO, render unqualified/unconditional assistance in enforcing the provisions of this Act and to prosecute any person violating the provisions of the same. The Secretary of Justice or his duly designated representative shall act as legal adviser to the ONBO/NBO and shall render legal assistance as may be necessary in carrying out the provisions of this Act.

Sec. 2508. *Penal Clause.—*

a.) Violations of the NBCP shall be jointly determined by a joint inspection team composed of representatives of the LGU-OBO, the RLPs who prepared, signed and sealed the architectural, engineering and allied plans/designs and documents of the building/structure and the RLP representatives of local chapters of the PRC-accredited professional organizations (APOs).

b.) Violations of this Act and its IRR, including major violations of P.D. No. 1096, otherwise known as the NBCP and its 2004 IRR, shall be subject to fines and penalties to be annotated on property titles until paid in full.

c.) It shall be unlawful for any natural or juridical person, to erect, construct, fit-out, expand/enlarge, alter, repair, renovate/rehabilitate, retrofit, move, improve, remove, convert, demolish, equip, use, occupy, or administer/maintain any building or structure or non-mobile billboard or cause the same to be done contrary to or in violation of any provision of this Act.

d.) Any natural or juridical person, who shall violate any of the provisions of this Act and/or commit any act hereby declared to be unlawful, shall upon conviction, be punished by a fine of not more than two million pesos or by imprisonment of not more than two (2) years upon the discretion of a competent Court: *Provided*, that in the case of juridical persons, the penalty shall be imposed upon its officials responsible for such violation and in case the guilty party is an alien, he/she shall immediately be deported after payment of the fine and/or service of his sentence.

Sec. 2509. *Prohibition on the Issuance of Temporary Restraining Orders, Mandatory Injunctions.—* Except for the Supreme Court, no court shall issue temporary restraining order, or preliminary or permanent injunction shall be promulgated against any provision of this Act unless the Petitioner is able to show that there is clear, unassailable justification to uphold private or local interest over national public interest.

Sec. 2510. *Effectivity.*— This Act and its IRR shall take effect only upon publication thrice in three (3) consecutive weeks in a newspaper of national circulation and once in the Official Gazette.

Approved,