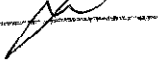


FOURTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
Second Regular Session )

8 AUG 20 12 53

SENATE

RECEIVED BY: 

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**COMMITTEE REPORT NO. 94**

Submitted jointly by the Committees on Public Order and Illegal Drugs; and Local Government on AUG 20 2008.

Re: S. No. 2553, prepared jointly by the Committees.

Recommending its approval in substitution of Senate Bill Nos. 1477, 1740, 1954 and 2196, taking into consideration Proposed Senate Resolution No. 269.

Sponsors: Senators Honasan, Aquino III, Escudero, Defensor Santiago, Revilla Jr. and Villar

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**MR. PRESIDENT:**

The Committees on Public Order and Illegal Drugs; and Local Government to which were referred Senate Bill No. 1477, introduced by Senator Escudero, entitled:

**“AN ACT  
AMENDING PRESIDENTIAL DECREE NO. 1185, OTHERWISE  
KNOWN AS THE ‘FIRE CODE OF THE PHILIPPINES’, AND FOR  
OTHER PURPOSES”;**

Senate Bill No. 1740, introduced by Senator Defensor Santiago, entitled:

**“AN ACT  
AMENDING PRESIDENTIAL DECREE NO. 1185, OTHERWISE  
KNOWN AS THE ‘FIRE CODE OF THE PHILIPPINES’, PROVIDING  
FOR EFFECTIVE IMPLEMENTATION, AND FOR OTHER  
PURPOSES”;**

Senate Bill No. 1954, introduced by Senator Revilla Jr., entitled:

**“AN ACT  
AMENDING SECTION 14 OF PRESIDENTIAL DECREE NO. 1185,  
OTHERWISE KNOWN AS THE ‘FIRE CODE OF THE PHILIPPINES’”;**

and Senate Bill No. 2196, introduced by Senator Villar, entitled:

**“AN ACT  
REVISING THE FIRE CODE OF THE PHILIPPINES, THEREBY  
AMENDING PRESIDENTIAL DECREE NO. 1185 AND FOR OTHER  
PURPOSES”;**

taking into consideration Proposed Senate Resolution No. 269, introduced by Senator Defensor Santiago, entitled:

**“RESOLUTION  
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN  
INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED LACK OF  
PROFESSIONALISM OF THE BUREAU OF FIRE PROTECTION  
FIREFIGHTERS IN RESPONDING TO THE FIRE THAT GUTTED A  
MALL IN BACLARAN”;**

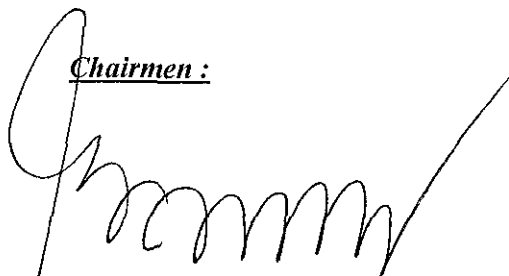
have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, Senate Bill No. 2553, prepared jointly by the Committees, entitled:

**“AN ACT  
AMENDING PRESIDENTIAL DECREE NO. 1185, OTHERWISE  
KNOWN AS THE FIRE CODE OF THE PHILIPPINES, AND FOR  
OTHER PURPOSES”**


be approved in substitution of Senate Bill Nos. 1477, 1740, 1954 and 2196, taking into consideration Proposed Senate Resolution No. 269, with Senators Escudero, Defensor Santiago, Revilla Jr., Villar, Honasan and Aquino III as authors.

Respectfully submitted,

Chairmen :

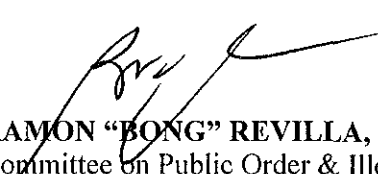


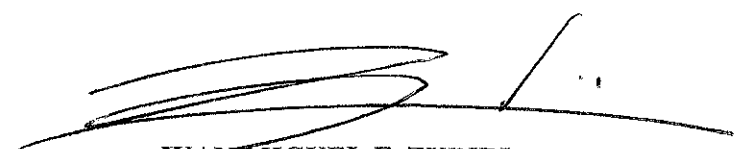
**GREGORIO B. HONASAN II**  
*Chairman, Committee on Public Order & Illegal Drugs*


  
**BENIGNO SIMEON C. AQUINO III**  
*Chairman, Committee on Local Government*

*will propose amendments:*

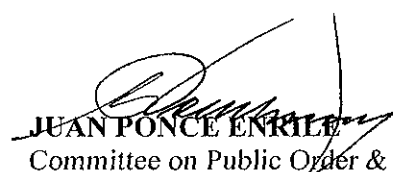
**Vice Chairmen :**

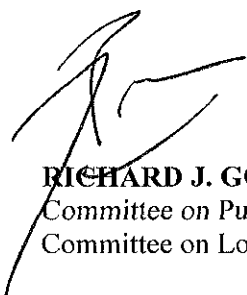
  
**RAMON "BONG" REVILLA, JR.**  
Committee on Public Order & Illegal Drugs  
*Member, Committee on Local Government*


  
**JUAN MIGUEL F. ZUBIRI**  
Committee on Public Order & Illegal Drugs

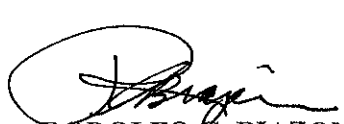
  
**FRANCIS "CHIZ" G. ESCUDERO**  
Committee on Local Government

**Members:**

  
**JUAN PONCE ENRILE**  
Committee on Public Order & Illegal Drugs  
Committee on Local Government


  
**RICHARD J. GORDON**  
Committee on Public Order & Illegal Drugs  
Committee on Local Government

  
**MANUEL "LITO" M. LAPID, JR.**  
Committee on Public Order & Illegal Drugs  
Committee on Local Government

  
**RODOLFO G. BIAZON**  
Committee on Public Order & Illegal Drugs  
Committee on Local Government

  
**PANFILO M. LACSON**  
Committee on Public Order & Illegal Drugs

  
**M.A. MADRIGAL**  
Committee on Public Order & Illegal Drugs  
Committee on Local Government

  
**EDGARDO J. ANGARA**  
Committee on Local Government  
*with audits*

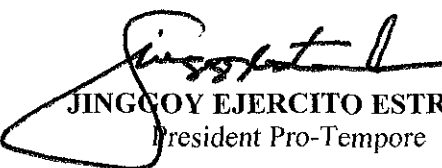
  
**ALAN PETER "COMPAÑERO" S. CAYETANO**  
Committee on Local Government

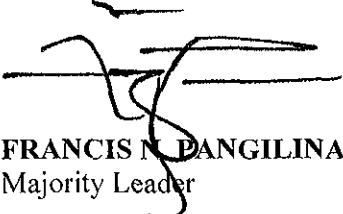
  
**COMPAÑERA PIA S. CAYETANO**  
Committee on Local Government

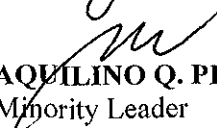
  
**LOREN B. LEGARDA**  
Committee on Local Government

  
**ANTONIO "SONNY" F. TRILLANES IV**  
Committee on Local Government

Ex - Officio Members :

  
**JINGCOY EJERCITO ESTRADA**  
President Pro-Tempore

  
**FRANCIS N. PANGILINAN**  
Majority Leader

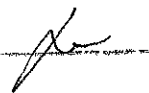
*may amend:*  
  
**AQUILINO Q. PIMENTEL, JR.**  
Minority Leader

**Hon. MANNY VILLAR**  
President  
Senate of the Philippines  
Pasay City

FOURTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Second Regular Session )

8 AUG 20 1925

SENATE

RECEIVED BY: 

S. No. 2553

*(In substitution of S. Nos. 1477, 1740, 1954 and 2196,  
taking into consideration Proposed Senate Resolution No. 269)*

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Prepared by the Committees on Public Order and Illegal Drugs; and Local Government with Senators Escudero, Defensor Santiago, Revilla Jr., Villar, Honasan and Aquino III as authors

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**AN ACT  
AMENDING PRESIDENTIAL DECREE NO. 1185, OTHERWISE KNOWN AS THE  
FIRE CODE OF THE PHILIPPINES, AND FOR OTHER PURPOSES**

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

1       **SECTION 1.** This Act shall be known as the Revised Fire Code of the  
2 Philippines.

3       **SEC. 2.** It is the policy of the State to ensure public safety and promote  
4 economic development through the prevention and suppression of all kinds of  
5 destructive fires. Towards this end, the State shall enforce all laws, rules and  
6 regulations to ensure adherence to standard fire prevention and safety measures, and  
7 promote accountability in the fire protection and prevention service.

8       **SEC. 3.** Sections 6, 10 and 12 of the Fire Code of the Philippines under  
9 Presidential Decree No. 1185 are hereby amended to read as follows:

10               **"SEC. 6. Responsibility for the Enforcement of this Code. - THIS**  
11       **CODE SHALL BE ADMINISTERED AND ENFORCED BY THE BUREAU**  
12       **OF FIRE PROTECTION (BFP), UNDER THE DIRECT SUPERVISION**  
13       **AND CONTROL OF THE CHIEF OF THE BUREAU OF FIRE**  
14       **PROTECTION, HEREINAFTER REFERRED TO AS THE "FIRE CHIEF",**  
15       **THROUGH THE HIERARCHY OF ORGANIZATION AS PROVIDED FOR**  
16       **IN CHAPTER VI OF REPUBLIC ACT NO. 6975. WITH THE APPROVAL**  
17       **OF THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR AND**  
18       **LOCAL GOVERNMENT (DILG), THE FIRE CHIEF IS HEREBY**  
19       **AUTHORIZED TO:**

1 [The Fire Service, under the direct supervision and control of the  
2 Director General of the Integrated National Police, hereinafter referred to  
3 as the "Director General" shall be responsible for the enforcement of this  
4 Code, as well as pertinent provisions of other laws pertaining to fire  
5 protection or fire safety. With the approval of the Secretary of National  
6 Defense, the Director General is hereby authorized to:]

7 a. Issue implementing rules and regulations, and prescribe  
8 **STANDARDS, SCHEDULES OF FEES/FIRE SERVICE CHARGES AND**  
9 administrative penalties therefore;

10 b. Reorganize the **BFP** [Fire Service of the Integrated National  
11 Police] as may be necessary and appropriate;

12 **C. ACCREDIT FIRE VOLUNTEERS, PRACTITIONERS AND FIRE**  
13 **VOLUNTEER ORGANIZATIONS IN THE COUNTRY WHO SHALL,**  
14 **PRIOR TO ACCREDITATION, UNDERGO FIRE SUPPRESSION,**  
15 **INSPECTION, RESCUE, EMERGENCY MEDICAL SERVICES AND**  
16 **RELATED EMERGENCY RESPONSE TRAININGS TO BE**  
17 **CONDUCTED BY THE BFP. IN THE CASE OF THE FIRE**  
18 **PRACTITIONERS, PRIOR TO THEIR ACCREDITATION, SHALL**  
19 **UNDERGO QUALIFICATION OF HIS/HER EXPERTISE, KNOWLEDGE**  
20 **AND SKILLS IN THE AREA OF FIRE SCIENCE, ENGINEERING AND**  
21 **TECHNOLOGY BY THE BFP.**

22 **D. [c.] Enter into long term agreement, either through public**  
23 **biddings or negotiations to include advance payments therefor, for the**  
24 **acquisition of fire prevention, fire protection and fire fighting**  
25 **INVESTIGATION, RESCUE, PARAMEDICS, HAZARDOUS, equipment,**  
26 **supplies, materials and related technical services necessary for the Fire**  
27 **Service; [and]**

28 **E. [d.] Enter into Memoranda of Agreement with other departments,**  
29 **bureaus, agencies, offices and corporations of the government, as well as**  
30 **private institutions, in order to define areas of cooperation and**  
31 **coordination and delineate responsibility on fire prevention education, fire**  
32 **safety, fire prevention, fire suppression and other matters of common**  
33 **concern;**

34 **F. CALL ON THE POLICE AND OTHER LAW ENFORCEMENT**  
35 **AGENCIES TO RENDER NECESSARY ASSISTANCE IN THE**  
36 **ENFORCEMENT OF THIS CODE;**

1 G. DESIGNATE A FIRE SAFETY INSPECTOR THROUGH  
2 HIS/HER DULY AUTHORIZED REPRESENTATIVE, WHO SHALL  
3 CONDUCT AN INSPECTION OF EVERY BUILDING OR STRUCTURE  
4 AT LEAST ONCE A YEAR AND EVERY TIME THE OWNER,  
5 ADMINISTRATOR OR OCCUPANT SHALL RENEW HIS/HER  
6 BUSINESS PERMIT OR PERMIT TO OPERATE;

7 NO OCCUPANCY PERMIT, BUSINESS OR PERMIT TO  
8 OPERATE SHALL BE ISSUED WITHOUT SECURING A FIRE SAFETY  
9 INSPECTION CERTIFICATE (FSIC) FROM THE FIRE CHIEF OR  
10 HIS/HER DULY AUTHORIZED REPRESENTATIVE.

11 H. INSPECT AT REASONABLE TIME, ANY BUILDING,  
12 STRUCTURE, INSTALLATION OR PREMISES FOR DANGEROUS OR  
13 HAZARDOUS CONDITIONS OR MATERIALS AS SET FORTH IN THIS  
14 CODE, PROVIDED THAT IN CASE OF SINGLE FAMILY DWELLING,  
15 AN INSPECTION MUST BE UPON THE CONSENT OF THE  
16 OCCUPANT OR UPON LAWFUL ORDER FROM THE PROPER  
17 COURT. THE FIRE CHIEF OR HIS/HER DULY AUTHORIZED  
18 REPRESENTATIVE SHALL ORDER THE OWNER/OCCUPANT TO  
19 REMOVE HAZARDOUS MATERIALS AND/OR STOP HAZARDOUS  
20 OPERATION/PROCESS IN ACCORDANCE WITH THE STANDARDS  
21 SET BY THIS CODE OR ITS IMPLEMENTING RULES OR  
22 REGULATIONS OR OTHER PERTINENT LAWS;

23 I. WHERE CONDITIONS EXIST AND ARE DEEMED  
24 HAZARDOUS TO LIFE AND PROPERTY, TO ORDER THE  
25 OWNER/OCCUPANT OF ANY BUILDING OR STRUCTURE TO  
26 SUMMARILY ABATE SUCH HAZARDOUS CONDITIONS;

27 J. REQUIRE THE BUILDING OWNER/OCCUPANT TO SUBMIT  
28 PLANS AND SPECIFICATIONS, AND OTHER PERTINENT  
29 DOCUMENTS OF SAID BUILDING AS REQUIRED TO ENSURE  
30 COMPLIANCE WITH APPLICABLE CODES AND STANDARDS; AND

31 K. ISSUE A WRITTEN NOTICE TO THE OWNER AND/OR  
32 CONTRACTOR TO STOP WORK ON PORTION OF ANY WORK DUE  
33 TO ABSENCE, OR IN VIOLATION OF APPROVED PLANS AND  
34 SPECIFICATIONS, PERMIT AND/OR CLEARANCE OR  
35 CERTIFICATION AS APPROVED BY THE FIRE CHIEF OR HIS/HER  
36 DULY AUTHORIZED REPRESENTATIVE. THE NOTICE SHALL STATE  
37 THE NATURE OF THE VIOLATION AND NO WORK SHALL BE

1 CONTINUED ON THAT PORTION UNTIL THE VIOLATION HAD BEEN  
2 CORRECTED.”

3 “SEC. 10. *VIOLATIONS, PENALTIES AND Abatement of Fire*  
4 *HAZARDS [Hazard]*. – Fire hazards shall be abated immediately. [For this  
5 purpose, t]The FIRE CHIEF [Director General] or his/HER duly authorized  
6 representative, UPON THE REPORT THAT A VIOLATION OF THIS  
7 CODE OR OTHER PERTINENT LAWS, RULES AND REGULATIONS IS  
8 BEING COMMITTED, SHALL ISSUE NOTICE/ORDER TO COMPLY TO  
9 THE OWNER, ADMINISTRATOR, OCCUPANT OR OTHER PERSON  
10 RESPONSIBLE FOR THE CONDITION OF THE BUILDING OR  
11 STRUCTURE, INDICATING AMONG OTHER THINGS, THE PERIOD  
12 WITHIN WHICH COMPLIANCE SHALL BE EFFECTED, WHICH SHALL  
13 BE WITHIN TEN (10) TO FIFTEEN (15) DAYS AFTER THE RECEIPT OF  
14 THE NOTICE/ORDER, DEPENDING ON THE REASONABLENESS TO  
15 ADEQUATELY COMPLY WITH THE SAME.

16 IF AFTER THE LAPSE OF THE AFORESAID PERIOD, THE  
17 OWNER, ADMINISTRATOR, OCCUPANT OR OTHER RESPONSIBLE  
18 PERSONS FAILED TO COMPLY, THE FIRE CHIEF OR HIS/HER DULY  
19 AUTHORIZED REPRESENTATIVE SHALL PUT UP A SIGN IN FRONT  
20 OF THE BUILDING OR STRUCTURE THAT IT IS A FIRE HAZARD.  
21 SPECIFICALLY, THE NOTICE SHALL BEAR THE WORDS "WARNING:  
22 THIS BUILDING/STRUCTURE IS A FIRE HAZARD", WHICH SHALL  
23 REMAIN POSTED UNTIL SUCH TIME THAT THE OWNER,  
24 ADMINISTRATOR, OCCUPANT OR OTHER PERSONS RESPONSIBLE  
25 FOR THE CONDITION OF THE BUILDING, STRUCTURE AND THEIR  
26 PREMISES OR FACILITIES ABATE THE SAME, BUT SUCH PERIOD  
27 SHALL NOT EXCEED FIFTEEN (15) DAYS FROM THE LAPSE OF THE  
28 INITIAL PERIOD GIVEN IN THE NOTICE/ORDER TO COMPLY.

29 FINALLY, WITH THE FAILURE OF THE OWNER,  
30 ADMINISTRATOR, OCCUPANT OR OTHER PERSONS RESPONSIBLE  
31 FOR THE CONDITION OF THE BUILDING, STRUCTURE AND THEIR  
32 PREMISES OR FACILITIES TO COMPLY WITHIN THE PERIOD  
33 SPECIFIED ABOVE, THE FIRE CHIEF may issue order for such  
34 abatement. If the owner, administrator or occupant of buildings, structure  
35 and their premises or facilities does not abate the same within the period  
36 fixed in said order, [the occupancy permit or permit to operate shall be  
37 cancelled.] THE BUILDING, STRUCTURE, PREMISES OR FACILITIES



1           **SHALL BE ORDERED CLOSED BY THE FIRE CHIEF**  
2           **NOTWITHSTANDING ANY PERMIT CLEARANCE OR CERTIFICATE**  
3           **EARLIER ISSUED BY THE LOCAL AUTHORITIES.**

4           Any building or structure **ASSESSED AND** declared **BY THE FIRE**  
5           **CHIEF OR HIS/HER DULY AUTHORIZED REPRESENTATIVE** as a  
6           firetrap **ON ACCOUNT OF THE GRAVITY OR PALPABILITY OF THE**  
7           **VIOLATION** or is causing clear and present **IMMINENT** fire danger to  
8           adjoining establishments and habitations shall be declared a public  
9           nuisance, as defined in the Civil Code of the Philippines **IN A NOTICE TO**  
10          **BE ISSUED TO THE OWNER, ADMINISTRATOR, OCCUPANT OR**  
11          **OTHER PERSON RESPONSIBLE FOR THE CONDITION OF THE**  
12          **BUILDING, STRUCTURE AND THEIR PREMISES OR FACILITIES.** If the  
13          assessed value **OF THE NUISANCE OR THE AMOUNT TO BE SPENT**  
14          **IN ABATING THE SAME** [of the building or structure] is not more than  
15          **ONE HUNDRED THOUSAND PESOS (P100,000.00)** [twenty thousand  
16          (P20,000.00) pesos], the owner, administrator or occupant thereof shall  
17          abate the hazard within **FIFTEEN (15)** [thirty (30)] days, or if the assessed  
18          value is more than **ONE HUNDRED THOUSAND PESOS (P100,000.00),**  
19          [twenty thousand (P20,000.00) pesos] within **THIRTY (30)** [sixty (60)]  
20          days from receipt of the order declaring said building or structure a public  
21          nuisance; otherwise, the **FIRE CHIEF** [Director General] or his/**HER** duly  
22          authorized representative shall forthwith cause its summary abatement.  
23          **FAILURE TO COMPLY WITHIN FIVE (5) DAYS FROM THE RECEIPT**  
24          **OF THE NOTICE SHALL CAUSE THE FIRE CHIEF OR HIS/HER DULY**  
25          **AUTHORIZED REPRESENTATIVE TO PUT UP A SIGN IN FRONT OF**  
26          **THE BUILDING OR STRUCTURE, AT OR NEAR THE ENTRANCE OF**  
27          **SUCH PREMISES, NOTIFYING THE PUBLIC THAT SUCH BUILDING**  
28          **OR STRUCTURE IS A "FIRETRAP", WHICH SHALL REMAIN UNTIL**  
29          **THE OWNER, ADMINISTRATOR, OCCUPANT OR OTHER PERSON**  
30          **RESPONSIBLE FOR THE CONDITION OF THE BUILDING,**  
31          **STRUCTURE AND THEIR PREMISES OR FACILITIES ABATE THE**  
32          **SAME WITHIN THE SPECIFIED PERIOD.**

33          Summary abatement as used herein shall mean all corrective  
34          measures undertaken to abate hazards which shall include but not limited  
35          to remodeling, repairing, strengthening, reconstructing, removal and  
36          demolition, either partial or total, of the building or structure. The  
37          expenses incurred by the government for such summary abatement shall

1 be borne by the owner, administrator or occupant. These expenses shall  
2 constitute a prior lien upon such property.”

3 **“SEC. 12. Penalties.**

4 **1. AGAINST THE PRIVATE INDIVIDUAL**

5 a) Administrative fine - Any person who violates any provision of  
6 the Fire Code or any of the rules and regulations promulgated under **THIS**  
7 **ACT** [Section 6 hereof] shall be penalized by an administrative fine of not  
8 exceeding **FIFTY THOUSAND PESOS (P50,000.00)** [twelve thousand  
9 (P12,000.00) pesos] or in the proper case, by stoppage of operations or  
10 by closure of such buildings, structures and their premises or facilities  
11 which do not comply with the requirements or by both such administrative  
12 fine and closure/stoppage of operation to be imposed by the **FIRE CHIEF**;  
13 [Director General,] Provided, That the payment of the fine, stoppage of  
14 operations and/or closure of such buildings, structures, and their premises  
15 or facilities shall not absolve the violator from correcting the deficiency or  
16 abating the fire hazard. The decision of the **FIRE CHIEF** [Director  
17 General], under this subsection, may be appealed to the Secretary of **THE**  
18 **INTERIOR AND LOCAL GOVERNMENT** [National Defense, within fifteen  
19 (15) days from the date of receipt of the order imposing the administrative  
20 fine, stopping the operations and/or closure]. **THE APPEAL SHALL NOT**  
21 **TO STAY THE EXECUTION OF THE ORDER OF THE FIRE CHIEF.** The  
22 decision of the Secretary of **THE INTERIOR AND LOCAL**  
23 **GOVERNMENT** [National Defense] shall be final and executory.

24 b) Punitive - In case of willful failure to correct the deficiency or  
25 abate the fire hazard as provided in the preceding subsection, the violator  
26 shall, upon conviction, be punished by imprisonment of not less than six  
27 (6) months nor more than six (6) years, or by a fine of not more than **ONE**  
28 **HUNDRED THOUSAND PESOS (P100,000.00)** [twenty thousand  
29 (P20,000.00) pesos] or both such fine and imprisonment; Provided,  
30 however, that in the case of a corporation, firm, partnership or association,  
31 the fine and/or imprisonment shall be imposed upon its officials  
32 responsible for such violation, and in case the guilty party is an alien, in  
33 addition to the penalties herein prescribed, he shall immediately be  
34 deported; Provided, finally, that where the violation is attended by loss of  
35 life and/or damage to property, the violator shall be **PUNISHED BY**  
36 **IMPRISONMENT OF ONE (1) YEAR TO SIX (6) YEARS IN THE**  
37 **DISCRETION OF THE COURT, IN ADDITION TO THE GRANT OF**

1 **DAMAGES TO VICTIMS WHEN APPLICABLE** [proceeded against under  
2 the applicable provisions of the Revised Penal Code].

3 **ANY PERSON WHO, WITHOUT AUTHORITY, MALICIOUSLY**  
4 **REMOVES THE SIGN THAT A BUILDING OR STRUCTURE IS A FIRE**  
5 **HAZARD/FIRETRAP PLACED BY THE AUTHORIZED PERSON IN THIS**  
6 **CODE SHALL BE LIABLE FOR IMPRISONMENT FOR THIRTY (30)**  
7 **DAYS OR A FINE NOT EXCEEDING ONE HUNDRED THOUSAND**  
8 **PESOS (P100,000.00) OR BOTH IN THE DISCRETION OF THE**  
9 **COURT.**

10 **ANY PERSON, JURIDICAL OR NATURAL, WHO SHALL BE**  
11 **FOUND OPERATING AS A VOLUNTEER FIRE GROUP OR FIRE**  
12 **PRACTITIONER WITHOUT ACCREDITATION AS PROVIDED IN THIS**  
13 **ACT SHALL BE PENALIZED WITH IMPRISONMENT OF ONE (1) DAY**  
14 **TO THIRTY (30) DAYS AND A FINE OF FIVE THOUSAND PESOS**  
15 **(P5,000.00).**

16 **2. AGAINST THE PUBLIC OFFICER/EMPLOYEE**

17 **a) ADMINISTRATIVE - THE FOLLOWING ACTS OR OMISSIONS**  
18 **SHALL RENDER THE PUBLIC OFFICER/EMPLOYEE IN CHARGE OF**  
19 **THE ENFORCEMENT OF THIS CODE, ITS IMPLEMENTING RULES**  
20 **AND REGULATION AND OTHER PERTINENT LAWS,**  
21 **ADMINISTRATIVELY LIABLE, AND SHALL BE PUNISHED BY**  
22 **REPRIMAND, SUSPENSION OR REMOVAL IN THE DISCRETION OF**  
23 **THE DISCIPLINING AUTHORITY, DEPENDING ON THE GRAVITY OF**  
24 **THE OFFENSE AND WITHOUT PREJUDICE TO THE PROVISIONS OF**  
25 **OTHER APPLICABLE LAWS:**

26 **(1) UNJUSTIFIED FAILURE OF THE PUBLIC**  
27 **OFFICER/EMPLOYEE TO CONDUCT INSPECTION OF BUILDINGS OR**  
28 **STRUCTURES AT LEAST ONCE A YEAR;**

29 **(2) DELIBERATE FAILURE TO PUT UP A SIGN INFRONT OF**  
30 **THE BUILDING OR STRUCTURE FOUND TO BE VIOLATING THIS**  
31 **CODE, ITS IMPLEMENTING RULES AND REGULATIONS AND OTHER**  
32 **PERTINENT LAWS, THAT THE SAME IS A "FIRE HAZARD" OR A**  
33 **"FIRETRAP";**

34 **(3) ENDORSING TO THE FIRE CHIEF FOR THE**  
35 **CERTIFICATION, OR SUBMITTING A REPORT THAT THE BUILDING**  
36 **OR STRUCTURE COMPLIES WITH THE STANDARDS SET BY THIS**

1 CODE, ITS IMPLEMENTING RULES OR REGULATIONS OR OTHER  
2 PERTINENT LAWS WHEN THE SAME IS CONTRARY TO FACT;

3 (4) ISSUANCE OR RENEWAL OF OCCUPANCY OR BUSINESS  
4 PERMIT WITHOUT THE FIRE SAFETY INSPECTION CERTIFICATE  
5 ISSUED BY THE FIRE CHIEF OR HIS/HER DULY AUTHORIZED  
6 REPRESENTATIVE;

7 (5) FAILURE TO CANCEL THE OCCUPANCY OR BUSINESS  
8 PERMIT AFTER THE OWNER, ADMINISTRATOR, OCCUPANT OR  
9 OTHER PERSON RESPONSIBLE FOR THE CONDITION OF THE  
10 BUILDING, STRUCTURE AND OTHER PREMISES FAILED TO  
11 COMPLY WITH THE NOTICE/ORDER FOR COMPLIANCE WITH THE  
12 STANDARDS SET BY THIS CODE, ITS IMPLEMENTING RULES AND  
13 REGULATIONS AND OTHER PERTINENT LAWS, WITHIN THE  
14 SPECIFIED PERIOD;

15 (6) FAILURE TO ABATE A PUBLIC NUISANCE WITHIN FIFTEEN  
16 (15) DAYS AFTER THE OWNER, ADMINISTRATOR, OCCUPANT OR  
17 OTHER RESPONSIBLE PERSON FAILED TO ABATE THE SAME  
18 WITHIN THE PERIOD CONTAINED IN THE NOTICE TO ABATE;

19 (7) ABUSING HIS/HER AUTHORITY IN THE PERFORMANCE OF  
20 HIS/HER DUTY THROUGH ACTS OF CORRUPTION AND OTHER  
21 UNETHICAL PRACTICES; OR

22 (8) OTHER WILLFUL IMPROPRIETY OR GROSS NEGLIGENCE  
23 IN THE PERFORMANCE OF HIS/HER DUTY AS PROVIDED IN THIS  
24 ACT OR ITS IMPLEMENTING RULES AND REGULATIONS.

25 b) PUNITIVE - THE ABOVEMENTIONED ACTS OR OMISSIONS  
26 OF THE PUBLIC OFFICIAL/EMPLOYEE, EITHER THROUGH WILLFUL  
27 IMPROPRIETY OR GROSS NEGLIGENCE OR THROUGH MALICE,  
28 SHALL CONSTITUTE A CRIMINAL OFFENSE IF THE SAME  
29 RESULTED TO, OR FAILED TO PREVENT LOSS OF LIFE AND/OR  
30 DAMAGE TO PROPERTY. SUCH PUBLIC OFFICER/EMPLOYEE  
31 SHALL BE PUNISHED BY ONE (1) YEAR TO FIVE (5) YEARS  
32 IMPRISONMENT AND/OR FINE NOT EXCEEDING FIVE HUNDRED  
33 THOUSAND (P500,000.00) IN THE DISCRETION OF THE COURT, IN  
34 ADDITION TO HIS/HER ADMINISTRATIVE LIABILITY.”

35 SEC. 4. Section 14 of the Fire Code is hereby amended to read as follows:

36 “SEC. 14. *Collection of Taxes, Fees and Fines.* - All taxes, fees  
37 and fines provided in **THIS CODE** [Section 13, hereof], shall be collected

1 by the BFP; [City or Municipal Treasurer concerned for remittance to the  
2 National Treasury.] PROVIDED, THAT TWENTY PERCENT (20%) OF  
3 ALL SUCH COLLECTIONS SHALL BE SET ASIDE AND RETAINED  
4 FOR USE BY THE CITY OR MUNICIPAL GOVERNMENT CONCERNED,  
5 WHICH SHALL APPROPRIATE THE SAME EXCLUSIVELY FOR THE  
6 USE OF THE OPERATION AND MAINTENANCE OF ITS LOCAL FIRE  
7 STATION, INCLUDING THE CONSTRUCTION AND REPAIR OF FIRE  
8 STATION. PROVIDED, FURTHER, THAT THE REMAINING EIGHTY  
9 (80%) SHALL BE REMITTED TO THE NATIONAL TREASURY UNDER  
10 A TRUST FUND ASSIGNED FOR THE MODERNIZATION OF THE  
11 BFP.”

12 SEC. 5. New Sections 14-A, 14-B and 14-C are hereby inserted to the Fire Code  
13 to read as follows:

14 “SEC. 14-A. ASSESMENT OF FIRE CODE TAXES, FEES AND  
15 FINES. – THE ASSESSMENT OF FIRE CODE TAXES, FEES AND  
16 FINES IS VESTED UPON THE BFP. THE BFP SHALL, SUBJECT TO  
17 THE APPROVAL OF THE DILG, PRESCRIBE THE PROCEDURAL  
18 RULES FOR SUCH PURPOSE.”

19 “SEC 14-B. USE OF INCOME GENERATED FROM THE  
20 ENFORCEMENT OF THE FIRE CODE. – THE FIRE CHIEF IS  
21 AUTHORIZED, SUBJECT TO THE APPROVAL OF THE SECRETARY  
22 OF THE INTERIOR AND LOCAL GOVERNMENT, TO USE THE  
23 INCOME GENERATED UNDER THE FIRE CODE FOR PROCUREMENT  
24 OF FIRE PROTECTION AND FIRE FIGHTING INVESTIGATION,  
25 RESCUE, PARAMEDICS, SUPPLIES AND MATERIALS, AND  
26 RELATED TECHNICAL SERVICES NECESSARY FOR THE FIRE  
27 SERVICE AND THE IMPROVEMENT OF FACILITIES OF BFP AND  
28 ABATEMENT OF FIRE HAZARDS.”

29 “SEC. 14-C. MONITORING THE IMPLEMENTATION OF THE  
30 FIRE CODE AND THE AMOUNT OF THE FEES COLLECTED. – THE  
31 FIRE CHIEF SHALL, WITHIN SIX (6) MONTHS FROM THE  
32 EFFECTIVITY OF THIS CODE, SUBMIT TO THE SECRETARY OF THE  
33 INTERIOR AND LOCAL GOVERNMENT FOR HIS/HER APPROVAL, A  
34 MANAGEMENT TOOL OR MECHANISM THAT WOULD ENSURE  
35 EFFECTIVE MONITORING OF THE ENFORCEMENT OF THE FIRE  
36 CODE TO INCLUDE THE AMOUNT OF FIRE CODE FEES  
37 COLLECTED.”

1           **SEC. 6.** Within sixty (60) days from the effectivity of this Act, the Secretary of the  
2 Interior and Local Government shall issue the rules and regulations for its effective  
3 implementation.

4           **SEC. 7.** All laws, presidential decrees, letters of instructions, executive orders,  
5 rules and regulations insofar as they are inconsistent with this Act, are hereby repealed  
6 or amended as the case may be.

7           **SEC. 8.** In case any provision of this Act or any portion thereof is declared  
8 unconstitutional by a competent court, other provisions shall not be affected thereby.

9           **SEC. 9.** This Act shall take effect fifteen (15) days after its publication in the  
10 Official Gazette or in two (2) national newspapers of general circulation.

11           Approved,