

Republika ng Pilipinas  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
Lungsod Ng Bakolod  
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CITY ORDINANCE NO. 472  
November 26, 2008

**AN ORDINANCE REGULATING THE USE OF INDIGENOUS MATERIALS SUCH AS NIPA, COGON, SAWALI, BAMBOO AND LAWANIT AS ROOFING FOR STRUCTURES WITHIN THE COMMERCIAL AND INDUSTRIAL ZONES IN THE CITY OF BACOLOD.**

**WHEREAS**, the National Building Code of the Philippines, (PD 1096) provides that the Building Official is primarily responsible for carrying out the provisions of this code in the field, as well as the enforcement of orders and decisions made in accordance with this law and they were authorized to issue building permits within the territorial area of the City of Bacolod;

**WHEREAS**, the Bureau of Fire Protection (BFP) as created under Rule VIII, Section 49 of Republic Act No. 6975, otherwise known as Department of Interior and Local Government Act. of 1990. The Bureau of Fire Protection (BFP) shall have the power to investigate all causes of fire and if necessary, file the proper complaint within the City Prosecutor that has jurisdiction of the case;

**WHEREAS**, Under Section 458 (1) (IV) of the 1991 Local Government Code, states that the Sangguniang Panlungsod can enact ordinances that can "adopt measures to protect the inhabitants of the City from the harmful effects of disaster and calamities, such as fire, flood, earthquake, droughts and similar force majeure occurrences xxx;

**WHEREAS**, Section 458 (2) (IX) XXX, established fire limits or zones, particularly in populous centers; and regulate the construction, repair or modification of buildings within the said fire limits or zones in accordance with the provision of the Fire Code;

**WHEREAS**, the Bureau of Fire Protection (BFP) in 2004 reported that the station was able to respond to 447 fire calls and recently two restaurants made of nipa, cogon, and sawali construction materials were burned in the commercial zone of the City;

**WHEREAS**, the calamity of fire has caused death and injury to persons, loss and damage to property had reached to an alarming proposition that the economic and social gains of the City of Smile is being continuously un-admired;

**WHEREAS**, indigenous materials such as nipa, cogon, sawali and other combustible materials used for structure are categorize as a very high hazard materials as provided for by Section 1, No. 207 (c) (table a) of the Fire Code of the Philippines.

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**NOW, THEREFORE,** Be it ordained by the Sangguniang Panlungsod of the City of Bacolod in regular session assembled that:

**SECTION I -TITLE-** This Ordinance shall be known as the "ORDINANCE REGULATING THE USE OF INDIGENOUS MATERIALS AS ROOFING FOR STRUCTURES WITHIN THE COMMERCIAL AND INDUSTRIAL ZONES IN THE CITY OF BACOLOD".

**SECTION II- DEFINITION OF TERMS** ---As used in this ordinance, the following terms shall mean;

- a. Bamboo---- shall mean the strong hollow stems of a tropical plant use for building, furniture, canes, and fishing rods.
- b. Combustible, flammable or inflammable---shall mean descriptive of materials that are easily set on fire.
- c. Combustible Fiber--- any readily ignitable and free burning fiber such as cotton, oaken, rags, waste cloth, waste paper, kapok, hay, straw, spanish moss, excelsior and other similar methods commonly used in commerce.
- d. Cogon---- shall mean a coarse tall grass used as thatching.
- e. Fire--- shall mean the active principle of burning, characterized by the heat and light combustion.
- f. Fire Hazard--- shall mean any condition or set which increases or may cause an increase in the prohibiting of the occurrence of fire, or which may obstruct, delay, hinder or interference with fire fighter operation and safeguarding, of life and property.
- g. Indigenous Materials--- shall mean the native products of a certain place and materials that can only be found or abundant in that area.
- h. Roof--- the external upper covering of a building.
- i. Nipa--- shall mean the long feathery leaves of a palm tree used for thatching, basketry, etc.
- j. Sawali--- shall mean interwoven splits of bamboo for walling.
- k. Fire-Resistive Rating Difference--- shall mean the degree to which a material can with stand fire as determined by generally recognized and accepted testing methods.

**SECTION III - TYPES OF CONSTRUCTIONS, REQUIREMENT ON TYPE OF CONSTRUCTION AND FIRE-RESISTIVE REQUIREMENTS IN CONSTRUCTION.**--- the Implementing Rules and Regulation of the National Building Code of the Philippines (P.D. 1096) provides for the types of construction into type I, II, III, IV and V, regarding construction materials that are fire-resistive.

The fire-resistive requirements standards are the following: four-hours rating, two-hours and one hour. The indigenous materials which are considered a very high hazard materials rated as one-hour fire-resistive.

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**SECTION IV--- SAFETY REGULATIONS ON THE USE OF INDIGENOUS MATERIALS AS ONLY FOR ROOFING CONSTRUCTION IN THE CITY OF BACOLOD**—The Fire Code of the Philippines (P.D. 1185) and its implementing Rules and Regulation consider the use of these indigenous materials such as sawali, bamboo, nipa and cogon to be very high hazard construction materials for roof truss of a constructed building. The Office of the Building Official (OBO) and the Bureau of Fire Protection (BFP) of the City of Bacolod are mandated to regulate the use of these materials in the Commercial and Industrial Zone of the city for the safety and protection of human beings and property in this area.

**SECTION V---IMPLEMENTING AGENCY.**— The City Planning and Development Office (CPDO), shall strictly implement the ordinance based on the City Commercial and Industrial Zone, ~~the Office of the Building Official (OBO),~~ will issue a building permit based on the standard requirements, types of construction, fire zone and fire-resistive requirements of construction materials as provided in the implementing Rules and Regulation of the National Building Code of the Philippines (P.D. 1096). The Bureau of Fire and Protection shall examine the standard materials used in the structural frameworks, exterior walls and openings, floors, exits, stairs and roofs as governed in the pertinent provision of the Fire Code of the Philippines Regulation, (P.D. NO. 1185).

**SECTION VI--- GRACE PERIOD UNDER P.D. 1185, THE FIRE CODE OF THE PHILIPPINES AND REGULATION.**

- A. The owner, administrator or occupant of the building or structure existing at the time of the effectivity of the fire code is given two (2) years to comply with the provisions thereof on fire safety constructions and on protective and warning systems. However, the Director General of the Integrated National Police may prescribed a shorter period depending upon the degree of hazard.

The following grace period are hereby prescribed:

<u>DEGREE OF HAZARD</u>	<u>COST</u> (In pesos)	<u>GRACE PERIOD</u> (months)
LOW	Less than 80,000.00	12
	More than 80,000.00 Less that 200,000.00	16
	More Than 200,000.00 Less than 500,000.00	20
	More than 500,000.00	24

	Less than 80,000.00	8
	More than 80,000.00 less than 200,000.00	12
MEDIUM	More than 200,000.00 less than 500,000.00	16
	More than 500,000.00	20
	Less than 80,000.00	4
	More than 80,000.00 less than 200,000.00	8
HIGH	More than 200,000.00 less than 500,000.00	12
	More than 500,000.00	16
	Less than 80,000.00	1
VERY HIGH	More than 80,000.00 less than 200,000.00	4
	More than 200,000.00	8

B. Degree of Hazard--- Degree of hazard as used herein means the probability that a building, structure or facility may catch fire, the difficulty in evacuating people there from, the difficulty of suppressing the fire therein. The degree of hazard may either be LOW, MEDIUM, HIGH OR VERY HIGH, depending upon the following factors:

1. Construction materials used;
2. Combustibility of contents;
3. Type of occupancy;
4. Load capacity or number of occupants normally present;
5. Height from the ground level;
6. The longest horizontal distance that an occupant or fire fighter will travel to escape or fight a fire respectively and
7. Fire safety construction and/or protective and warning system present or installed.

C. Any building, structure or facility maybe assessed by assigning points to each factor and adding up the points. The assessment shall be based on the following Tables:

**Table A. CONSTRUCTION MATERIALS USED**

Material	Point	Frame	Flooring	Siding	Roof Truss	Roofing	Point Score
Sawali	4						
Lawanit	4						
Bamboo	4						
Nipa	4						
Cogon	4						
Plywood	4						
Lumber	3						
G.I. Sheet	3						
Aluminum	3						
C. Hollow Block	2						
Steel Solid	2						
Concrete	1						
Clay Tiles	1						
<b>Total</b>							

**Table B. COMBUSTIBILITY OF CONTENTS  
(Goods, Equipment, Material, etc. stored or used)**

**1. Very High Hazard Materials.....4**

- a. Paper products such as pulp paper, waxed asphalt coated paper in loose form or in bobbins or rolled, not banded or baled, and stored vertically.
- b. Pyroxylin or foams plastic products, unpacked or packed in carton.
- c. Rubber goods and foamed products, unpacked or packed in carton.
- d. Flammable liquids, such as acetone, alcohol, lighter fluids, varnish, paint, cleaning fluids and the like packed in plastic containers or glass or bottles.
- e. Unbaled cork or other insulating materials.
- f. Ammonium nitrate fertilizer.

**2. High Hazard Materials .....3**

- a. Flammable liquids packed in cans or metal containers.
- b. Baled cork or other insulating materials.
- c. Upholster furniture.
- d. Linoleum rugs or tiles.
- e. Alcohol, eighty proof or higher in barrels, tanks or bottles.
- f. Paper products in loose form not baled nor banded and stored horizontally.
- g. Baled waste, paper.
- h. Pharmaceutical containing eighty proof alcohol or higher in glass or plastic bottles.
- i. Bags and mats with plastic foam or cellular rubber backing.

**3. Average Hazards Materials .....2**

**a. Stocks in cartons**

- |                                       |                              |
|---------------------------------------|------------------------------|
| Books                                 | Lubricants, in cans          |
| Ceramics                              | Metals                       |
| Cereals                               | Paints, oil base in cans     |
| Fiberboards, vegetable                | Pharmaceutical, alcohol etc. |
| Foods Frozen                          | less than 80 proof           |
| Glass                                 | Plastic, low hazard          |
| Glycerols, in cans                    | Stationery                   |
| Groceries                             | Textiles                     |
| Hydraulic fluid, in cans              | Tobacco Products             |
| Insulation, non-combustible           | Wiring, Electrical           |
| Leather goods                         | Yarns                        |
| Liquid, Non-combustible<br>in bottles |                              |

**Other stocks**

- |   |  |
|---|--|
| Cartons, Flats  | Paper and pulp, horizontal storage<br>(without racks)    |
| Clothing, package or in<br>racks                                  | Pillows (excluding foamed rubber<br>and foamed plastics) |
| Feeds, bagged   | Plastic, low hazard                                      |
| Fiber, vegetable on pallets                                       | Pulp baled   |
| Fibers, vegetable, baled  | Rags, baled  |
| Flour, bagged   | Rags (no foamed backing)                                 |
| Grain, bagged   | Shingles, asphalts                                       |
| Mattresses (excluding<br>foamed rubber and<br>foamed plastic)     | Sugar, bagged, refined                                   |
| Paper and pulp, rolled<br>vertical storage<br>(adequately banded) |  |

**4. Low Hazard Materials.....1**

- |   |                       |
|---|-----------------------|
| Appliances, electric                                | Metal on wood pallets |
| Cables and wiring on reels                          | Sugar, bagged, raw    |
| Fertilizers, bagged (excluding<br>ammonium nitrate) | Tobacco in hogsheds   |
| Hides, leather                                      | Wallboard, gypsum     |
| Inert materials, bagged                             | Wool, baled           |

**SECTION VII. PENALTY---** The owner found violating this ordinance is required to re-construct the roofing structure and pay the fine of Five Thousand Pesos (P5,000.00) to the City.

**SECTION VIII. ADMINISTRATIVE SANCTION.** - Failure on the part of the concern agencies to enforce and implement this ordinance will be subject them for an administrative action.

**SECTION IX. SEPARABILITY CLAUSE.** - If, for any reason or reasons, any part or provisions of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION X. EFFECTIVITY.**-- This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of local circulation.

**CARRIED BY THE VOTE OF:**

Affirmative:

Councilors : Wilson C. Gamboa, Jr., Al Victor A. Espino, Napoleon A. Cordova, Celia Matea R. Flor, Catalino T. Alisbo, Roberto M. Rojas, Alex A. Paglumotan, Reynold I. Iledan, Diosdado L. Valenzuela.

Negative: Councilors Homer Q. Bais and Dindo C. Ramos.

Absent : N o n e .

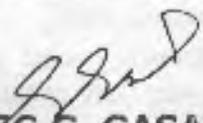
Official Leave : Councilor Kevin Daniel L. Ramos.

Official Travel : Councilor Jocelle Batapa Sigue.

Main Author: Councilor Catalino T. Alisbo.

Passed : November 26, 2008 (74<sup>th</sup> Regular Session).  
Vice Mayor JudeThaddeus A.Sayson was Acting City Mayor.  
Councilors Wilson C. Gamboa, Jr. and Al victor A. Espino  
in affirmative with reservations as stated in the minutes.

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**GREG G. GASATAYA**  
Acting Vice Mayor  
Presiding Officer

ATTESTED:   
**ATTY. NILO T. ALEJANDRINO**  
Secretary to the Sanggunian

APPROVED: \_\_\_\_\_, 2008 **JUDE THADDEUS A. SAYSON**  
Acting City Mayor

10 DAYS LAPSED  
AS OF 12/11/08

NTA:HPL:itm\*