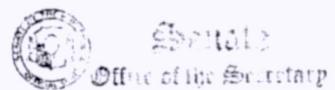


**SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )**



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SENATE  
S.B. No. 2196

RECEIVED

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**Introduced by SENATOR VICENTE C. SOTTO III**

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**AN ACT  
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT 9514  
AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

In 2008, Congress passed Republic Act No. 9514 otherwise known as the “Fire Code of the Philippines of 2008”, as the principal law governing the prevention and suppression of all destructive fires and the professionalization of the fire service as a profession. Accordingly, the Code mandated the Bureau of Fire Protection (BFP) to enforce R.A. 9514 to all persons, buildings, facilities or structures erected or constructed before or after its effectivity. However, despite the clear language of the Code, several government agencies and entities, such as the Philippine Economic Zone Authority (PEZA) had for a long time arrogated upon them the enforcement of the Fire Code of the Philippines to PEZA-registered economic zones.

On 02 June 2017, a lone gunman burned portion of the Resorts World Manila which resulted to the death of at least thirty-seven (37) persons. Consequently, a Congressional Inquiry was conducted which revealed the overlapping authority of BFP

and PEZA in the enforcement of the Fire Code of the Philippines. Prior to the said incident, similar fire incidents had previously occurred, where the issue was already brought to the fore.

Moreover, with the 10 year implementation of the present Fire Code, there were provisions that were already found to be repugnant with the present program of President Rodrigo Roa Duterte specifically on the streamlining of the processing of business and other local permits. For instance, under R.A. 9514, only the BFP has the authority in the assessment and collection of Fire Code Fees specifically those related to applications for local permits and construction related permits. This specific provision therefore has to be revised if not amended thereby allowing other agencies to collect fire code fees for and in behalf of the BFP so as to fully align with the intents and purposes of the newly enacted R.A. 11032 otherwise known as "Ease of Doing Business and Efficient Government Service Delivery Act of 2018", with the end view of eradicating bureaucratic red tape and other forms of corruption in the government.

Finally, R.A. 9514 tends to constrict the utilization of Fire Code fees collection as it only mention that the Eighty (80%) thereof is only intended for the BFP modernization thusly barring the BFP to acquire properties for the establishment of National, Regional, Provincial Offices and city or municipal fire stations. The present Fire Code also does not expressly allow the utilization of the Fire Code Fees Collection for the acquisition of rescue vehicles, tools, devices and equipment, which are necessary in order for the BFP to successfully perform its mandate of saving lives and properties and to keep the humanity safe from the after effects of all forms of calamities and disasters.

Thus, this proposed bill seeks to:

1. Clarify the respective authorities and jurisdictions of the BFP, PEZA and other similar entities, with respect to the administration and enforcement of the Fire Code of the Philippines in economic zones;

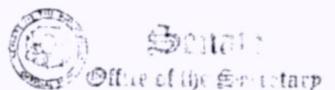
2. Harmonize the assessment and collection for Fire Code Fees to the assessment and collection made by the local government units for construction related permits and business permits;
3. Expand the utilization of the Fire Code Collections; and
4. Provide stringent penalties for every acts that tend to compromise fire safety that endangers the lives and limbs as well as properties of the citizens of the Philippines

For the foregoing reasons, the immediate consideration and passage of this bill is earnestly sought.



VICENTE C. SOTTO III

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



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S E N A T E  
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Introduced by SENATOR VICENTE C. SOTTO III

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**AN ACT  
AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT 9514 AND FOR  
OTHER PURPOSES**

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

1       **SECTION 1.** This Act shall be known as the "Fire Code of the  
2 Philippines of 2018"

3       **SECTION 2.** Section 5 of Republic Act 9514, is hereby amended to  
4 read as follows:

5               **"SECTION 5. Responsibility for the Enforcement of this**  
6 **Code.** – This Code shall be **SOLELY** administered and enforced by the  
7 Bureau of Fire Protection (BFP), under the direct supervision and control of  
8 the Chief of the Bureau of Fire Protection, through the hierarchy of  
9 organization as provided for in Chapter VI of Republic Act No. 6975. With  
10 the approval of the Secretary of the Department of the Interior and Local  
11 Government (DILG), the Chief, BFP, is hereby authorized to:

12                     (a) x x x

13                     (b) x x x

14                     (c) Support and assist fire volunteers, practitioners and fire  
15                     volunteer organizations in the country who shall undergo  
16                     mandatory fire suppression, inspection, rescue, emergency medical  
17                     services and related emergency response trainings and competency  
18                     evaluations to be conducted by the BFP.

1 In the case of fire safety practitioners, they shall undergo mandatory  
2 continuous professional education and competency evaluation of their  
3 expertise, knowledge and skills in the area of fire science, engineering and  
4 technology to be conducted by the BFP. The BFP may enter into external  
5 party agreements for the conduct of trainings, education and evaluation of  
6 fire volunteers, practitioners **FIRE BRIGADE** and fire volunteer  
7 organizations, which shall be under the full control and supervision of the  
8 BFP: Provided, however, that during firefighting operations, fire volunteer  
9 organizations shall be under the direct operational control of the fire ground  
10 commanders of the BFP;

11 (d) Enter into long-term agreement, either through public  
12 biddings or negotiations, in accordance with the provisions of Republic Act  
13 No. 9184, otherwise known as the Government Procurement Reform Act of  
14 2003, for the acquisition of fire prevention, fire protection and fire fighting  
15 **EQUIPMENT**, investigation, rescue, paramedics, hazardous material  
16 handling equipment, supplies, materials and related technical services  
17 necessary for the fire services;

18 (e) x x x

19 (f) Call on the police, other law enforcement agencies, and  
20 local government assistance to render **MANDATORY** assistance in the  
21 enforcement of this Code;

22 (g) Designate a fire safety inspector through his/her duly  
23 authorized representative, who shall conduct an inspection of every  
24 building or structure within his area of responsibility at least once a year  
25 and every time the owner, administrator or occupant shall renew his/her  
26 business permit or permit to operate **NOT WITHSTANDING ANY**  
27 **PERMIT TO OPERATE, CLEARANCE OR CERTIFICATE EARLIER**  
28 **ISSUED BY THE LOCAL AUTHORITIES AND OTHER GOVERNMENT**  
29 **AGENCIES.**

1       No occupancy permit, business or permit to operate shall be issued  
2       without securing a Fire Safety Inspection Certificate (FSIC) from the  
3       Chief, BFP or his/her duly authorized representative;

4                 (h) Inspect at reasonable time, any building, structure,  
5        installation or premises for dangerous or hazardous condition or  
6        materials as set forth in this Code: Provided, that in case of single  
7        family dwelling, an inspection must be upon the consent of the  
8        occupant or upon lawful order from the proper court. The Chief, BFP  
9        or his/her duly authorized representative shall order the  
10      owner/occupant to remove hazardous materials and/or stop  
11      hazardous operation/process in accordance with the standards set by  
12      this Code or its implementing rules and regulations or other pertinent  
13      laws;

14                 (i) Where conditions exist and are deemed hazardous to life  
15        and property, to order the owner/occupant of any building or  
16        structure to summarily abate such hazardous conditions;

17                 (j) Require the building owner/occupant to submit plans and  
18        specifications, and other pertinent documents of said building **AND**  
19        **EVALUATE** to ensure compliance **WITH THE FIRE CODE AND ITS**  
20        **IRR AND OTHER** applicable codes and standards, **FOR THIS**  
21        **PURPOSE A FIRE SAFETY EVALUATION CLEARANCE SHALL BE**  
22        **ISSUED AS PREREQUISITE FOR THE ISSUANCE OF BUILDING**  
23        **PERMIT**; and

24                 (k) Issue a written notice to the owner and/or contractor to  
25        stop work or portion of any work due to absence, or in violation of  
26        approved plans and specifications, permit and/or clearance or  
27        certification as approved by the Chief, BFP or his/her duly authorized  
28        representative. The notice shall state the nature of the violation and no work  
29        shall be continued on that portion until the violation had been  
30        corrected."

1           **SECTION 3.** Section 7 of Republic Act of 9514, is hereby amended to  
2 read as follows:

3           **"SECTION 7. Inspections, Safety Measures, Fire Safety,  
4           Constructions, and Protective and/or Warning Systems.** – As may  
5 be defined and provided in the rules and regulations, owners,  
6 administrators or occupants of buildings, structures and their premises or  
7 facilities and other responsible persons shall be required to comply with the  
8 following, as may be appropriate:

9           (a)     Inspection Requirement – A fire safety inspection shall be  
10 conducted by the Chief, BFP or his/her duly authorized representative [as  
11 prerequisite to the grants of permits and/or licenses by local governments  
12 and other government agencies concerned,] **AND THAT IF FOUND  
13           COMPLIANT WITH THE FIRE SAFETY PROVISIONS OF THIS CODE  
14           SHALL ISSUE FIRE SAFETY INSPECTION CERTIFICATE, IF NOT  
15           PROCEED TO ADMINISTRATIVE COURSES OF ACTION AS PRESCRIBED  
16           BY THIS CODE AND ITS IRR,** for the:

17           1.     Use or occupancy of buildings, structures, facilities or their  
18           premises including the installation or fire protection and fire safety  
19           equipment, and electrical system in any building structure or facility;  
20           and

21           2.     Storage, handling and/or use of explosives or of combustible,  
22           flammable, toxic and other hazardous materials.

23           (b)     Safety Measures for Hazardous Materials – Fire safety  
24           measures shall be required for the manufacture, storage, handling,  
25           **TRANSPORTING** and/or use of hazardous materials involving:

26           (1) cellulose nitrate plastic of any kind;

27           (2) combustible fibers;

28           (3) cellular materials such as foam, rubber, sponge rubber and plastic  
29           foam;

- 1                   (4) flammable and combustible liquids or gases of any classification;
- 2                   (5) flammable paints, varnishes, stains and organic coatings;
- 3                   (6) high-piled or widely spread combustible stock;
- 4                   (7) metallic magnesium in any form;
- 5                   (8) corrosive liquids, oxidizing materials, organic peroxid,
- 6                   nitromethane, ammonium nitrate, or any amount of highly toxic,
- 7                   pyrophoric, hypergolic, or cryogenic materials or poisonous gases as well as
- 8                   material compounds which when exposed to heat or flame become a fire
- 9                   conductor, or generate excessive smoke or toxic gases;
- 10                  (9) blasting agents, explosives and special industrial explosive
- 11                  materials, blasting caps, black powder, liquid nitro-glycerine, dynamite,
- 12                  nitro cellulose, fulminates of any kind, and plastic explosives containing
- 13                  ammonium salt or chlorate;
- 14                  (10) firework materials of any kind or form;
- 15                  (11) matches in commercial quantities;
- 16                  (12) hot ashes, live coals and embers;
- 17                  (13) mineral, vegetable or animal oils and other derivatives/by-
- 18                  products;
- 19                  (14) combustible waste materials for recycling or resale;
- 20                  (15) explosive dusts and vapors;
- 21                  (16) agriculture, forest, marine or mineral products which may
- 22                  undergo spontaneous combustion; and
- 23                  (17) any other substance with potential to cause harm to persons,
- 24                  property or the environment because of one or more of the following: i)
- 25                  The chemical properties of the substance; ii) The physical properties of
- 26                  the substance; iii) The biological properties of the substance. Without

1                   limiting the definition of hazardous material, all dangerous goods,  
2                   combustible liquids and chemicals are hazardous materials.

3                   (c)     Safety Measures for Hazardous Operations/Processes –  
4     Fire   Safety measures shall be required for the following hazardous  
5     operations/processes:

6                   (1) welding or soldering;

7                   (2) industrial baking and drying;

8                   (3) waste disposal;

9                   (4) pressurized/forced-draft burning equipment;

10                  (5) smelting and forging;

11                  (6) motion picture projection using electrical arc lamps;

12                  (7) refining, distillation and solvent extraction; and

13                  (8) such other operations or processes as may hereafter be prescribed  
14     in   the rules and regulations.

15                  (d)    Provision on Fire Safety Construction, Protective and  
16     Warning System – Owners, occupants or administrators of buildings,  
17     structures and their premises or facilities, except such other buildings or  
18     structures as may be exempted in the rules and regulations to be  
19     promulgated under Section 5 hereof, shall incorporate and provide therein  
20     fire safety construction, protective and warning system, and shall develop  
21     and implement fire safety programs, to wit:

22                  (1) Fire protection features such as sprinkler systems, hose boxes,  
23     hose reels or standpipe systems and other firefighting equipment;

24                  (2) Fire Alarm systems;

25                  (3) Fire walls to separate adjoining buildings, or warehouses and  
26     storage areas from other occupancies in the same building;

1                 (4) Provisions for confining the fire at its source such as fire resistive  
2                 floors and walls extending up to the next floor slab or roof, curtain  
3                 boards and other fire containing or stopping components;

4                 (5) Termination of all exits in an area affording safe passage to a  
5                 public way or safe dispersal area;

6                 (6) Stairway, vertical shafts, horizontal exits and other means of  
7                 egress sealed from smoke and heat;

8                 (7) A fire exit plan for each floor of the building showing the routes  
9                 from each room to appropriate exits, displayed prominently on the door of  
10                 such room;

11                 (8) Self-closing fire resistive doors leading to corridors;

12                 (9) Fire dampers in centralized air-conditioning ducts;

13                 (10) Roof vents for use by fire fighters; and

14                 (11) Properly marked and lighted exits with provision for emergency  
15                 lights to adequately illuminate exit ways in case of power failure."

16                 **SECTION 4.** Section 8 of R.A. 9514, is hereby amended to read as  
17                 follows:

18                 **"SECTION 8. FIRE SAFETY INSPECTION CERTIFICATE – A**  
19                 **FIRE SAFETY INSPECTION CERTIFICATE SHALL BE A**  
20                 **PREREQUISITE FOR THE ISSUANCE OF OCCUPANCY PERMITS,**  
21                 **BUSINESS PERMITS OR PERMIT TO OPERATE, LICENSES AND**  
22                 **OTHER PERMITS ISSUED BY THE FOLLOWING:**

23                 1.         **LOCAL GOVERNMENT UNITS (LGU);**

24                 2.         **OFFICE OF THE BUILDING OFFICIAL (OBO);**

25                 3.         **PHILHEALTH ACCREDITATION FOR HOSPITALS;**

26                 4.         **DEPARTMENT OF HEALTH (DOH);**

- 1                   **5. PHILIPPINE ECONOMIC ZONE AUTHORITY (PEZA) AND**  
2                   **OTHER SIMILAR ENTITIES; AND**  
3                   **6. OTHER GOVERNMENT AGENCIES SUBJECT TO THE**  
4                   **RULES AND CONDITIONS SET FORTH IN THE IRR**  
5                   **OF THIS CODE.”**

6                 **SECTION 5.** Section 9 of R.A. 9514 is hereby amended to read as  
7 follows:

8                 **“SECTION 9. PROHIBITED ACTS.** – The following are declared  
9 as prohibited act and omission:

10                 **(A) OBSTRUCTION, PROHIBITION OR PREVENTION BY ANY**  
11                 **PERSON IN THE CONDUCT OF FIRE SAFETY INSPECTION BY**  
12                 **DULY AUTHORIZED BFP REPRESENTATIVE.**

13                 (b) Obstructing or blocking the exit ways or across to buildings  
14 clearly marked for fire safety purposes, such as but not limited to  
15 aisles in interior rooms, any part of stairways, hallways, corridors,  
16 vestibules, balconies or bridges leading to a stairway or exit of any  
17 kind, or tolerating or allowing said violations;

18                 (c) Constructing gates, entrances and walkways to building  
19 components and yards, and temporary or permanent structures on  
20 public ways, which obstruct the orderly and easy passage of fire  
21 fighting vehicles and equipment;

22                 (d) Prevention, interference or obstruction of any operation of  
23 the fire service, or of duly organized and authorized fire brigades;

24                 (e) Obstructing designated fire lanes or access to fire hydrants;

25                 (f) Overcrowding or admission of persons beyond the authorized  
26 capacity in movie houses, theaters, coliseums, auditoriums or other  
27 public assembly buildings, except in other assembly areas on the  
28 ground floor with open sides or open doors sufficient to provide safe  
29 exits;

1                             (g) Locking fire exits during period when people are inside the  
2                             building;

3                             (h) Prevention or obstruction of the automatic closure of fire  
4                             doors or smoke partitions or dampers;

5                             (i) Use of fire protective or firefighting equipment of the fire  
6                             service other than for firefighting except in other emergencies where their  
7                             use is justified;

8                             (j) Giving false or malicious fire alarms;

9                             (k) Smoking in prohibited areas as may be determined by fire  
10                             service, or throwing of cigars, cigarettes, burning objects in places  
11                             which may start or cause fire;

12                             (l) Abandoning or leaving a building, [or] structure **OR**  
13 **FACILITY** by the occupant or owner without appropriate safety measures  
**AS ENUMERATED IN THE IRR OF THIS CODE. IN THE EVENT THAT AN**  
**ACCIDENTAL FIRE WILL OCCUR DUE TO THE NEGLIGENCE OF THE**  
**OWNER/OCCUPANT WHICH RESULTED TO INJURY, LOSS OF LIFE AND**  
**OR DAMAGE TO PROPERTY, SUCH OWNER/OCCUPANT SHALL BE**  
**PROCEEDED UNDER THE APPLICABLE PROVISIONS OF THE REVISED**  
**PENAL CODE AND OTHER SPECIAL LAWS;**

20                             (m) Removing, destroying, tampering or obliterating any  
21                             authorized mark, seal, sign or tag posted or required by the fire service for  
22                             fire safety in any building, structure or processing equipment; and

23                             (n) Use of jumpers or tampering with [electrical wiring of  
24                             overloading the] **STANDARD DESIGN OF THE** electrical system [beyond its  
25                             designated capacity] **OR OVERLOADING** or such other practices that  
26                             would tend to undermine the fire safety features of the electrical system."

27                             **SECTION 6.** Section 10 of R.A. 9514, is hereby amended to read as  
28                             follows:

1                   **"SECTION 10. FIRE HAZARD - REFERS TO THE**  
2 **CONDITION, STATUS, OPERATION AND ACTIVITIES WITHIN A**  
3 **BUILDING OR ESTABLISHMENT THAT IS POTENTIAL FOR IGNITION,**  
4 **OR THAT CAN AGGRAVATE A FIRE TO BECOME LARGE AND**  
5 **UNCONTROLLED. IT ALSO INCLUDES ALL TYPES OF POTENTIAL**  
6 **THREATS TO FIRE PREVENTION PRACTICES, LACK OF FIRE SAFETY**  
7 **MEASURES, IMPEDE FIRE FIGHTING OPERATIONS, JEOPARDIZE**  
8 **BUILT-IN FIRE SAFETY SYSTEMS, RESTRICT THE ESCAPE OF PEOPLE**  
9 **FROM AN AFFECTED BUILDING OR AREA IN THE EVENT OF A FIRE**  
10 **AND THOSE ACTIVITIES THAT POSES IMMINENT DANGER TO THE**  
11 **LIVES AND LIMBS OF ITS OCCUPANTS AS WELL AS THE OCCUPANTS**  
12 **OF THE ADJOINING OR NEARBY BUILDINGS AND ESTABLISHMENTS."**

13                 **SECTION 7.** Section 11 of R.A. 9514 is hereby amended to read as  
14 follows:

15                 **"SECTION 11. ABATEMENT OF FIRE HAZARDS, GENERAL**  
16 **PROCEDURES UPON FINDINGS BY THE CHIEF, BFP OR HIS DULY**  
17 **AUTHORIZED REPRESENTATIVE THAT THE STATUS OF A BUILDING**  
18 **OR THE OPERATION OF AN ESTABLISHMENT CONSTITUTES FIRE**  
19 **HAZARDS OR THE LACK OF FIRE SAFETY MEASURES AS DEFINED IN**  
20 **THIS CODE AND ITS IRR, THE CHIEF, BFP OR HIS DULY AUTHORIZED**  
21 **REPRESENTATIVE SHALL:**

22                 **A) ISSUE AND SERVE A NOTICE TO COMPLY (NTC) SETTING**  
23 **FORTH THEREIN THE VIOLATIONS NOTED AND THE PERIOD**  
24 **WITHIN WHICH ABATEMENT OF FIRE HAZARDS, CORRECTION**  
25 **AND COMPLIANCE SHALL BE MADE, WHICH SHALL BE WITHIN**  
26 **A PERIOD AS PRESCRIBED BY THE IRR WHICH SHALL NOT**  
27 **EXCEED THIRTY (30) DAYS FROM RECEIPT OF THE ORDER,**  
28 **DEPENDING ON THE GRAVITY OF THE VIOLATION(S) AND THE**  
29 **EXTENT OF THE WORK TO BE DONE TO EFFECT COMPLIANCE;**

30                 **B) IF NO CORRECTION HAS BEEN MADE OR WHEN THERE**  
31 **IS A PURPORTED COMPLIANCE BUT IS NOT WITHIN THE**

1           **STANDARDS REQUIRED BY THIS CODE AND ITS IRR, THE CHIEF**  
2           **BFP OR HIS AUTHORIZED REPRESENTATIVE SHALL ISSUE AND**  
3           **SERVE A NOTICE TO CORRECT VIOLATION (NTCV) AND TO PAY**  
4           **FINE WHICH SHALL BE PAID WITHIN A PERIOD OF TEN (10)**  
5           **DAYS FROM RECEIPT OF THE SAID NOTICE. THE PAYMENT OF**  
6           **FINE SHALL IN NO CASE BE CONSTRUED AS COMPLIANCE TO**  
7           **THE NOTED VIOLATIONS. UPON SERVICE OF THE NTCV, THE**  
8           **FIRE MARSHAL CONCERNED SHALL LIKEWISE CAUSE THE**  
9           **POSTING OF A WARNING SIGN SPECIFICALLY BEARING THE**  
10          **WORDS: "WARNING: THIS BUILDING/ESTABLISHMENT IS A**  
11          **FIRE HAZARD". THE HEREIN SIGNAGE SHALL REMAIN POSTED**  
12          **UNTIL SUCH TIME THAT THE BUILDING OWNER OR OCCUPANT**  
13          **HAVE IMPLEMENTED A COMPLETE CORRECTIONS OF THE**  
14          **NOTED VIOLATIONS. THE PERIOD TO COMPLY THE NTCV SHALL**  
15          **NOT EXCEED A PERIOD OF THIRTY (30) DAYS FROM SERVICE**  
16          **OF THE SAID NOTICE.**

17           **C) IN THE EVENT OF NON-COMPLIANCE WITHIN THE**  
18          **REQUIRED PERIOD IN THE NTCV OR NON-PAYMENT OF**  
19          **ADMINISTRATIVE FINE WITHIN A PERIOD OF TEN (10) DAYS**  
20          **FROM RECEIPT OF THE NOTICE, THE CHIEF, BFP OR HIS**  
21          **AUTHORIZED REPRESENTATIVE SHALL ISSUE A STOPPAGE OF**  
22          **OPERATION OR CLOSURE ORDER, FURNISHING A COPY**  
23          **THEREOF TO THE BUILDING OFFICIAL AND THE LOCAL CHIEF**  
24          **EXECUTIVE TO EFFECT THE CANCELLATION OF BUSINESS OR**  
25          **PERMIT TO OPERATE. THE NOTICE FOR STOPPAGE OF**  
26          **OPERATION OR CLOSURE ORDER SHALL CONTAIN A**  
27          **DIRECTIVE TO THE OCCUPANTS TO VACATE THE BUILDING TO**  
28          **AVERT THE POSSIBILITY OF LOSS OF LIVES SHOULD**  
29          **DESTRUCTIVE FIRES OCCUR. FURTHER, ANY EXISTING FSIC**  
30          **ISSUED SHALL BE AUTOMATICALLY REVOKED FROM THE**  
31          **ISSUANCE OF STOPPAGE OF OPERATION OR CLOSURE**  
32          **ORDER.**

1                   **D) DURING RE-INSPECTION UNDER PARAGRAPH B AND C**  
2                   **OF THIS SECTION, INITIAL COMPLIANCE WAS EFFECTED BY**  
3                   **THE OWNER, THE SAID NTCV OR CLOSURE ORDER/STOPPAGE**  
4                   **OF OPERATION MAY NOT BE ISSUED. IN LIEU THEREOF THE**  
5                   **OWNER MAY EXECUTE AN AFFIDAVIT OF UNDERTAKING**  
6                   **SPECIFICALLY CONTAINING AMONG OTHERS THE PERIOD OF**  
7                   **COMPLETION OF WORK. FOR THIS PURPOSE, THE OWNER**  
8                   **SHALL ATTACH IN HIS AFFIDAVIT THE FOLLOWING:**

9                   **I. DULY EXECUTED AND NOTARIZED CONTRACT OF**  
10                  **WORKS, IF APPLICABLE, ENTERED INTO BY THE BUILDING**  
11                  **ESTABLISHMENT AND THE CONTRACTOR WHICH IN NO CASE**  
12                  **SHALL EXCEED A PERIOD OF 90 DAYS, EXCEPT FOR**  
13                  **VIOLATIONS THAT HAS TO BE CORRECTED WITHIN 24 HOURS**  
14                  **AS PRESCRIBED BY THE IRR;**

15                  **II. DULY SIGNED AND SEALED PLANS, SPECIFICATIONS**  
16                  **AND BILL OF MATERIALS APPROVED BY THE BFP;**

17                  **III. AUTHORITY TO EXECUTE AFFIDAVIT OF**  
18                  **UNDERTAKING OR REQUEST FOR EXTENSION OF TIME TO**  
19                  **COMPLETE CORRECTION, IN CASE OF CORPORATION,**  
20                  **PARTNERSHIP OR ASSOCIATION**

21                  **E) SERVICE OF NOTICES OR ORDERS MENTIONED IN THIS**  
22                  **SECTION SHALL BE MADE DURING OFFICE OR BUSINESS HOURS**  
23                  **OF THE CONCERNED BUILDING OR ESTABLISHMENT. SERVICE**  
24                  **THEREOF SHALL BE MADE PERSONALLY TO THE OWNER OR IN**  
25                  **HIS ABSENCE, TO THE ADMINISTRATOR, MANAGER, BUILDING-**  
26                  **IN-CHARGE, SAFETY OFFICER, REPRESENTATIVE, EMPLOYEE**  
27                  **OR ANY PERSON OF SUITABLE AGE AND DISCRETION WHO IS**  
28                  **RESIDING OR WORKING THEREIN. REGISTERED MAIL MAY BE**  
29                  **RESORTED TO WHEN PERSONAL SERVICE MAYBE FUTILE DUE**  
30                  **TO THE LONG ABSENCE OR REFUSAL OF THE OWNER OR THE**

1           **PERSONALITIES AFOREMENTIONED      TO      RECEIVE      SUCH**  
2           **NOTICES OR ORDERS;”**

3           **SECTION 8.** Section 12 of R.A. 9514 is hereby amended to read as  
4 follows:

5           **“SECTION 12. FIRE TRAP- UPON FINDINGS BY THE**  
6           **DISTRICT IN THE LONE CITY/CITY/MUNICIPAL FIRE MARSHAL THAT**  
7           **THE STATUS OF A BUILDING OR THE OPERATION OF AN**  
8           **ESTABLISHMENT CONSTITUTES A FIRE TRAP, THE REGIONAL**  
9           **DIRECTOR, SHALL:**

10          **A) ISSUE AND SERVE A NOTICE OF DECLARATION AS FIRE**  
11          **TRAP TO THE OWNER, ADMINISTRATOR, OCCUPANT OR OTHER**  
12          **PERSON RESPONSIBLE FOR THE CONDITION OF THE BUILDING,**  
13          **STRUCTURE AND THEIR PREMISES OR FACILITIES. THE NOTICE**  
14          **SHALL CONTAIN THE GROUNDS RELIED UPON IN DECLARING**  
15          **THE SAME AS FIRE TRAP AND THE PERIOD WITHIN WHICH**  
16          **ABATEMENT OF THE HAZARDS, CORRECTION AND COMPLIANCE**  
17          **SHALL BE MADE, WHICH SHALL BE WITHIN A PERIOD OF**  
18          **EITHER TWENTY-FOUR (24) HOURS, FIFTEEN (15) DAYS OR**  
19          **THIRTY (30) DAYS FROM RECEIPT OF THE ORDER, DEPENDING**  
20          **ON THE GRAVITY OF THE VIOLATION(S) AND THE EXTENT OF**  
21          **THE WORK TO BE DONE TO EFFECT COMPLIANCE.**

22          **B) WITHIN 24 HOURS FROM THE SERVICE OF THE NOTICE**  
23          **OF DECLARATION AS FIRE TRAP, SUBMIT A REPORT TO THE**  
24          **CHIEF BFP ON THE CIRCUMSTANCES SURROUNDING THE**  
25          **AFOREMENTIONED DECLARATION. THE CHIEF BFP UPON**  
26          **REVIEW SHALL EITHER AFFIRM OR REVERSE THE**  
27          **DECLARATION OF THE REGIONAL DIRECTOR WITHIN 24 HOURS**  
28          **FROM THE RECEIPT OF THE REPORT.**

29          **UPON SERVICE OF THE NOTICE THE FIRE MARSHAL**  
30          **CONCERNED SHALL CAUSE THE POSTING OF A WARNING**  
31          **SIGN SPECIFICALLY BEARING THE WORDS: “WARNING: THIS**

1           **BUILDING/ESTABLISHMENT IS A FIRE TRAP". THE HEREIN**  
2           **SIGNAGE SHALL REMAIN POSTED UNTIL SUCH TIME THAT THE**  
3           **BUILDING OWNER OR OCCUPANT HAVE IMPLEMENTED THE**  
4           **NECESSARY CORRECTION OF THE NOTED VIOLATIONS WHICH**  
5           **IN NO CASE SHALL EXCEED A PERIOD OF THIRTY (30) DAYS.**

6           **IN THE EVENT OF NON-COMPLIANCE WITHIN THE REQUIRED**  
7           **PERIOD IN THE NOTICE OF DECLARATION, THE CHIEF, BFP OR**  
8           **HIS AUTHORIZED REPRESENTATIVE SHALL ISSUE A STOPPAGE**  
9           **OF OPERATION OR CLOSURE ORDER AND SHALL**  
10          **AUTOMATICALLY REVOKE ANY EXISTING FSIC FURNISHING A**  
11          **COPY THEREOF TO THE BUILDING OFFICIAL AND THE LOCAL**  
12          **CHIEF EXECUTIVE TO EFFECT THE CANCELLATION OF**  
13          **BUSINESS OR PERMIT TO OPERATE. THE NOTICE FOR**  
14          **STOPPAGE OF OPERATION OR CLOSURE ORDER SHALL**  
15          **CONTAIN A DIRECTIVE TO THE OCCUPANTS TO VACATE THE**  
16          **BUILDING TO AVERT THE POSSIBILITY OF LOSS OF LIVES**  
17          **SHOULD DESTRUCTIVE FIRES OCCUR"**

18           **SECTION 9.** Section 13 of R.A. 9514 is hereby amended to read as  
19          follows:

20           **"SECTION 13. LIABILITY OF BUILDING OWNERS- THE**  
21          **OWNER, ADMINISTRATOR, MANAGER OR PERSON HAVING**  
22          **AUTHORITY IN THE MANAGEMENT OF THE BUILDING OR**  
23          **ESTABLISHMENT SHALL BE HELD RESPONSIBLE FOR THE LOSS**  
24          **OF LIVES ON ACCOUNT OF ITS REFUSAL OR FAILURE TO COMPLY OR**  
25          **IMPLEMENT THE ISSUED ORDER FOR CLOSURE OR STOPPAGE**  
26          **OF OPERATION HEREIN MENTIONED;"**

27           **SECTION 10.** Section 14 of R.A. 9514 is hereby amended to read as  
28          follows:

29           **"SECTION14. PENALTIES. -**

30           (1)     Against the private individual:

1                             (a) Administrative fine – Any person who violates any provision of the  
2                             Fire Code or any of the rules and regulations promulgated under  
3                             this Act shall be penalized by an administrative fine [of not  
4                             exceeding Fifty thousand pesos (P50,000.00)] **PRESCRIBED IN**  
5                             **THE IRR** or in the proper case, by stoppage of operations or by  
6                             closure of such buildings, structures and their premises or facilities  
7                             which do not comply with the requirements or by both such  
8                             administrative fine and closure/stoppage of operation to be imposed  
9                             by the Chief, BFP: Provided, That the payment of the fine, stoppage of  
10                             operations and/or closure of such buildings, structures, and their  
11                             premises or facilities shall not absolve the violator from correcting  
12                             the deficiency or abating the fire hazard. The decision of the Chief,  
13                             BFP under this subsection, may be appealed to the Secretary of the  
14                             Interior and Local Government **EXCEPT FOR FIRE, THE DECISION**  
15                             **OF CHIEF, BFP IS FINAL AND EXECUTORY.** Unless ordered by the  
16                             Secretary of the Interior and Local Government, the appeal shall  
17                             not stay the execution of the order of the Chief, BFP. The decision of  
18                             the Secretary of the Interior and Local Government shall be final and  
19                             executory.

20                             (b) Punitive – In case of willful failure to correct the deficiency or abate  
21                             the fire hazard as provided in the preceding subsection, the violator  
22                             shall, upon conviction, be punished by imprisonment of not less than  
23                             six (6) months nor more than six (6) years, or by a fine of not more  
24                             than One hundred thousand pesos (P100,000.00) or both such fine  
25                             and imprisonment: Provided, however, That in case of a corporation,  
26                             firm, partnership or association, the fine and/or imprisonment shall  
27                             be imposed upon its officials responsible for such violation, and in  
28                             case the guilty party is an alien, in addition to the penalties herein  
29                             prescribed, he shall immediately be deported: Provided, finally, That  
30                             where the violation is attended by injury, loss of life and/or damage to  
31                             property, the violator shall be proceeded against under the applicable  
32                             provisions of the Revised Penal Code.

1 Any person who, without authority, maliciously removes the sign that  
2 a building or structure is a fire hazard/fire trap placed by the  
3 authorized person in this Code shall be liable for imprisonment for  
4 thirty (30) days or a fine not exceeding One hundred thousand  
5 pesos (P100,000.00) or both in the discretion of the court.

6 Any person who disobeys the lawful order of the fire ground  
7 commander during a fire fighting operation shall be penalized with  
8 imprisonment of one (1) day to thirty (30) days and a fine of [five  
9 thousand pesos (P5,000.00)] **TWENTY THOUSAND PESOS (P20,  
10 000.00) OR BOTH IN THE DISCRETION OF THE COURT.**

11 (2) Against the [public officer] **GOVERNMENT OFFICIAL**  
12 /employee:

13 (a) Aministrative - xxx

14 (1) x x x

15 (b) Punitive – x x x”

16 **SECTION 11.** Section 15 of R.A. 9514 is hereby amended to read as  
17 follows:

18 **“SECTION15. APPROPRIATION AND SOURCES OF INCOME.**

19 (a) x x x

20 (b) x x x

21 (1) x x x

22 (2) One-tenth of one per centum (0.1%) of the verified  
23 estimated value of buildings or structures to be erected [from the owner  
24 thereof, but not to exceed Fifty thousand pesos (P50, 000.00), one half to be  
25 paid prior to the issuance of the building permit, and the balance, after final  
26 inspection and prior to the issuance of the use and occupancy permit];”

1           **SECTION 12.** Section 16 of R.A. 9514 is hereby amended to read as  
2 follows:

3                 **"SECTION16. COLLECTION OF TAXES, FEES AND FINES. –**  
4 All taxes, fees and fines provided in this Code shall be collected by the  
5 BFP **OR THROUGH COLLECTING AGENT THAT MAY BE DEPUTIZED**  
6 **BY THE BFP IN ACCORDANCE WITH A MOA DULY APPROVED BY**  
7 **THE CHIEF, BFP.** Provided, that twenty percent (20%) of all such  
8 collections shall be [set aside and retained] **INTENDED** for the use by the  
9 city or municipal government concerned, which shall appropriate the  
10 same exclusively for the use of the operation and maintenance of its local  
11 fire station, including the construction and repair of fire station: Provided,  
12 further, That the remaining eighty percent (80%) shall be remitted to the  
13 National Treasury under a trust fund assigned for the modernization of the  
14 BFP."

15           **SECTION 13.** Section 17 of R.A. 9514 is hereby amended to read as  
16 follows:

17                 **"SECTION17. ASSESSMENT OF FIRE CODE TAXES, FEES**  
18 **AND FINES.** – The assessment of fire code taxes, fees and fines is vested  
19 upon the BFP. The BFP shall, subject to the approval of the DILG, prescribe  
20 the procedural rules for such purpose."

21           **SECTION 14.** Section 13-B, Section 13-C and Section 13-D of R.A.  
22 9514 is hereby renumbered as Section 18, 19 and 20 respectively.

23           **SECTION 15.** Insert a new Section 21 in R.A 9514 to read as follows:

24                 **"SECTION 21. IN CASES WHERE THE STRUCTURAL**  
25 **INTEGRITY/STABILITY OF THE EXISTING BUILDING, THOSE**  
26 **ERECTED PRIOR ENACTMENT OF THIS ACT, WILL BE**  
27 **COMPROMISED THE CHIEF, BFP MAY ACCEPT ADEQUATE**  
28 **ALTERNATIVE AND/OR REMEDIAL FIRE SAFETY MEASURES IN**  
29 **LIEU OF THE FIRE SAFETY REQUIREMENTS OF THIS ACT AND**  
30 **ITS IMPLEMENTING RULES AND REGULATIONS UPON**

1           **APPLICATION BY THE OWNER / OCCUPANT / ADMINISTRATOR**  
2           **OF THE BUILDING OR STRUCTURE.”**

3           **SECTION 16. Implementing Rules and Regulation.**- Within sixty  
4       (60) days from the effectivity of this Act, the Secretary of the Interior and  
5       Local Government shall issue the rules and regulations for its effective  
6       implementation.

7           **SECTION 17. Repealing Clause.**- All laws, presidential decrees,  
8       letters of instructions, executive orders, rules and regulations in so far as  
9       they are inconsistent with this Act, are hereby repealed or amended as the  
10      case may be.

11          **SECTION 18. Separability Clause.** - In case any provision of this Act  
12       or any portion thereof is declared unconstitutional by a competent court,  
13       other provisions shall not be affected thereby.

14          **SECTION 19. Effectivity.** - This act shall take effect fifteen (15) days  
15       after its publication in the Official Gazette or in two (2) national newspaper  
16       of general circulation.