ORDINANCE NO. 13-017

AN ORDINANCE PROVIDING FOR THE SCHEDULE OF FEES FOR CERTIFICATE OF NON-CONTRACTING AS A REQUIREMENT FOR SECURING BUILDING PERMIT AND OCCUPANCY PERMIT FROM THE CITY BUILDING OFFICIAL.

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Sponsored by: Hon. Coun. Luvi P. Constantino
Hon. Coun. Stephanie G. Teves
Hon. Coun. Louisito A. Arciaga
Hon. Coun. Ringo A. Teves
Hon. Coun. Engr. Neptali S. Santiago
Hon. Coun. Rafael T. Sevilla
Hon. Coun. Vergel C. Ulanday
Hon. Coun. Robert A. Abas

WHEREAS, Section 129 of Republic Act 7160, otherwise known as the New Local Government Code of 1991 and Section 5 of the 1987 Philippine Constitution state and declare that, "each local Government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges, subject to such limitations and guidelines as the Congress may provide consistent with the basic policy of local autonomy";

WHEREAS, the Sangguniang Panlungsod of Muntinlupa passed and approved Ordinance No. 02-076, otherwise known as the "Revised Revenue Code of the City of Muntinlupa" amending the prescribed rates of taxes under Ordinance No. 93-35 or the old "Muntinlupa Revenue Code"; without however providing for the imposition of tax and regulatory fees on a construction that has not engaged the services of a general contractor;

WHEREAS, under Section 98 of the Revenue Code of Muntinlupa and pursuant to the National Building Code of the Philippines all owners and/or contractors of construction/additional renovation/alteration of building within the city shall be required to secure Building Permit from the Office of the Building Official which payment shall be collected by the City Treasurer;

WHEREAS, prior to issuance of Building Permit, owners and/or contractors shall have to pay the corresponding contractor's tax and regulatory fees to the City;

WHEREAS, to avoid payment of contractor's tax relative to the above activities house owners, tend to secure Certificate of Non-Contracting from the Business Permits and Licensing Office (BPLO) by deliberately declaring that they are not engaging the services of general contractor where in truth and in fact they are under contract with a general contractor;
WHEREAS, the aforesaid scheme is very disadvantageous to the City coffers because the amount of Certificate of Non-Contracting is very much lower compare to taxes and regulatory fees that may be collected by the City Treasurer had the assessment be based on the amount of contract;

WHEREAS, there is a need to set a schedule of fees to be applied to applicant for securing Certificate of Non-Contracting from the Business Permit and Licensing Office (BPLO) which amount shall be based on the amount of bill of materials or by multiplying the number of square meter by Fifteen Thousand Pesos (Php15,000.00) in the case of building, or by Five Thousand Pesos (Php5,000.00) in the case of renovation and the likes, respectively, whichever is higher;

NOW THEREFORE BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 7th Sangguniang Panlungsod of Muntinlupa in session assembled that:

SECTION 1. Title – This ordinance shall be known as “an ordinance providing for the schedule of fees for Certificate of Non-Contracting as a requirement for securing Building Permit and Occupancy Permit from the City Building Official.

SECTION 2. Administrative Provision – All owners and/or contractors applying or securing Certificate of Non-Contracting from the Business Permit and Licensing Office (BPLO) as a requirement by the City Building Official for the issuance of Building Permit shall have to pay the corresponding City Tax pursuant to the schedule of fees hereinafter ser forth which amount shall be collected by the City Treasurer based on the amount of bill of materials or by multiplying the floor area by Fifteen Thousand Pesos (Php15,000.00) in the case of building, or Five Thousand Pesos (Php5,000.00) in the case of renovation and the like, respectively, whichever is higher;

SECTION 3. Imposition of Tax – The following schedule of fees shall be applied to all owners and/or contractor applying or securing Certificate of Non-Contracting from the Business Permit and Licensing Office (BPLO).

<table>
<thead>
<tr>
<th>BILL OF MATERIALS</th>
<th>CITY TAX</th>
</tr>
</thead>
<tbody>
<tr>
<td>50,000.00 – 75,000.00</td>
<td>P 880.00</td>
</tr>
<tr>
<td>75,001.00 – 100,000.00</td>
<td>1,320.00</td>
</tr>
<tr>
<td>100,001.00 – 150,000.00</td>
<td>1,980.00</td>
</tr>
<tr>
<td>150,001.00 – 200,000.00</td>
<td>2,640.00</td>
</tr>
<tr>
<td>200,001.00 – 300,000.00</td>
<td>3,630.00</td>
</tr>
<tr>
<td>300,001.00 – 400,000.00</td>
<td>6,160.00</td>
</tr>
<tr>
<td>400,001.00 – 1,000,000.00</td>
<td>8,250.00</td>
</tr>
<tr>
<td>1,000,001.00 – 1,500,000.00</td>
<td>10,500.00</td>
</tr>
<tr>
<td>1,500,001.00 – 2,000,000.00</td>
<td>12,500.00</td>
</tr>
</tbody>
</table>
BUILDING
- Floor Area (Square meter) x 15,000.00

RENOVATION
- Floor Area (Square meter) x 5,000.00

Provided, that the permits and licensing Office shall have to determine and compare the amount of City Tax that may be derived from the foregoing undertaking; based on the amount of bill of materials and the product of floor area multiplied by 15,000.00 or 5,000.00 as the case whichever is higher between the two shall be applied;

SECTION 4. Separability Clause. If any part of this Ordinance is declared as unconstitutional or unlawful, such declaration shall not effect the other parts or Sections hereof that are not declared unlawful or unconstitutional.

SECTION 5. Supplementary Clause. The provisions of Revenue Code of Muntinlupa as amended, insofar as not inconsistent herewith shall be applied to this Ordinance.

SECTION 6. Effectivity. This Ordinance shall take effect 15 days after completion of its publication in a newspaper of general circulation.

ENACTED, by the 7th Sangguniang Panlungsod of Muntinlupa this 21st day of October 2013, on its 15th Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. PATRICIO L. BONCAYAO, JR.  
Member

COUN. STEPHANIE G. TEVES  
Member

COUN. LOUISITO A. ARCIAGA  
Member

COUN. RINGO A. TEVES  
Member
District II:

COUN. MA. DHEISREE G. AREVALO  
Member

COUN. LUVI P. CONSTANTINO  
Member

COUN. ENGR. NEPTALI S. SANTIAGO  
Member

COUN. RAFAEL T. SEVILLA  
Member

COUN. ROBERT A. ABAS  
Member

COUN. VERGEL C. ULANDAY  
Member

COUN. ROBERT P. BAES  
Member

Absent:

COUN. ATTY. RAUL R. CORRO  
Member

COUN. BAL NIEFES  
Member

COUN. ALEXANDER B. DIAZ  
Member

COUN. ELMER S. ESPELETA  
Member

COUN. ROBERT P. BAES  
Member

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD  
Member

COUN. ADORADO P. SAN PEDRO  
Sectoral Representative
President
Association of Barangay Captains

COUN. EULOGIO DS. DIOKO, II  
Sectoral Representative
President
Federation of Sangguniang Kabataan

I hereby certify, as to the correctness of the foregoing ordinance.

Cecilia C. Lazarte  
Secretary
ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: 25 OCT 2013