

[**VALENZUELA CITY ORDINANCE NO. 230 Series
of 2015, August 10, 2015**]

SANGGUNIANG PANLUNGSOD

**** Excerpts from the minutes of the 89TH Regular Session of the 6th City Council of Valenzuela held on August 10, 2015 at 3:46 P.M. at the City Council's Session Hall, 3rd Floor, Legislative Building, Valenzuela City Hall, Karuhatan, Valenzuela City, Metro Manila.**

AN ORDINANCE PRESCRIBING GUIDELINES, STANDARDS AND REQUIREMENTS GOVERNING THE CONSTRUCTION, USE, OCCUPANCY AND OPERATION OF DORMITORIES, BOARDING HOUSES AND BED SPACES IN VALENZUELA CITY, PRESCRIBING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

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WHEREAS, the 1987 Constitution mandates the safety and protection of the Citizens as manifested in Article II Section 5; the maintenance of peace and order, the protection of life, liberty and property and the promotion of the general welfare are essential for the enjoyment by all people of the blessing of democracy;

WHEREAS, Section 16 of the Local Government Code of 1991 provides that:

"Every local government unit shall exercise the powers expressly granted. Those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare xxx."

WHEREAS, that over the years, the number of boarding houses and dormitories in Valenzuela City has increased tremendously and has become a thriving business. Such business interest however poses health, safety and environmental concerns which must subject strict regulation to ensure the safety and well-being of our constituents;

WHEREAS, there should be consciousness in relation to safety and importance of attaining healthful living conditions with the community, emanating from the local officials, supported by officers to ensure public health and safety down to the barangay levels, and accordingly the dormitory owners and its occupants at the end

to comply and ensure the attainment of a safe and accident free neighborhood, conducive learning, and well-being of the student living in dormitories;

WHEREAS, there is a need to establish guidelines, standards and requirements governing the construction, use, occupancy and operation of dormitories and boarding house in Valenzuela City.

BE IT ORDAINED, by the City Council of Valenzuela in session assembled that;

SECTION 1. – TITLE OF ORDINANCE. – This ordinance shall be known as "**The Dormitories, Boarding House and Bed Spaces Ordinance of Valenzuela City**".

SECTION 2. – SCOPE OF ORDINANCE – The provisions of the ordinance shall control/ apply in the construction, use, occupancy and operation of dormitories and boarding

SECTION 3. – DEFINITION OF TERMS. – As used in these ordinance unless specifically provided otherwise.

- a. DORMITORY OR BOARDING HOUSE – refers to any house building or structure or portion thereof, that are regularly accepted as boarders for compensation by the day, week or month.

For the purpose of this Ordinance, dormitories, boarding houses and bed spaces shall be classified as follows:

CLASS A	Accommodation for 21 boarders or more
CLASS B	Accommodation for 10 boarders or more but less than 20
CLASS C	Accommodation for less than 10 boarders

- b. BOARDS – refers to any student, working minor or person who lives in a dormitory or boarding house for consideration.
- c. OWNER – refers to any natural or judicial person who owns, manages or maintain a dormitory or boarding house, or the duly authorized agent or representative of such person.
- d. BOARDING HOUSE, DORMITORY AND BED SPACE PERMIT – refer to a written authorization issued annually by the city officials concerned in accordance with the local ordinance to any natural or juridical person applying for permission of operate, manage or maintain a dormitory, boarding house or to provide bed space.
- e. LICENSE – is a right or permission granted in accordance with the law by competent authority after payment of the license fees, to any natural or juridical person to engage in the operation of a dormitory or boarding house.
- f. BED SPACE OWNER – refers to any natural or juridical person who owns, manages, or maintains any house, buildings or structure or portion thereof who accepts person who occupy beds or sleeping space for compensation by day, week or month.
- g. ADMINISTRATIVE PENALTY – A legal mechanism that allows the local government to penalized the violation of this Ordinance, which consist of the imposition of monetary fine. It is intended to provide an alternative

enforcement mechanism that is more cost- effective timely, and practical than prosecuting the offender/s through the court system.

- h. ROOM FOR RENT – refers to a portion of residential unit providing complete independent living facilities for one or more person including permanent provisions for living, eating, cooking, sanitation.
- i. APARTMENT – a building containing a number of separate residential suites.
- j. CONDOMINIUM – a building with one or more storeys composed of multi – unit residential suites under the joint ownership of occupants, each unit provided with complete sanitary facilities, utilities and other amenities.

SECTION 4. – BOARDING HOUSE, DORMITORY, AND BED SPACE FOR RENT/BED SPACING, (BDS) PERMIT AND LICENSE. – It shall be unlawful for any person entity or corporation to own, keep, maintain or conduct any boarding house or dormitory without first obtaining a permit from the Mayor and a license therefor duly approved by the proper city authorities.

The permit and license above mentioned shall specify the number of persons permitted to dwell or board in every boarding house or dormitory or shall always be displayed in a conspicuous place therein and no person shall maintain or conduct any dormitory or boarding house except in accordance with the terms and conditions of the license issued therefor.

SECTION 5. – All established covered under this Ordinance must secure the following requirements;

- a. All permits, license and clearance required under existing laws, ordinance, rules and regulation;
- b. Submit a detailed statement of the following, signed by the operator & building owners and notarized.
 - 1. Kind of construction of the building;
 - 2. Size of each room for guest pr boarders;
 - 3. Sanitary facilities;
 - 4. Condition of light and ventilation;
 - 5. Maximum number of persons that can be accommodated at any time;
 - 6. Size of dining room;
 - 7. Size of kitchen; and
 - 8. Number of employee/ crew or staff
- c. No license shall be issued until after an applicant for said license shall have satisfactorily shown to duly authorized City Authorities that he/she has complied with the standard and requirements of this ordinance. The owner shall submit a Sworn Statement compliance and that there are separated activities and premises for male and female borders.
- d. No license shall be issued to owners of Class A Dormitories unless the same secure a Personal Accident Insurance which shall provide compensation in the event of injuries, disability or death caused solely by violent, accidental external and visible events.
- e. Renewal of boarding house, dormitory and bed space for rent (BDS) license shall be granted upon the submission of the owner of a certified true copy of

the registry of all boarders and a sworn statement that he/ she will continue to comply with this ordinance subject to periodic inspection by duly authorized City Authorities to determine if he/she complied with this ordinance.

- f. The BDS permit shall be issued upon compliance to the above mentioned requirements upon payment, fees to be levied by the City Treasurer depending of the number of boarders of the dormitory or boarding house and bed space for rent, according to the following graduated schedule.

CLASS A	Php 750
CLASS B	Php 500
CLASS C	Php 350

This is an addition to the regulatory fee imposed under Page 11 of Ordinance No. 39 series of 2011.

SECTION 6. – REGISTRATION. – All boarders shall be required to register before occupying the dormitory, boarding house and bed space.

1. Name;
2. Address;
3. Age;
4. School and/or place of work;
5. Name, address, contact number of parents or guardian;
6. Log in-log out of visitor's record.

A boarder who is a minor shall be required to submit the written permission of his/her parent or guardian to register as a boarder at the particular dormitory or boarding house.

A registry of all boarders should be kept by the owner for each current calendar year.

SECTION 7. – PREMISES AND FACILITIES. – Facilities and premises for males and females in a particular dormitory, boarding house and bed space shall always be separated.

- a. CONSTRUCTION – The building shall be made using fire resistive materials and shall have complied with the provisions of the National Building Code of the Philippines (PD1096); Fire Code of the Philippines (RA 9514) and other referral Codes.
- b. FIRE ESCAPE/FIRE EXITS – There shall be passageways and the escapes.
 1. Passageways shall be at least one point twelve (1.12) meters wide and shall be properly lighted at each flight of stairs, intersection of corridors, and the points of agrees of fire escapes.
 2. Fire escapes shall lead to at the street front, far from the stairs, and accessible from any floor by means of a clear, unobstructed passageway.

3. Shall have at least two (2) means of egress, remote from each other.

4. Fire exit doors shall not be locked and is equipped with self-closing mechanism and quick release latch and shall swing on the direction of exit travel.

c. FIRE DETECTION AND ALARM SYSTEM – There shall be a fire detection and emergency alarm system consisting of sending stations, bells or gongs, conveniently located for easy access and the sound of which shall be clearly audible throughout the boarding house.

The fire detection and alarm system should be independent of the general electric circuit to provide for cases where the electrical circuit has to be disconnected due to fire and other emergencies.

d. FIRE PROTECTION EQUIPMENT

1. There shall be equipped and maintained with proper fire fighting facilities such as but not limited to fire hose cabinets and fire extinguishers.

2. There must be an automatic emergency lighting system and illuminated directional signs, installed on hallways or exit access at least one (1) meter for every fifteen (15) meters leading to the nearest exit.

3. Flammable liquids or combustible materials, shall not be stored in the premises nor placed on passageways, fire escapes, stairs and exits; provide that fuel reasonably required for ordinary cooking purposes may be kept in the kitchen in fireproof safe container.

e. ROOMS

1. BEDROOM – A bedroom shall have a window area of at least ten (10) percent of the floor area; unless it is air-conditioned, in which case Section 8 shall apply.

2. DINING ROOM – There shall be dining room which shall be screened, provide with a self-closing door and separate from the sleeping quarters.

3. STUDY ROOM – Adequate space and facilities for study room should be provided. There shall be a separate study room for dormitory or boarding house with more than thirty (30) boarders. There shall be a separate desk and chair for each boarder.

4. RECEIVING ROOM – There shall be a receiving room for visitors.

5. LAVATORY AND BATHROOM – For every ten (10) boarders, there shall be (1) showerhead, one (1) lavatory, one (1) water closet and one (1) floor drain.

6. KITCHEN – There shall be a separate kitchen which shall be screened and provided with a self-closing door.

i. The minimum floor area for less than twenty (20) boarders shall be three (3) by two (2) meters, and for twenty or more boarders, shall