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# **Streamlining of Building and Occupancy Permitting Processes**

## **Investment Enabling Environment (INVEST) Project**

Submitted to

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## LIST OF ACRONYMS

|         |  |
|---------|--|
| ASEAN   | Association of Southeast Asian Nations                                       |
| BFP     | Bureau of Fire Protection  |
| BPLO    | Business Process and Licensing Office  |
| C/MFM   | City/Municipal Fire Marshall   |
| CAA     | Civil Aviation Authority   |
| CENRO   | City Environment and Natural Resources Office                                |
| CFEI    | Certificate of Final Electrical Inspection                                   |
| CPDO    | City Planning and Development Office   |
| DENR    | Department of Environment and Natural Resources                              |
| DILG    | Department of the Interior and Local Government                              |
| DPWH    | Department of Public Works and Highways                                      |
| DTI     | Department of Trade and Industry   |
| EODB    | Ease of Doing Business Report  |
| FCP     | Fire Code of the Philippines   |
| FDC     | Filinvest Development Corporation  |
| FGD     | Focus Group Discussions  |
| FSEC    | Fire Safety Evaluation Clearance   |
| FSIC    | Fire Safety Inspection Certificate   |
| IFC     | International Finance Corporation  |
| INVEST  | Investment Enabling Environment Project                                      |
| IRR     | Implementing Rules and Regulations   |
| LAO     | Local Assessor's Office  |
| LGC     | Local Government Code of the Philippines                                     |
| LGU     | Local Government Unit  |
| LINC-EG | Local Implementation of National Competitiveness for Economic Growth Project |
| LPDO    | Local Planning and Development Office  |
| NBCP    | National Building Code of the Philippines                                    |
| NGA     | National Government Agency   |
| OBO     | Office of the Building Office  |
| PCA     | Philippine Construction Association  |
| PD      | Presidential Decree  |
| PICE    | Philippine Institute of Civil Engineers                                      |
| RA      | Republic Act   |
| ROD     | Registry of Deeds  |
| SHDA    | Socialized Housing Development Association                                   |
| UAP     | United Architects of the Philippines   |
| USAID   | United States Agency for International Development                           |
| ZO      | Zoning Office  |

# I. INTRODUCTION

In the 2014 Doing Business Survey conducted by the International Finance Corporation (IFC), the Philippines ranking improved to 108<sup>th</sup> out of 186 countries but still paled in comparison with the five (5) original ASEAN member countries. Specifically, in the criteria on “dealing with construction permits”, the country’s rank at 99<sup>th</sup> out of 189 economies while an improvement over the past year, was still below most ASEAN countries. As recorded by IFC, the Philippines had 25 procedures to secure a construction permit for a warehouse that took 77 days to complete.<sup>1</sup>

In the desire to improve the country’s ranking in global competitiveness surveys and to address the private sector’s complaints on the tedious processes for securing construction-related permits, the Department of the Interior and Local Government (DILG), in partnership with the Department of Public Works and Highways (DPWH), requested the United States Agency for International Development (USAID) through the Investment Enabling Environment (INVEST) Project to undertake a review of the procedures followed by local government units (LGUs) in granting building and occupancy permits. The study took off from another USAID study conducted by the Local Implementation of National Competitiveness for Economic Growth (LINC-EG) Project that reviewed the inspection process followed by LGUs.

The objective of the study is to recommend measures to simplify the construction permitting process in the country, including drafting of the legal instruments to implement the proposed streamlined procedures. The research involved a review of the construction–related procedures followed by 35 cities and municipalities nationwide which were validated with several private sector groups, viz. the Philippine Construction Association (PCA), the United Architects of the Philippines (UAP), the Philippine Institute of Civil Engineers (PICE), the OSHDAP and the Socialized Housing Development Association (SHDA).

This report is being submitted as a deliverable under the Project’s Option Year Work Plan (Output 3.1, Deliverable No. 3, Program Area 1.1, Component 1). Part of the report is draft Joint Memorandum Circular, which is being reviewed by the Department of the Interior and Local Government (DILG) and the Department of Public Works and Highways (DPWH). The recommendations of the study have been presented to the DILG and the BPLS Oversight Committee Meeting (dated June 30, 2014) as well as to the three partner cities of USAID under the Cities Development Initiative – Batangas, Iloilo and Cagayan de Oro.

This report consists of four parts. The succeeding chapter following the introduction briefly explains the research methodology, which is followed by an overview of the legal bases for the processes currently followed by regulatory agencies and cities and municipalities which are mandated to processes construction-related permits. The third chapter presents the findings of the research, which will be followed by the study’s recommendations.<sup>2</sup>

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<sup>1</sup>The IFC adopts a global definition for days and procedures which differs from the layman’s definition. This will be explained later in the report.

<sup>2</sup>An STTA, Mr. Santiago Ducay and the Project’s Deputy Chief jointly undertook the study.

## II. RESEARCH DESIGN AND METHODOLOGY

### A. Outputs of the Study

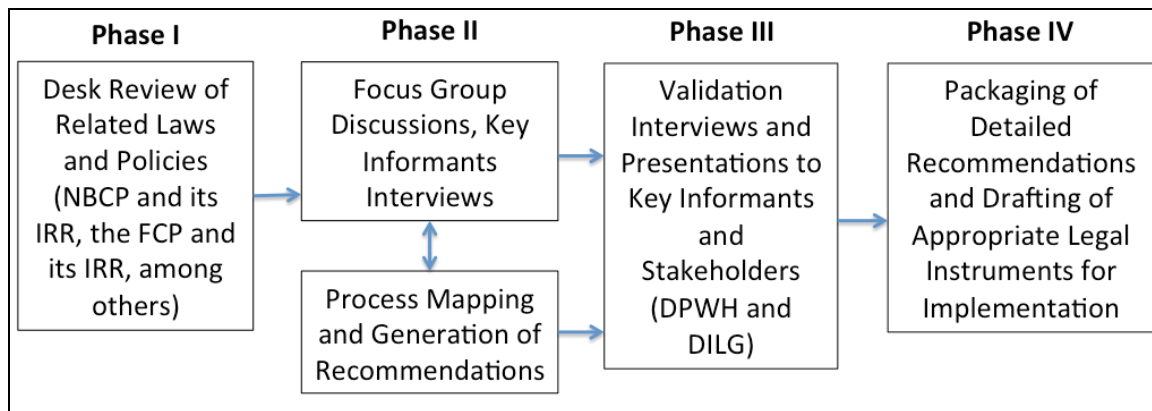
The DILG, together with INVEST, agreed to the following outputs for the study:

1. Review of current processes in securing building and occupancy permits and identification of best practices of cities and municipalities;
2. Recommendations for a set of simplified and streamlined procedures in the issuance of building and occupancy permit; and
3. Draft circular containing the recommendations for streamlining the building and occupancy permitting process.

### B. Research Design and Methodology

To generate the above-mentioned outputs, the phases of work presented in Figure 1 guided the completion of the study.

**Figure 1.**  
**Phases of Work in the Conduct of the Study**



Phase I involved a review the pertinent laws, such as Presidential Decree 1096 or the National Building Code and other laws: (1) Presidential Decree 1185 or the Fire Code of the Philippines; (2) Republic Act 9154 or the Fire Code of the Philippines of 2008; (3) RA 9266 or the Architecture Act of 2004; (4) RA 4566 or the Contractor's License Law; (5) RA 1364 or the Sanitary Engineering Law; (6) RA 1378 or Plumbing Law; (7) RA 8534 or the Interior Design Act of 1987; and (8) Article 1723 of the New Civil Code of the Philippines.

Phases II and III employed qualitative approaches such as experience-sharing, focus group discussion, and key informant interviews involving the private sector represented by major construction and development associations and groups, and concerned officials of selected local governments. Process observation and mapping was also done for key cities that are

considered best practices and local government units that participated in the interview and focus group discussions.

The study involved the documentation/determination of the various processes, requirements, signatories, fees, and timeline of approval for application of building and occupancy permit. It utilized primary and secondary inputs from local government officers engaged in permitting process and other officials i.e. building officials, structural engineers, electrical engineers, sanitary engineers, mechanical engineers, geodetic engineers, city officials and Bureau of Fire Protection (BFP) officials, as well as the private sector.

Three city workshop/s were conducted that (1) reviewed the current building and occupancy permitting system in the localities; (2) identified reform areas (steps which can be done away with and those that could be computerized or automated); (3) identified reforms and recommendations.

The study was guided by the following parameters:

(1) There were four areas examined in the study - documentary requirements for the permits, the procedures, the processing time and the signatories to the permits.

(2) The review of the procedures considered two perspectives – the applicant and the local government. However, the study's consultations were more extensive with LGUs though FGDs and forums with the private sector were also organized.

(3) The study considered the end-to-end process for getting a building and occupancy permits, including the procedures for complying with the required documents, e.g. *barangay* clearance.

(4) The reckoning for the counting the steps/procedures took into account actual face-to face interactions and the definition of a step as described in the section on definition of terms.

### **C. Scope**

The study was undertaken for a period of 10 months from November 2013 to August 2014. It covered the whole process of securing construction-related permits, i.e., the Building Permit and the Certificate of Occupancy. In each of these permits, the following areas of streamlining were examined: (a) number of steps; (b) required documents; (c) number of signatories; (d) fees; and (e) processing and waiting time. The recommendations focused on the possible areas of streamlining where local governments could fully handle and have direct control over.

The study covered the 35 LGUs in the three island groupings of the country as follows:

Luzon: (1) Quezon City; (2) Valenzuela City; (3) Batangas City; (4) Naga City; (5) Manila; (6) Sto. Tomas; (7) Tanauan; (8) Lipa City; (9) Lemery; (10) Calamba; (11) San Pablo; 1(2) Sta. Rosa; (13) Cavite City; (14) Tagaytay; (15) Dasmariñas and (16) Trece Martirez.

Visayas: (1) Cebu City; (2) Minglanilla; (3) Mandaue; (4) Iloilo; (5) Bacolod; (6) Bago; (7) Silay; (8) Passi; (9) Alimodian; (10) Oton; (11) Miagao.

Mindanao: (1) Iligan; (2) Davao; (3) El Salvador; (4) Cagayan de Oro; (5) Valencia; (6) Surigao; (7) Lagundingan; and (8) Opol.

## D. Consultations Conducted

The consultation process undertaken for the study was quite extensive, with about 9 forums organized as shown below.

1. National Conference on Building Construction and Occupancy Permitting Processes. This event was held on November 28, 2013 at the Oakwood Hotel, Ortigas Center, Pasig City for the following local governments considered as models in streamlined permitting processes to showcase their best practices and to provide insights for replication to other local governments: (1) Davao City; (2) Bacolod City; (3) Naga City; (4) Valenzuela City; (5) City of Manila; and (6) Quezon City.
2. Focus Group Discussions (FGD) were conducted to get more in-depth information with concerned city/local officials of Valenzuela, Cebu and Mandaue cities and the Municipality of Minglanilla.
3. Workshops on Building Construction and Occupancy Permitting Processes were conducted in each of the island groupings, i.e. Iloilo City for the Visayas, Cagayan de Oro for the Mindanao LGUs and Tagaytay City for Luzon, where 24 LGUs participated (17 cities and 7 municipalities). In general, the workshops had a two-pronged objective, to wit: (a) review the current building and occupancy permit processes in the participating LGUs; and (b) derive recommendations which could be proposed for improving the permitting systems in other local government units (as input to the study).
4. FGD with key officials of the Organization of Socialized Housing Developers of the Philippines (OSHDAP) for Northern Mindanao on December 4, 2013 in Cagayan de Oro City.
5. FGD with key officials of major private sector groups, namely: the Philippine Construction Association (PCA), the United Architects of the Philippines (UAP), the Philippine Institute of Civil Engineers (PICE), the OSHDAP and the Socialized Housing Development Association (SHDA) which was held on February 28, 2014 at the Oakwood Hotel, Ortigas Center, Pasig City. The FGD has two-pronged objectives, to wit: (i) to do a process map of the building and occupancy permitting system from the perspective of the private sector or a permit applicant; and (ii) to generate issues and concerns as experienced by the private sector when they apply for building and occupancy permits, as well as recommendations that the private sectors would wish to see in the permitting procedures at the local level.

Data generated from these activities were sorted, processed and analyzed to come up with the results of the Study, particularly the major recommendations for reform in streamlined permitting process.

## E. Limitations of the Study

The study focused on a limited number of LGUs due to limited time for validation of processes provided by the LGUs or the concerned National Government Agencies (NGAs) and for detailed examination of specific case studies. Ideally, the study should have tracked specific applications and the actual time it took for these to be given a permit. Given the short duration of the study and the length of time that a construction activity takes, it was just not possible to do actual case studies.

The review did not also validate whether permitting procedures would differ with types of structures, i.e. residential, commercial or high rise buildings, which intuitively may influence the complexity of the approval process.

Due to time constraints and the need to generate as much information from concerned representatives as possible, the methodologies employed in the study relied on interviews and focused group discussions of key informants from local governments and concerned private sector groups.

## **F. Differences with the Methodology Adopted by the IFC**

This study also adopted a way of counting the number of steps, as well as the processing and waiting times, different from those being used by the International Finance Corporation (IFC) in evaluating countries in the category “Dealing with Construction Permits” as part of the Ease of Doing Business (EODB) Report. The differences pertain to the following aspects:

### *1. Definition of Procedures*

As stated in the IFC report, the procedures tracked in the report pertain to those required for building a warehouse. These procedures consist of (1) submission of all relevant documents and obtaining all necessary clearances, licenses, permits and certificates; (2) submission of all required notifications and receiving all necessary inspections; (3) obtaining utility connections, water, sewerage and a land telephone line; and (4) registering the warehouse after its completion (if required to use as collateral or for transfer of the warehouse). A procedure is deemed completed if the applicant has received the final document.

In this study, the steps reported were not limited to applicants, who are applying to construct a warehouse. These steps were those reported by the LGU as their requirements for processing a building or an occupancy permit. However, the study also followed the same conditions for determining the procedures for getting construction-related as described above, except for the last two conditions (i.e. obtaining utility connections), which are not within the control of the LGU.

### *2. Definition of Time*

In the IFC study, the time required to complete each procedure always starts on a separate day even if the procedure can be finished in 30 minutes or less than a day. This is the reason why the 55 days processing time has been questioned by many analysts.

This study, on the other hand, expressed processing time in days, hours and minutes, as the actual case maybe.

## **G. Definition of Terms**

Under this study, some terms were used in the following context, consistent with the provision of the National Building Code of the Philippines (NBCP) and its Implementing Rules and Regulations (IRR), and the Fire Code of the Philippines (FCP) and its IRR:

1. Applicant – Any person, firm, partnership, corporation, head of government or private institution, organization of any character applying for the issuance of permits and certificates.



2. Application Forms – A pre-formatted prescribed form duly accomplished and notarized by the respective design professional with validation matrices related to other building rules and regulations.
3. Backroom Operation – A working arrangement among the Office of the Building Official (OBO) and other concerned departments and offices under the local government, and the BFP where application and documentary requirements for building permit and certificate of occupancy are transferred and moved from one department to another for review, evaluation and action without the physical interference of the applicant.
4. Building Official – The Executive Officer of the OBO appointed by the Secretary of Public Works and Highways.
5. Building Permit – A document issued by the BO to an owner/applicant to proceed with the construction, installation, addition, alteration, renovation, conversion, repair, moving, demolition or other work activity of a specific project/building/structure or portions thereof after the accompanying principal plans, specifications and other pertinent documents with the duly notarized application are found satisfactory and substantially conforming with the NBCP and its IRR.
6. Construction – All on-site work done in the site preparation, excavation, foundation, assembly of all components and installation of utilities, machineries and equipment of buildings/structures.
7. Occupancy – The purpose for which a building or portion thereof is used or intended to be used.
8. Office of the Building Official (OBO) – The Office authorized to enforce the provisions of the NBCP and its IRR in the field as well as the enforcement of orders and decisions made pursuant thereto.
9. One-Stop Shop – A mechanism of coordination among the OBO, other concerned departments or offices at the local government, and the Office of the Fire Marshall at the local level, either through co-location of related functions or through a practical system of linkages and coordination with the end in view of delivering services to the applicant in one are or in easily accessible areas.
10. Step – Any action taken by an applicant as part of the process of applying for and/or processing permits and licenses that triggers an interface, whether physical or online/virtual, with or an action on the part of the office/unit to which the applicant has presented or communicated with himself/herself leading to a result (a document, certification, or decision) that is necessary to secure a permit.

### III. OVERVIEW OF THE CONSTRUCTION PERMITTING PROCESS IN THE PHILIPPINES

The construction permitting process in the Philippines can be broken down into two distinct and specific yet sequentially inter-related processes involving clearances for securing a building permit and a certificate of occupancy. The former refers to the system of getting a permit for the construction of private establishments while the latter allows the use, habitation, disposition or operation of built establishments. In simple terms, building permit is issued as a pre-construction requirement while the occupancy permit is a post-construction requirement.

The above-described processes are governed by various laws and decrees, which will be discussed below.

#### **A. Building Permits**

Presidential Decree No. 1096, series of 1977, otherwise known as National Building Code of the Philippines (NBCP) and its Revised Implementing Rules and Regulations (IRR) is the main legal document that is used as a guide by LGUs in processing building permits. Rule III Section 302 of the NBCP provides the general procedure for building permit application. In summary, Section 302 provides: (1) an identification or definition of those covered by the building permitting system; (2) the prescribed application forms and documents as proofs of ownership for lots or properties to be developed; (3) the office that is charged with the responsibility of issuing building permit – the office of the building official (OBO); (4) estimated fees and payments for different types of establishments and work to be done; and (5) number of copies of plans and documents to be submitted to the OBO as bases for the issuance of building permit. These provisions serve as guide for local government in devising their own specific process flow in the issuance of building permits to all construction of residential, industrial and commercial buildings in their area of jurisdiction.

Aside from the NBCP, there are other pieces of legislation that are being considered in the issuance of permits when circumstances require. These include, among many others: (1) PD 1185 or the Fire Code of the Philippines; (2) RA 9266 or the Architecture Act of 2004; (3) RA 4566 or the Contractor's License Law; (4) RA 1364 or the Sanitary Engineering Law; (5) RA 1378 or Plumbing Law; (6) RA 8534 or the Interior Design Act of 1987; and (7) Art.1723 of the New Civil Code of the Philippines. In some cities in Metro Manila, there is also a need to get specific clearances from special bodies, such as the Civil Aviation Authority (CAA) for building height and non-obstruction to aviation traffic, the DPWP for non-coverage of proposed project sites to national road extension program, and the Metro Manila Development Authority (MMDA) and the Department of Environment and Natural Resources (DENR) for sewerage and waste disposal management as well as for river easements.

RA 7160, or the Local Government Code of the Philippines, provides authority and powers to local government units to manage their economic and governance affairs; hence, this piece of legislation provides some leeway for local governments to adopt specific measures and processes that they see fit and rewarding to their own distinct requirements. This leeway includes the areas of issuing permits and licenses, including imposition of additional fees and documentary requirements that national laws failed to define. In these instances, RA 7160 had been used as the reference legal basis for such discretionary acts. For example, the issuance

of Barangay Clearance, although strongly opposed by some local governments and private sector groups, is a requirement for local government in the issuance of any form of permits and licenses (Sec. 148 of RA 7160).

Specific sections of pertinent laws provide guideposts/benchmarks in setting procedures for processing building permits.

### ***1. Responsible Official for the Enforcement of the NBCP***

For the enforcement of the provisions of the NBCP, particularly Section 205 (Building Officials) and Section 207 (Duties of the Building Official), DPWH National Building Code Development Office Memorandum Circular No. 1, s. 2005 provides that until a Building Official (BO) is fully deputized by the Secretary of Public Works and Highways for a particular local government, the official designated by the concerned local chief executive through a Special Order to be responsible for the enforcement of the provisions of the NBCP as well as of its IRR shall serve as BO for said local government.

### ***2. Coverage of the Building Permit***

In some local governments, various ancillary permits are required prior or simultaneous to the issuance of a building permit, such as excavation permit and sidewalk enclosure permit. Section 301 of the IRR of the NBCP specifically provides that the Building Permit is considered null and void if not accompanied by Ancillary Permits, which include the following: (a) Architectural Permit; (b) Civil/Structural Permit; (c) Electrical Permit; (d) Mechanical Permit; (e) Sanitary Permit; (f) Plumbing Permit; (g) Electronics Permit.

This provision of the NBCP means that a building permit encompasses other required permits which are considered part and parcel of the building permit. This gives an idea of the scope and coverage of an ordinary building permit, as well as the necessary review and evaluation that should be conducted by the OBO to ensure the integrity of any application for a building permit.

### ***3. Documentary Requirements for the Issuance of Building Permit***

Section 302 of both the NBCP and its IRR provide a list of documents and information the applicant needs to present upon submission of application for building permit. The IRR specifically provides the following list of documents:

- Certified true copy of OCT/TCT, on file with the Registry of Deeds
- a. Tax Declaration
- b. Current Real Property Tax Receipt
- c. Locational clearance from the City/Municipal Zoning Administrator
- d. Clearances from various authorities exercising and enforcing regulatory functions affecting building and structures
- e. Five (5) sets of survey plans, design plans, specifications and other documents prepared and sealed over the printed names of duly licensed and registered professionals
- f. Architectural documents
- g. Civil/Structural Documents
- h. Electrical Documents
- i. Mechanical Documents
- j. Sanitary Documents

- k. Plumbing Documents
- l. Electronics Documents
- m. Geodetic Documents

#### **4. Clearances and Certificates from Other Government Agencies**

As for item v of the immediately preceding discussion, the IRR also provides that “*application for said clearances shall be requested by the owner/applicant and failure to receive reply within seven (7) days from receipt of the application for building permit shall be sufficient (so as) not to cause further delay in processing the building permit...*”

Authorities cited under the IRR are:

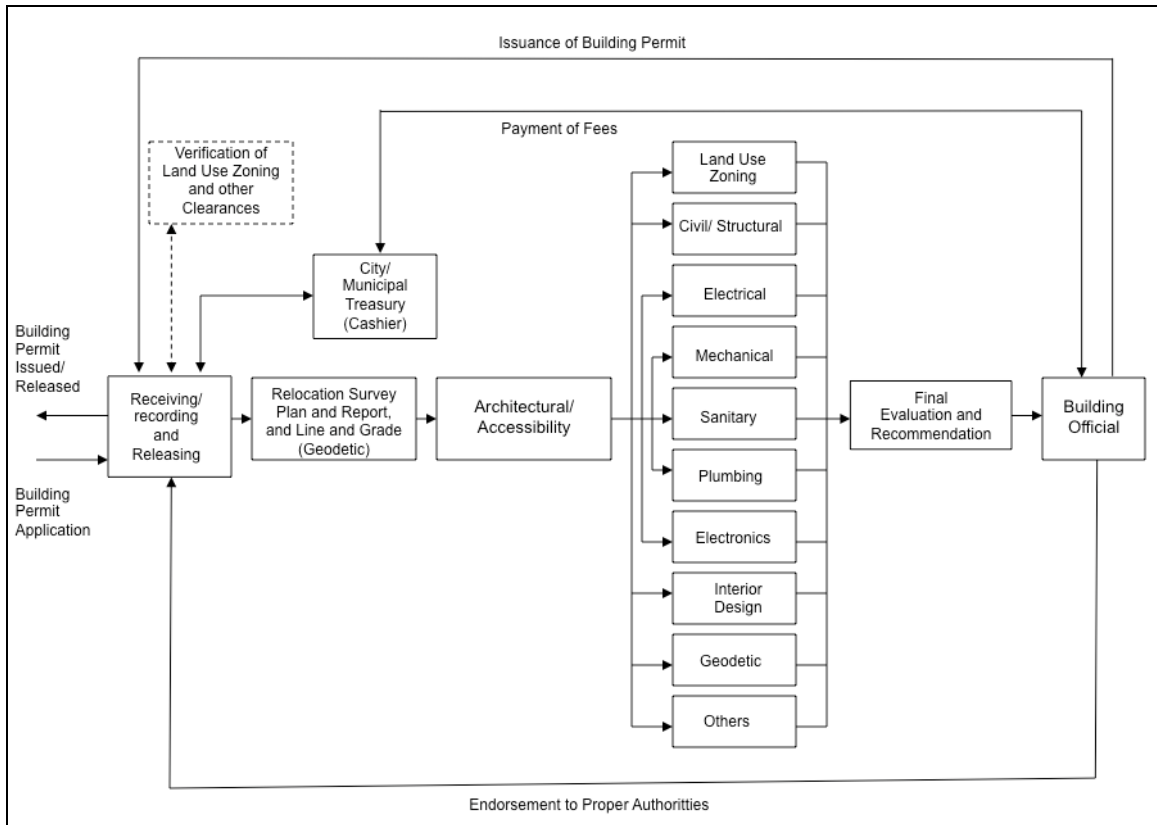
- a. Department of Public Works and Highways
- b. Air Transportation Office
- c. Housing and Land Use Regulatory Board
- d. Local Government Unit
- e. Department of Tourism
- f. Department of Environment and Natural Resources
- g. Department of Transportation and Communications
- h. Department of the Interior and Local Government
- i. Philippine Port Authority
- j. Department of Education
- k. Department of Health
- l. Philippine Institute of Volcanology and Seismology
- m. Laguna Lake Development Authority
- n. Manila Waterworks and Sewerage System
- o. National Water Resources Board
- p. Department of Agrarian Reform
- q. Department of Agriculture
- r. Department of Labor and Employment
- s. National Housing Authority
- t. National Council for the Welfare of Disabled Persons

#### **5. Process for Issuing a Building Permit**

Section 303 of both the NBCP and its IRR provide a guide to both the applicant and the OBO in the processing and issuance of the building permit. Figure 2 of the IRR also provides diagrammatic process flow for the purpose. In essence and as provided by the NBCP, the following major steps are undertaken:

- a. Submission of application form and documentary requirements
- b. Verification of land use zoning and other clearances
- c. Review and technical evaluation based on submissions
- d. Final evaluation and recommendation
- e. Payment of fees
- f. Issuance of Building Permit

**Figure 2.**  
**Process Flow Chart in the Issuance of Building Permit**



Source: Figure III.3 of the NBCP

**6. Required Processing Time for the Issuance of Building Permit**

Section 304 of both the NBCP and its IRR provide that “when the application for building permit and the plans and specifications submitted herewith conforms to the requirements of the Code and its IRR, the BO shall within fifteen (15) days from payment of the required fees by the applicant, issue the building permit applied for.”

## **B. Occupancy Permits**

Section 309 provides the processes, required documents and list of fees and payments to be made for the issuance of a Certificate of Occupancy.

### **1. Documentary Requirements for the Issuance of Certificate of Occupancy**

Section 309 of the NBCP and its IRR provide that the owner/applicant shall submit to the OBO the following:

- a. Application of Certificate of Occupancy
- b. Duly notarized Certificate of Completion
- c. Construction Logbook
- d. As-built plans and specifications
- e. Building Inspection Sheet
- f. FSIC from the C/MFM of the BFP

Rule 9, Division 4, Section 9.0.4.2 of the IRR of the FCP provides the requirements in securing FSIC for the issuance of Certificate of Occupancy, as follows:

- a. Endorsement from the Building Official (BO)
- b. Photocopy of Building Permit and Assessment of Occupancy Permit Fee
- c. Copy of Fire Insurance Policy, if any
- d. Copy of Latest Fire Safety Inspection Certificate immediately preceding this application, if any
- e. Three (3) sets of FALAR 2

### **2. Process of Issuance of Certificate of Occupancy**

Section 304, item 5 (c) of the IRR of NBCP provides "*that no building/structure shall be used until the BO has issued a Certificate of Occupancy...*" Section 309 of the NBCP and its IRR provide a guide for the issuance of the Certificate of Occupancy, which, in broad strokes, follows the following:

- a. Submission of application form and other documentary requirements, as discussed in succeeding items
- b. Endorsement of the OBO to the City/Municipal Fire Marshall (C/MFM) of the BFP for the issuance of a Fire Safety Inspection Certificate (FSIC)
- c. Final inspection of the OBO
- d. Preparation of the OBO of corresponding fees and order of payment
- e. Issuance of the Certificate of Occupancy

### **3. Required Processing Time for the Issuance of Certificate of Occupancy**

Section 309 of the NBCP provides that "*a Certificate of Occupancy shall be issued by the Building Officer (BO) within 30 days if after final inspection and submittal of a Certificate of Completion..., it is found that the building or structure complies with the provisions of " the NBCP.*"

#### **4. Issuance of Fire Safety Evaluation Clearance (FSEC) and Fire Safety Inspection Certificate (FSIC)**

Section 303, item 10 of the IRR of the NBCP provides that *“the BO shall refer one (1) set of plans and specifications to the C/MFP of the BFP for his review and recommendations with respect to fire safety and control requirements.”* It further provides that *“the C/MFM shall submit his report and recommendations to the BO within five (5) working days from date of referral. Failure of the C/MFM to act within said period shall mean that the plans and specifications conform to all the requirements of the FCP.”* Said review of the C/MFP does not mention the FSEC but has generally been interpreted by local BFP units and LGUs to mean the formal issuance of a Fire Safety Evaluation Clearance (FSEC).

However, Rule 9, Division 2, Section 9.0.2.1 of the IRR of the FCP provides for a building plan review wherein FSEC was mentioned, and could be interpreted, as an attestation of the compliance of building plan to fire safety requirements.

#### **“RULE 9. ENFORCEMENT AND ADMINISTRATION OF FIRE SAFETY MEASURES”**

**C.** *In coordination with the Building Official, the City/Municipal Fire Marshal having jurisdiction shall review, evaluate and assess plans, design calculations and specifications, and issue the necessary building Fire Safety Evaluation Clearance (FSEC) upon determination that design and specification is in accordance with the provisions of the Fire Code of the Philippines and this IRR.*

This rule implies that the building plan has to be formally cleared by the BFP, which in essence means issuance of the FSEC. However, Rule 9 does not specify the timing of the BFP evaluation or FSEC clearance – i.e. is it done before evaluation of other offices or is it done after? Per consultations with the BFP, the recommendation is to have BFP review the plans first to ensure that proper fire safety elements have been incorporated. It is more tedious and costly to have to modify and retrofit plans if BFP identifies issues at the tail end of the process.

Section 5 (g) of the FCP affirms and strengthens the provision of Section 309 of the NBCP that *“no occupancy permit, business or permit to operate shall be issued without securing a Fire Safety Inspection Certificate (FSIC). . . .”*

Section 309 of the IRR of the NBCP further required that the C/MFM of the BFP *“shall issue a FSIC within five (5) working days if the Fire Safety requirement shall have been complied.”* It also provides that *“if, after the prescribed period no action is taken by the C/MFM, the BO may issue the Certificate of Occupancy with the condition that the Fire Safety requirements shall be complied with . . .”*

Rule 9, Division 4, Section 9.0.4.2 of the IRR of the FCP provides the requirements in securing FSIC for the issuance of Certificate of Occupancy, as follows:

- a. Endorsement from the Building Official (BO)
- b. Photocopy of Building Permit and Assessment of Occupancy Permit Fee
- c. Copy of Fire Insurance Policy, if any
- d. Copy of Latest Fire Safety Inspection Certificate immediately preceding this application, if any
- e. Three (3) sets of FALAR 2

## **5. Process of Building Plan Review by C/MFM**

Rule 9, Division 2, Section 9.0.2.1 provides the process of review and evaluation in relation to the fire safety requirements of the BFP.

## **6. Conduct of Inspections by the OBO and the C/MFM of the BFP**

It is understood that in the conduct of building plan review and evaluation, the OBO shall also undertake inspection. As for the C/MFM of the BFP, Rule 9, Division 1, item A of the IRR of the FCP provides that “*fire safety inspections shall be conducted as a pre-requisite to grants of permits and/or licenses by local governments or other government agencies.*”

## **7. Issuance of Barangay Clearance**

Article IV, Section 152, item c of Republic Act 7160, otherwise known as the Local Government Code of the Philippines (LGC), provides that “no city or municipality may issue any license or permit for any business or activity unless a clearance is first obtained from the barangay where such business or activity is located or conducted. For such clearance, the *Sangguniang Barangay* may impose a reasonable fee. The application for clearance shall be acted upon within seven (7) working days from the filing thereof. In the event that the clearance is not issued within the said period, the city or municipality may issue the said license or permit.

In some local governments, the barangay clearance is no longer required for building permit (e.g., Davao City and Bago City); hence, the number of steps for getting a building permit is reduced.

## **8. Collection of Fees**

a. For Building Permit: Adhering to the provisions of Section 203, Subsection 5, and Section 208 of the IRR of the NBCP, DPWH’s NBCDO Memorandum Circular No. 1, s. 2005 provides a schedule of fees and other charges which shall be enforced uniformly nationwide. It further provides that “*the Order of Payment issued by the BO shall show the breakdown of the total collection indicating the share of the local government concerned amounting to 80% and the 20% share of the national government.*”

b. For Fire Fees: Section 12.0.0.4 and Section 12.0.0.5 of the IRR of the FCP provide for the schedule of fire fees and fines, as well as the manner of collection of such.



## IV. ASSESSMENT OF THE CONSTRUCTION PERMITTING PROCESS IN THE PHILIPPINES

While the NBCP and its IRR provide a set of guidelines for the local governments in the issuance of construction permits, LGUs are given the mandate to translate these into more specific systems and procedures applicable and appropriate to the distinct and unique character of local governments. Hence, there may be variations in the actual procedures for processing construction-related permits at the local level. The study is an attempt to document what is happening on the ground in relation to these procedures followed based on the account of a select group of cities and municipalities. The findings are summarized below.

### A. Building Permitting Process

#### 1. Documentary Requirements

As seen in the previous chapter, the NBCP and its IRR identified 14 types of documents that must be submitted as part of the building permit application. Based on the FGDs conducted by the study, the following have been observed: (1) the documentary requirements of LGUs may be more than those in the NBCP; (2) there is no standard number of copies for any of the required documents as shown in Annex 1; (3) different offices of the city may require the same set of documents to be submitted, implying lack of a shared data bases among these offices; and (4) documents that come from other offices within the city government (e.g. tax receipts and tax declarations from the city Treasurer's Office) are still required to be submitted to the OBO as if these two offices do not belong to one government office.

Some local governments also require additional clearances such as environmental clearance (e.g., Iloilo City and Batangas City), heritage certificate (e.g., Iloilo City), health and occupational safety clearance (e.g., Iligan City), and compliance to the accessibility law (e.g., Iloilo City and the Municipality of Opol) for all building permit applicants.

#### 2. Process for Securing a Building Permit

Among the local governments covered by the study, the number of procedures varied from 5 to 7. Most local governments have seven (7) procedures after securing a checklist of steps and documentary requirements, which are detailed below:

- a. Secure barangay clearance
- b. Secure a lot plan with site map from a Geodetic Engineer
- c. Secure OCT/TCT certification from the Register of Deeds
- d. Secure zoning clearance or certificate from the Local Planning and Development Office (LPDO)
- e. Tax Declaration and Real Property Tax Receipt form the Assessor's Office
- f. Secure Fire Safety and Evaluation Certificate (FSEC)
- g. Secure building permit which includes the accomplishment of application form, submission of requirements based on the checklist, and payment of fees

However, each procedure entails several steps, which are broadly defined as having face-to-face interaction with an official. The actual steps as reported by the LGUs that participated in the study's FGDs are summarized below together with an estimate of the processing time:

a. Procedure 1: Secure Barangay Clearance or Certificate

The Barangay Clearance is usually requested from the Barangay office which has jurisdiction over the area where the structure is proposed to be located. While considered part of the local government, the processing of the clearance is usually separate from the city/municipality government's procedures for securing a building permit.

**Table 1. Typical Steps in Securing a Barangay Clearance**

| Applicant's Perspective |   | Government Action |   | Processing Time |
|-------------------------|---|-------------------|---|-----------------|
| Step                    | Action  | Step              | Action  |                 |
| 1                       | Apply for a Community Tax Certificate (CTC)                       | 1                 | Process the CTC   | 3 mins.         |
| 2                       | Pay the CTC and get the Cedula                                    |                   |   | 3 mins.         |
| 3                       | Apply for barangay clearance or certificate for a building permit | 2                 | Receive payment and issue a (a) community tax certificate; and (b) official receipt for barangay clearance or certificate | 5 mins.         |
| 4                       | Pay for the barangay clearance or certificate                     | 3                 | Receive documents   | 1 mins.         |
|                         |   | 4                 | Evaluate documents and prepare barangay clearance   | 10 mins.        |
|                         |   | 5                 | Barangay Captain signs barangay clearance or certificate  | 5 mins.         |
| 5                       | Claim   | 6                 | Issue barangay clearance or certificate   | 2 mins.         |

b. Procedure 2: Secure a Lot Plan with Site Map

The LGU usually requires a lot plan with a site map which is prepared by a certified Geodetic Engineer, who is contracted privately by the applicant. Hence, the processing time is usually variable and not within the control of the LGU.

**Table 2. Typical Steps in Securing a Lot Plan**

| Applicant's Perspective |  | Government Action |               | Processing Time |
|-------------------------|--|-------------------|---------------|-----------------|
| Step                    | Action                                     | Step              | Action        |                 |
| 1                       | Secure the services of a Geodetic Engineer |                   | None required | Variable        |
| 2                       | Pay fees                                   |                   |               |                 |
| 3                       | Claim                                      |                   |               |                 |

c. Procedure 3: Secure OCT/TCT Certification from the Register of Deeds

The LGU would like to check whether the property where the structure will be located is free of encumbrances; hence the need to secure an owner's certificate of title (OCT) or transfer of certificate of title (TCT) which is processed by the local office of the Register of Deeds. Again, this procedure is not within the control of the LGU.

**Table 3. Typical Steps in Securing the OCT/TCT from the Register of Deeds**

| Applicant's Perspective |  | Government Action |  | Processing Time |
|-------------------------|--|-------------------|--|-----------------|
| Step                    | Action   | Step              | Action   |                 |
| 1                       | Submit all requirements to the Entry Clerk             | 1                 | Receive the requirements from the applicant (including checking of the requirements) | 6 mins.         |
| 2                       | Pay the registration fees and receive official receipt | 2                 | Receive payment of registration and issue official receipt                           | 4 mins.         |
|                         |  | 3                 | Review and approve the requested Title and documents                                 | 8 mins.         |
|                         |  | 4                 | Print the Certified True Copy  | 2 mins.         |
| 3                       | Receive the Certified True Copy of Title and Documents | 5                 | Release the certified True Copy of Title and Documents                               | 2 mins.         |

d. Procedure 4: Secure a Zoning Clearance/Certificate

The zoning clearance is required by all LGUs to ensure that the structure is located within the approved land use for the place. Processed by the Local Planning and Development Office (LPDO), this is the first step that involves the LGU aside from the first instance that the applicant has to secure the application form with the checklist of requirements from the Office of the Building Official (OBO).

**Table 4. Typical Steps in Securing a Zoning Clearance**

| Applicant's Perspective |  | Government Action |   | Processing Time |
|-------------------------|--|-------------------|---|-----------------|
| Step                    | Action   | Step              | Action  |                 |
| 1                       | File application form and submit requirements        | 1                 | Receive and assess completeness of application form and documents | 5 to 10 mins.   |
|                         |  | 2                 | Preparation of bill of payment                                    | 3 mins.         |
| 2                       | Payment of fees (processing fee and evaluation fee)  | 3                 | Issuance of official receipt and claim stub                       | 1 min.          |
|                         |  | 4                 | Review and evaluation   | 1 to 2 days     |
|                         |  | 5                 | Schedule inspection dates   | 2 mins.         |
| 3                       | Meets the inspector tasked to conduct the Inspection | 6                 | Conduct of Inspection   | 1 day           |
|                         |  | 7                 | Preparation and signing of locational/zoning clearance            | 1-2 hours       |
| 4                       | Present official receipt and Claim                   | 8                 | Issuance of locational/ zoning clearance                          | 5 mins.         |

a. Procedure 5: Secure Tax Declaration and Real Property Tax Receipt

The LGU would like to ensure that the property where the structure is located is up-to-date with the payment of real property taxes (RPT) . Hence the need to secure two documents – the tax declaration and the RPT receipt from the Assessor’s Office.

**Table 5.**  
**Steps in Securing the Requirements from the Assessor’s Office**

| Applicant’s Perspective |   | Government Action |  | Processing Time |
|-------------------------|---|-------------------|--|-----------------|
| Step                    | Action  | Step              | Action   |                 |
| 1                       | File application form and submit requirements | 1                 | Receiving applications forms and documents, if any is required | 5-10 mins.      |
|                         |   | 2                 | Preparation of bill of payment                                 | 3 mins.         |
| 2                       | Payment of fees                               | 3                 | Issuance of official receipt and claim stub                    | 1 min.          |
| 3                       | Claim   | 4                 | Issuance of tax declaration and real property tax receipt      | 1 min.          |

b. Procedure 6: Secure Fire Safety and Evaluation Certificate (FSEC)

The FSEC is a requirement of the BFP to ensure that the plans for the structure conform to the safety requirements of the Fire Code of the Philippines. In most instances, the FSEC is secured from the local BFP office. In some LGUs like Valenzuela, a BFP representative is assigned in a one-stop shop for construction related permits at the city hall, saving the applicant the trouble of going to the local BFP office.

**Table 6.**  
**Typical Steps in Securing the Fire Safety and Evaluation Certificate**

| Applicant’s Perspective |   | Government Action |   | Processing Time |
|-------------------------|---|-------------------|---|-----------------|
| Step                    | Action  | Step              | Action  |                 |
| 1                       | File application form and submit requirements | 1                 | Receive and assess completeness of application form and documents | 5-10 days       |
|                         |   | 2                 | Preparation of bill of payment                                    |                 |
| 2                       | Payment of application fees                   | 3                 | Issuance of official receipt and claim stub                       |                 |
|                         |   | 4                 | Review and evaluation   |                 |
|                         |   | 5                 | Schedule inspection dates   |                 |
| 3                       | Participate in inspection                     | 6                 | Conduct of inspection/s   |                 |
|                         |   | 7                 | Preparation and signing of FSEC                                   |                 |
| 4                       | Payment of fire fees                          | 8                 | Receive payment and issue official receipt                        |                 |
| 5                       | Present official receipt and Claim            | 9                 | Issuance of FSEC  |                 |

c. Procedure 7: Secure the Building Permit

This is a critical step that is the responsibility of the city/municipal government's OBO. Processing starts with the submission the relevant application forms with all the requirements secured through the first six procedures described above.

**Table 7.**  
**Typical Steps in Securing a Building Permit from the Local Government**

| Applicant's Perspective |  | Government Action |  | Time to Finish the Step |
|-------------------------|--|-------------------|--|-------------------------|
| Step                    | Action   | Step              | Action   |                         |
| 1                       | File application form and submit requirements  | 1                 | Assess completeness of application form and documents                        | 17 working days         |
|                         |  | 2                 | Preparation of bill of application fees                                      |                         |
| 2                       | Payment of application fees  | 3                 | Issuance of official receipt and claim stub                                  |                         |
|                         |  | 4                 | Review and evaluation of plans and documents                                 |                         |
|                         |  | 5                 | Schedule the conduct of inspection/s   |                         |
| 3                       | Participate in inspection/s  | 6                 | Conduct of inspection/s that may be required                                 |                         |
|                         |  | 7                 | Preparation and signing of permit/s  |                         |
|                         |  | 8                 | Preparation of order of payment  |                         |
| 4                       | Payment of fees and other charges; claim building permit and other ancillary permits | 9                 | Issuance of official receipt and building permit and other ancillary permits |                         |

While the above tables illustrate the general flow or typical process, it has been observed in the LGUs consulted that the whole process could take 34 to 36 steps (Annex 2). This would already involve specific processes not only confined to securing building permit, per se, but more importantly in securing documentary requirements from other entities or departments of the government – both local and national, such as: (1) the Registry of Deeds (ROD) for the certified true copy of OCT/TCT; (2) the barangay hall for barangay clearance; (3) the zoning administrator's office or the local planning and development office (LPDO) for land use zoning clearance; (4) the local assessor's office for the tax declaration and real property tax receipt, and (5) the Fire Safety Evaluation Clearance (FSEC) form the Fire Marshall (FM). Securing these requirements is usually done before an applicant submits application for building permit at the OBO. In Quezon City, there is also a need to secure clearances and certificates from utility companies, such as water and electricity. The steps in securing clearances and certificates from other national government agencies are not included in the counting yet. Note that item 2 above is subsumed as part of the requisite process, such as in Quezon City and in almost all LGUs consulted.

While the process at the OBO seems short and simple, a first time applicant usually go first to the OBO to get a checklist and/or secure an application form, fills up the application form and

attempt to submit the accomplished form together with the hand-carried survey and design plans. When this happens, the OBO informs the applicants of other requirements from other departments or offices and provide a checklist of such requirements. This seemingly brief process already involves several face-to-face interactions and gives any applicant an impression of the difficulty in securing building permit. Even regular applicants complain about the too circuituous process.

Another area of delay is the FSEC which the applicant needs to secure separately from the FM of the BFP. This is required as part of item iii above. Again, this single process would require at least five (5) face-to-face interactions or steps, namely: (a) secure application form, (b) submit application form and documentary requirements (which include an endorsement from the OBO), (c) conduct of inspection; (d) payment of fire fees; and (e) claim FSEC.

The best practice that can be considered in terms of the number of steps for the issuance of building permit is Valenzuela City which has 3 steps, namely: (a) submission of application form and documents; (b) payment of building permit fees at the cashier; and (c) presentation of official receipt to claim the building permit. An applicant can file an application for building permit - either for new or for repair, renovation or improvement - through the electronic terminals located outside the OBO. The applicant will get a claim stub and a reference code sticker. The applicant then puts the documents inside a box, stick the reference code sticker in the box, and drop the box in a window. The applicant will be notified on the results of the evaluation and the order of payment. The applicant then pays the fees and presents the official receipt to claim the building permit.

In Valenzuela City, once the application form together with the required documents had been submitted, the OBO will undertake the review, verification and evaluation of all documents where there is no need for the applicant to be physically present, except when inspections are done. Coordination between the OBO and other relevant offices of the local government unit (e.g., CENRO) and the BFP is done at the back room. Essential procedures such as inspections are done wherever required and all costs and fees are totaled for payment of the applicant when and after duly notified.

Cebu City can also be considered a model, with its process involving only three (3) steps after completion of all documentary requirements. In Cebu City, the first step (face-to-face interaction) is for the applicant to secure complete set of building permit forms; the second is for the applicant to submit duly accomplished building permit applications; and the third and final step is the receiving of building permit.

Looking at the two (2) cities of best practices, the number of face-to-face interactions between an applicant and any instrumentality of the government, particularly with the local government, is reduced. However, in Cebu City, an applicant still has to secure certified true copy of OCT/TCT from the ROD, a locational clearance from the City Planning and Development Office (CPDO), and a tax declaration and a real property tax receipt from the assessor's office. Hence, the three (3) steps in Cebu City may actually be more than ten (10).

In Valenzuela City, the only two (2) requirements that need to be submitted in addition to the survey and design plans and photocopy of licenses of professionals are the certified true copy of OCT/TCT from ROD and a barangay clearance from the concerned barangay. The locational clearance, tax declaration and real property tax receipt are secured by the OBO from the CPDO and the assessor's office through a backroom operation. For the issuance of the FSEC, the OBO coordinates directly with the City FM. These backroom operation activities in Valenzuela

City significantly reduced the number of face-to-face interactions between the applicant and any entities of the local government. Other measures instituted by the city government are: (a) establishment of unmanned kiosk where checklists and application forms are made available; (b) automated submission of documents where an applicant could get a claim stub; (c) drop boxes (also in the kiosk) where applicants can slip in their application forms and documentary requirements; and (d) online payment. Application forms are also made available online.<sup>3</sup>

What facilitates the whole process for the Cities of Cebu, Valenzuela and Quezon is the automation of several steps, namely: (1) submission; (2) internal tracking; (3) follow-up of applicants; (4) feedback to applicants; and (5) to some extent, payment, in the case of Valenzuela.

In some local governments, the barangay clearance is no longer a requirement for building permit (e.g., Davao City and Bago City); hence, the number of steps is reduced. Other local governments consider the issuance of locational/land use zoning certificate a separate and not a part of the whole building permitting process (e.g., Cagayan de Oro City), although a prerequisite undertaking.

### 3. Number of Signatories

It has been observed that the more steps or face-to-face interactions there are with local officials, the more number of signatories there would also be. The concerned officials sign clearances or certificates issued at each step and/or sub-step.

In the local governments covered in the study, there are a minimum of 10 to a maximum of 17 signatories required for the issuance of clearances, certificates and evaluation results which are all viewed as necessary in the issuance of building permit (Table 8). As examples, these include: (a) the barangay treasurer or collecting officer or barangay cashier and the barangay captain for the Barangay Clearance; (b) the zoning administrator and the local planning and development coordinator for the locational/zoning clearance; (c) the city engineers (of various capacities) for the certification of the different plans such as structural, mechanical, electrical, sanitary, and plumbing, among others; (d) the OBO for the overall review of plans and the final issuance of the building permit.

**Table 8.**  
**Number of Signatories Required in the Building Permit Process in Sample LGUs in the Study**

| <b>Number of Signatories</b> | <b>Number of LGUs</b> |
|------------------------------|-----------------------|
| 10                           | 2                     |
| 11                           | 0                     |
| 12                           | 3                     |
| 13                           | 4                     |
| 14                           | 6                     |
| 15                           | 8                     |
| 16                           | 3                     |
| 17                           | 1                     |
| Total                        | 27                    |

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<sup>3</sup> For details, visit

<http://www.valenzuela.gov.ph/index.php/business/index/engineering+permits/Building+Permit>

**Table 9.**  
**Sample Type of Signatories Required for the Processing of Building Permits**

| <b>Step</b>                       | <b>Requisite Signatories</b>   | <b>Final Signatory</b>              |
|-----------------------------------|--|-------------------------------------|
| Barangay Clearance or Certificate | Evaluator<br>Barangay Clerk<br>Barangay treasurer or collecting officer or cashier | Barangay Captain                    |
| OCT/TCT certification             | Evaluator  | Head, Register of Deeds             |
| Locational Clearance              | Evaluators   | C/M Planning and Development Office |
| FSEC                              | 4 – 5 Evaluators and Inspectors  | Fire Marshal                        |
| Building Permit                   | 5 – 7 evaluators or reviewers, depending on the documents for professional review  | Building Official                   |

In some local governments, the engineer's office and the office of building official are separate entities (95 percent of covered LGUs in the Study); while in some, the 2 offices have been integrated as one (e.g., Davao City) but a separate office is still maintained to discharge functions of the engineer's office not related to construction permitting activities.

#### 4. Processing Time and Cost

Processing time for the issuance of building permit in covered areas of the Study ranges from 5 to 20 working days, with a mode at 17 days. In two (2) cities (cities of Valencia and Iligan), the issuance of building permit would take 24 working days.

Table 10 shows the variation on the numbers of days for the processing of building permit application among the local governments covered by the Study. Details are presented in Annex 2.

Quezon City claims that it can process and release the building permit in 10 working days while Valenzuela City, in a maximum of 2 days, and Cebu City, in 2 to 3 days.

In Valenzuela City, the factor that facilitates the process, at least at the review and evaluation stage, is the sharing of database among the different evaluators and the BO. At a given point while the evaluation is being done, the BO can check online and on real time the status of the evaluation. Given this, the BO can provide feedback to the local chief executive anytime a feedback is needed by the latter.



**Table 10.**  
**Processing Time for Building Permits in Sample LGUs**

| <b>Number of Working Days</b> | <b>Number of LGUs</b> | <b>% Share to Total</b> |
|-------------------------------|-----------------------|-------------------------|
| 5                             | 1                     | 3                       |
| 6                             | 0                     | 0                       |
| 7                             | 2                     | 6                       |
| 8                             | 0                     | 0                       |
| 9                             | 0                     | 0                       |
| 10                            | 1                     | 3                       |
| 11                            | 0                     | 0                       |
| 12                            | 2                     | 6                       |
| 13                            | 0                     | 0                       |
| 14                            | 1                     | 3                       |
| 15                            | 3                     | 9                       |
| 16                            | 0                     | 0                       |
| 17                            | 13                    | 40                      |
| 18                            | 3                     | 9                       |
| 19                            | 0                     | 0                       |
| 20                            | 5                     | 15                      |
| More than 20                  | 2                     | 6                       |
| <b>Total</b>                  | <b>33</b>             | <b>100</b>              |

For the issuance of the building permit, cost/fees depend on bill of materials, location and floor area of the structures. Additional fees collected by some local governments are covered by local ordinances and resolutions. There are other “additional fees” reportedly being collected from applicant at various stages in the process; these fees, however, are not a serious concern among applicants.

Table 11 presents a schedule of fees collected for the issuance of building permit.

**Table 11.**  
**Amount of Fess Collected for the Issuance of Building Permit**  
**(common to LGUs)**

| <b>Step</b>          | <b>Amount of Fee</b>   |
|----------------------|--|
| Barangay Clearance   | Php200.00  |
| TCT                  | Php300.00 plus Php150.00 per page  |
| Locational Clearance | Php200   |
| FSEC                 | 0.10% of the Bill of Materials   |
| Building Permit      | Various (for building - computed per square meter depending on the type of building or structure, as classified under the NBCP; other constructions depend on the cost of the project) |

## B. Occupancy Permit

### 1. Documentary Requirements

About 9 to 12 (even to a maximum of 15) documents are required of applicants for certificate of occupancy. The most common are presented in Table 12:

**Table 12.**  
**Summary of Documentary Requirements for the Procedures in Securing an Occupancy Permit**

| Procedure   | Documentary Requirements  |
|---|---|
| I. Secure a Fire Safety Inspection Certificate  | <ul style="list-style-type: none"> <li>Structural Design Plan</li> </ul>  |
| A. Securing a Barangay Clearance  | <ul style="list-style-type: none"> <li>Community Tax Certificate</li> </ul>   |
| B. Obtain a Lot Plan from a Geodetic Engineer   |   |
| C. Securing the certificate of land title from the Register of Deeds                    | <ul style="list-style-type: none"> <li>Lot Plan with site Map from a Geodetic Engineer</li> <li>Barangay Clearance</li> </ul>   |
| D. Secure zoning or locational clearance from the Local Planning and Development Office | <ul style="list-style-type: none"> <li>Notarized locational clearance application form</li> <li>Barangay Clearance</li> <li>Transfer Certificate of Title (TCT)</li> <li>Latest real property tax receipt</li> <li>Architectural Plan</li> </ul>  |
| E. Secure Tax Declaration and Real Property Tax Receipt                                 |   |
| Other requirements  | <ul style="list-style-type: none"> <li>Notarized Authorization Letter &amp; contact number (For Applicant's representative) and applicant's ID Copy</li> <li>Photocopies of valid PRC IDs and current PTRs with dry seal</li> <li>Barangay Clearance</li> <li>Complete APPROVED building permits (building, sanitary,/plumbing, electrical, electronics, mechanical, and fire protection) and official receipts</li> <li>Photos of the site/project/area for inspection to ensure substantial completion</li> <li>City environmental permit to operate</li> <li>Tax declaration on the approved building</li> <li>Certificate of operation (Machineries/equipment)</li> <li>Contractor's tax</li> <li>Application letter</li> </ul> |

### 2. Process for Securing an Occupancy Permit

Based on the information gathered from local governments covered by the Study, basic steps in acquiring occupancy permit range from 2 to 5. The most common steps after securing and accomplishing the application form and checklist of requirements are the following:

- a. Secure Fire Safety and Inspection Certificate
- b. Secure clearance from utility companies (telephone, water and electricity)
- c. Secure Certificate of Occupancy

A. Procedure 1: Secure Fire Safety and Inspection Clearance

This is usually a requirement of the Fire Code of the Philippines that is implemented by the local BFP. This procedure ensures that the built structure conforms to the original design of the building and the FSEC before construction.

**Table 13.**  
**Typical Steps in Securing the Fire Safety Inspection Certificate for Occupancy Permits**

| Applicant's Perspective |   | Government Action |   | Processing Time |
|-------------------------|---|-------------------|---|-----------------|
| Step                    | Action  | Step              | Action  |                 |
| 1                       | File application form and submit requirements | 1                 | Receive and assess completeness of application form and documents | 5-10 days       |
|                         |   | 2                 | Preparation of bill of payment                                    |                 |
| 2                       | Payment of fees (Fire Code Fees)              | 3                 | Issuance of official receipt and claim stub                       |                 |
|                         |   | 4                 | Review and evaluation   |                 |
|                         |   | 5                 | Schedule inspection dates   |                 |
| 3                       | Participate in inspection                     | 6                 | Conduct of inspection/s   |                 |
|                         |   | 7                 | Preparation and signing of FSEC                                   |                 |
| 4                       | Present official receipt and Claim            | 8                 | Issuance of FSIC  |                 |

B. Procedure 2: Secure Clearances from Utility Companies

In some instances, the applicant is also required to secure clearances from utility companies such as those providing telephone, water and electricity services. The study no longer included this procedure as it falls outside the responsibility of the LGU.

C. Procedure 3: Secure Certificate of Occupancy

This procedure is the responsibility of the OBO within the LGU and usually starts upon the submission of the application forms and the requirements.

**Table 14.**  
**Typical Steps in Securing the Certificate of Occupancy**

| Applicant's Perspective |  | Government Action |   | Processing Time |
|-------------------------|--|-------------------|---|-----------------|
| Step                    | Action   | Step              | Action  |                 |
| 1                       | File application form and submit requirements      | 1                 | Assess completeness of application form and documents | 5- 22 days      |
|                         |  | 2                 | Preparation of bill of application fees               |                 |
| 2                       | Payment of application fees and receive claim stub | 3                 | Issuance of official receipt and claim stub           |                 |
|                         |  | 4                 | Review and evaluation of plans and documents          |                 |
|                         |  | 5                 | Schedule the conduct of inspection/s                  |                 |

| Applicant's Perspective |  | Government Action |  | Processing |
|-------------------------|--|-------------------|--|------------|
| 3                       | Participate in inspection/s                | 6                 | Conduct of inspection/s that may be required |            |
|                         |  | 7                 | Preparation and signing of permit/s          |            |
|                         |  | 8                 | Preparation of order of payment              |            |
| 4                       | Payment of fees and other charges          | 9                 | Issuance of official receipt                 |            |
| 5                       | Claim and receive certificate of occupancy | 10                | Issuance of certificate of occupancy         |            |

### 3. Number of Signatories

According to the local government units covered by the study, there are 7 to 10 signatories required in the issuance of Certificate of Occupancy. Presented in the table below are the more common signatories.

**Table 15.**  
**Typical Signatories to the Certificate of Occupancy**

| Step   | Number of Requisite Signatories  | Final Signatory   |
|--|--|-------------------|
| Accomplishment of application and checklist of requirements                | None   |                   |
| Secure Fire Safety and Inspection Clearance                                | 4 – 5 Evaluators and Inspectors;<br>Collecting officer   | Fire Marshal      |
| Secure clearance from utility companies (telephone, water and electricity) | None required from the government  |                   |
| Secure Certificate of Occupancy  | 5 – 7 evaluators or reviewers, depending on the documents for professional review;<br>Collecting officer | Building Official |

### 4. Processing Time and Cost

As in the issuance of building permit, the processing time for the issuance of occupancy permit ranges from 5 to 22 days depending on the volume of application and construction activities in respective areas, Cost and fees depend on bill of materials, location of project and floor area of the structure.

## C. Summary of Findings

1. Local government units have different number of steps in the issuance of building and occupancy permits. This variation depends on three major considerations, namely: (a) availability of shared database and automated systems; (b) sufficient number of personnel or plantilla positions to conduct the review and evaluation of plans and other documents and to conduct inspections; and (c) scheduling of series of inspections by BFP and other concerned units or departments of local government.
2. There is also a variation among local governments on the number of copies of required documents for submission to OBO, BFP and other concerned units and departments. Required documents are consistent with the provisions of the NBCP; but some LGUs require additional certificates or clearances. In some instances, unnecessary documents (e.g. certification from CAA for building height) are required for small projects. There is also lack of uniformity in relation to requiring a barangay clearance for construction-related permits, in many LGUs this particular requirement is covered by local ordinance, which is consistent with the provisions of the local government code.
3. The number of signatories among local governments<sup>4</sup> varies significantly from a minimum of 17 (10 for building and 7 for occupancy) to a maximum of 27 (17 for building and 10 for occupancy) from TCT/OCT certification to zoning clearance to building and occupancy permits. Applicants expressed the difficulty of going from one signatory to another to complete the whole process. In local governments considered as best practices (e.g., Valenzuela City, Cebu City, Naga City), the number of signatories ranged from a minimum of 3 to a maximum of 5.<sup>5</sup>
4. In terms of processing time, it has been observed that the following steps render the longest waiting time: (a) review and evaluation of plans and documents; and (b) conduct of inspection or series of inspections. On the latter, the LGUs encounter difficulties in coordinating schedules of joint inspection teams.
5. As to the amount of fees required, the private sector groups registered no strong concern except that they mentioned the collection of unrecorded additional fees or payment without receipts, which they consider as “normal” in business transaction.<sup>6</sup> From the local government side, however, it was raised that the schedule of fees to be collected as contained in DPWH NBCDO MC 1 should be increased. It is on these fees that the local governments depend on for the following: (a) inspection expenses; (b) upgrading of office equipment and facilities to allow acquisition and establishment of

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<sup>4</sup> Excluding local governments considered as best practices, where the number of signatories ranges from 3 to 5 only.

<sup>5</sup> There is, however, a trick on the counting of the number of signatories vis-à-vis the number of steps, i.e., the interaction between the applicant and local government official. In some local governments, particularly those considered as best practices or models, once the application is submitted to the OBO, the applicant has just to wait till all reviewers of plans and other documents have affixed their submission. The final signatory is the OBO. It creates an “illusion” that the OBO is the sole signatory. In most local governments, the applicant has to go from one reviewer to another either to follow-up or to track the progress of review and evaluation.

In this case, the number of steps and the sub-steps can be redefined, where steps are the major interaction related to tasks that an applicant has to go through while sub-steps are the tasks that the application – not necessarily the applicant – has to go through either with or without face-to-face interaction between the applicant and a government official.

<sup>6</sup> While this was raised, the Study did not endeavor to dig further into the details, i.e., how much, how often and in what particular “steps,” as the private sector groups are also not open to discuss the matter.

database system to facilitate review and evaluation, as well as for the establishment of interconnectivity and data sharing among concerned departments; (c) hiring of additional personnel for review, evaluation and inspection; and (d) procurement and acquisition of additional vehicles for inspection.

6. Local governments expressed their sentiment that they are often blamed for the long waiting time of applicants but even with their purest intention to process applications immediately, they are constrained by two major considerations, as follows: (a) lack of personnel, equipment and vehicles to facilitate the process; and (b) inability or failure of an applicant to submit complete set of documents upon submission of the application form.
7. OBOs expressed that most of the difficulties lie on the processes external of the OBO. Local government coordination with the BFP is constrained by the distant location of the BFP or the absence of BFP office in the locality (for some municipalities).
8. Some documentary requirements could already be done away with because they are already requirements in the preparation of design plans, e.g., TCT/OCT.

## V. SUMMARY OF RECOMMENDATIONS

### A. Areas for Simplification

There is room for simplification and streamlining of the whole process of securing building and occupancy permits. From the perspective of an applicant, the following areas should be reduced: (1) face-to-face interaction between applicant and concerned local government officials; (2) documentary requirements; and (3) the number of steps from the applicant's perspective; and (4) processing time for the issuance of permits (Annexes 4 and 5).

Face-to-face interaction between the applicant and a concerned official can be reduced through: (1) better coordination among concerned units or departments within the city or municipal government, or consolidating or synchronizing the efforts of concerned units or departments under one or two responsible entity or entities, e.g., the OBO, and everything else is done through a backroom operation; (2) adoption of an automated and shared database system that would allow online application filing, inquiry and feedback, review and evaluation, inspection, billing and payment, and permit releasing.

Documentary requirements could be reduced so that only those required by law (e.g. the building code) are imposed on the applicant. Those that are already required in securing other requirements as well as those that have been considered in the preparation of designs and plans should be done away with. Further, information sharing mechanisms, especially within the LGU, should be established so as to require less copies of documents from the applicants.

Waiting and processing time of applicants could be reduced through the following: (1) local governments, the OBO in particular, can adopt a policy that only those applications with complete set of required documents are to be accepted; (2) set a standard time for each concerned unit or department for the review and evaluation of applicant's documents which can be tracked by both the Office of the Mayor or the applicant; and (3) coordination and synchronization of inspection activities.

### B. Recommendations

#### 1. Setting Standards for the Requirements and Procedures for Evaluating Construction Related Permits

The best way to address the variations in requirements and procedures followed by LGUs for building and occupancy permits is for the concerned oversight national government agencies to set service standards similar to the those that have set for business permit processing (refer to the DTI-DILG Joint Memorandum Circular No. 1, series of 2010). These standards should be consistent with the Anti-Red Tape Act and other laws but should also take into account international practices as benchmarks. The areas where standards can be set are the documentary requirements including copies required, the major procedures and steps within these procedures, the processing time and the number of signatories. Some of the proposals for these standards are as follows:

**a. Proposed Standards for Building Permit Processing**

(1) Steps in Securing Building Permit. From the perspective of an applicant, the following shall be considered as the basic, maximum steps in securing building permit within the LGU:

- (i) Submission of Application Forms and Documentary Requirements
- (ii) Facilitate or Provide Assistance in the Conduct of Inspection
- (iii) Payment of Fees and Charges and Claim Permit

Details of these steps and the corresponding steps to be done by the OBO and other departments or units of the local government, and the BFP are presented in Annex 4.

(2) Documentary Requirements. In applying for a building permit, the applicant shall be required to submit the following documents together with the application form:

- (i) Certified true copy of OCT/TCT, on file with the Register of Deeds;
- (ii) Five (5) sets of survey plans, design plans and other documents prepared, signed and sealed over the printed names of duly licensed and registered professionals, as stipulated under Section 302 (3) of the IRR of the NBCP;
- (iii) Photo copy of valid licenses of all involved professionals;
- (iv) Architectural Documents;
- (v) Civil/Structural Documents;
- (vi) Electrical Documents;
- (vii) Mechanical Documents;
- (viii) Sanitary Documents;
- (ix) Plumbing Documents;
- (x) Electronics Documents;
- (xi) Geodetic Documents; and
- (xii) Barangay Clearance, if required by the concerned LGU.

Through the One-Stop Shop, the following documents shall be secured on behalf of the applicant, as part of the One-Stop Shop's backroom operations:

- (i) Tax Declaration from the Assessor's Office;
- (ii) Certificate of Current Real Property Tax Receipt from the Assessor's Office;
- (iii) Locational or Zoning Clearance from the Planning and Development Office or Zoning Office; and
- (iv) Fire Safety Evaluation Clearance from the BFP/FM.

All clearances from other agencies, as stipulated under Section 302 (12) b of the IRR of the NBCP, and other documents or clearances from local authorities as maybe provided by local ordinances shall be secured independently by the applicant and shall no longer be submitted to the OBO as requirements for the issuance of building permit. Necessary caveat shall, however, be included in the building permit that future complains or inconsistencies arising from other agencies on any of the activities covered by the building permit shall be enough reason for revocation of said building permit.

Related to item 2.8 above, the OBO shall, whenever deemed necessary, be authorized to determine if and when a clearance or certificate from other national government agencies maybe required of a given project prior to the issuance of a building permit.



Barangay clearance shall be an optional requirement for the issuance of building permit. Optional in the sense that, unless required through a local ordinance, it shall no longer be required for the issuance of building permit. In all case, however, the OBO shall furnish the concerned barangay through the Barangay Captain for the latter's information and reference a copy of the building permit as soon as the original copy is released to the applicant.

(3) Payment of Fees. All related fees shall be paid by the applicant in a designated cashiering area in the One-Stop Shop. Upon payment, the LGU should be able to give/release the permits.

As provided under item 2.3 above, all cities and municipalities are encouraged to establish a system of online payment of fees and related charges or other forms of electronic payment (e.g. card systems, mobile payments).

(4) Processing Time. The OBO, through the One-Stop Shop is enjoined to issue the building permit within 5 days from the payment of the required fees by the applicant.

(5) Signatories. The Building Official shall sign the building permit. Technical staff members are however enjoined to sign the review or evaluation sheet of the technical documents they were assigned to evaluate for reference of the Building Official. Clearances or certificates secured through the back room operation shall be signed by the respective officials, e.g., the locational clearance should be signed by either the local planning and development coordinator or the zoning official as the case may be, and the tax declaration and copy of real property tax receipt should be signed by the local assessor.

#### **b. Proposed Standards for Processing Certificates of Occupancy**

(1) Steps in Securing an Occupancy Permit. From the perspective of an applicant, the following shall be considered as the basic, maximum steps in securing certificate of occupancy:

- (i) Submission of Application Forms and Documentary Requirements;
- (ii) Facilitate or Provide Assistance in the Conduct of Inspection; and
- (iii) Payment of Fees and Charges and claiming of the certificate.

Details of these steps and the corresponding steps to be done by the OBO and the BFP/FM are presented in Annex 5.

(2) Documentary Requirements. In applying for a certificate of occupancy, the applicant shall be required to submit the following documents together with the application form, all – except item e below - duly signed by whoever is the contractor and signed and sealed by the Owner's duly licensed Architect or Engineer who undertook the full time inspection and supervision of the construction works:

- (i) Duly notarized Certificate of Completion;
- (ii) Construction Logbook;
- (iii) As-built plans and specifications;
- (iv) Building Inspection Sheet;
- (v) Copy of Fire Insurance Policy, if any;

The issuance of the Fire Safety Inspection Certificate (FSIC) by the concerned Fire Marshall and the Certificate of Final Electrical Inspection (CFEI) by the OBO shall be coordinated and accomplished through the backroom operation.

The applicant shall be required to secure clearances or certificates from utility companies independently and after the issuance of the Certificate of Occupancy; hence, they are not considered requirements for the issuance of said certificate.

(3) Payment of Fees. The applicant in a designated cashiering area in the One-Stop Shop shall pay all related fees. The Fire Marshall may either designate a personnel from the local fire station covering the municipality or city to serve as BFP cashier in the One-Stop Shop or enter into a memorandum of cooperation or agreement with the concerned local chief executive for the collection of related fire fees and charge with a provision that the concerned local government shall remit within a reasonable or mutually agreed period the amount due to BFP, consistent with the provisions of the FCP and its IRR.

All cities and municipalities are encouraged to establish a system of online payment of fees and related charges or other forms of electronic payment (e.g. card systems, mobile payments, etc.).

(4) Processing Time. The OBO, through the One-Stop Shop, is enjoined to issue the Certificate of Occupancy as soon as all the required documents are submitted or within 5 days from the payment of the required fees by the applicant. This includes the processing time for the BFP to issue the FSIC within five (5) days as provided under the IRR of the FCP.

(5) Signatories. The Certificate of Occupancy shall be signed by the Building Official. Clearances or certificates secured through the back room operation shall be signed by the respective officials, e.g., the FSIC should be signed by the Fire Marshall, and the CFEI should be signed by the BO or a duly designated personnel of the OBO.

## **2. Accompanying Reforms for Streamlining Construction-Related Applications**

a. Setting a One-Stop Shop for Construction-Related Applications. All cities and municipalities are encouraged to set up a one-stop shop for construction-related applications, preferably at the OBO, without altering the prescribed organizational set-up for the Office of Building Official as provided in Figure II.1 of the IRR of the NBCP. This one-stop shop can have the following functions:

- (i) Receive applications and documents for building permit and certificate of occupancy, either through on-line or physical;
- (ii) Release building permit or certificate of occupancy;
- (iii) Coordinate and facilitate the conduct of technical reviews both by the entities of the local government and the BFP, possibly as part of the city's backroom operations;
- (iv) Coordinate the conduct of joint inspections by the OBO and the BFP; and
- (v) Receive payment of all related fees and charges.

The cities of Valenzuela, Quezon and Batangas have set up a one-stop shop for building permits, though with different set-up. As seen in Valenzuela, a one-stop shop will require organizing back-room operations where the different departments that evaluate the permits, including the BFP are physically located in one area.

- b. Automation of Construction-Related Processes. For efficiency and quick delivery of government services, all concerned national and local entities of the government are encouraged to automate related processes in the issuance of building permit and certificate of occupancy which may include, among others, the following:
- (i) Filling of application;
  - (ii) Storage and retrieval of application forms and documents;
  - (iii) Releasing of permit and certificate;
  - (iv) Payment of fees and charges; and
  - (v) Database sharing among the OBO and other involved entities of the local government, i.e., Local Planning and Development Office (LPDO), Zoning Office (ZO), Local Treasurer's Office (LTO), Local Assessor's Office (LAO), Business Permit and Licensing Office (BPLO), and with the BFP.

On the submission of application forms and documentary requirements, cities and municipalities are encouraged to set-up an unmanned kiosk or a drop box where an applicant can drop in said application forms and documentary requirements, similar to the kiosk developed by Valenzuela City. This would, however, require that the computerization of the database and the processes of the LGU.

- a. Providing a Complete Checklist of Procedures and Requirements. All cities and municipalities shall make available in conspicuous place in the Municipal or City Hall a complete checklist of procedures and requirements in securing building permit and certificate of occupancy, consistent with the provisions of the IRR of the NBCP, particularly Section 302 (on requirements) and Figure III.3 (process flow chart for processing of application). The checklists may also be downloaded from the website of cities and municipalities.
- b. Organization of Joint Inspection Team. For the conduct of required inspection or series of inspections, the OBO and the concerned Fire Marshall are encouraged to form a joint inspection team for the purpose.
- c. Establish Coordination Mechanisms among LGU Departments. All OBOs are enjoined to provide all information on an approved building and occupancy permits to concerned departments or offices of the local government, such as the BPLO, the Local Assessor's Office and the City Treasurer's Office, as maybe deemed necessary and appropriate, as soon as this is released to the applicant; likewise to the concerned barangay where the structure is located. This coordination is necessary so that applicants are not required to secure further clearances (e.g. real property tax, locational clearances) when they proceed to the next level of permits and licenses (e.g. business permit). Data sharing will be facilitated if cities and municipalities will automate their databases and ensure capacities for data and information sharing among concerned departments and offices at the local government.

#### **4. Signing a Circular between the DILG and the DPWH on the Streamlining of Procedures for Securing a Building Permit and an Occupancy Permit**

As a follow-up to the above recommendations, it is important that the DILG and DPWH sign jointly a circular that would set service standards in processing construction related permits. A sample circular is attached as Annex 6. Both agencies may also consider preparing a joint

administrative order that would set up an institutional mechanism that will oversee the implementation of the reforms. Since the proposed reforms may be met with resistance and may not be easy to implement, it would be good if the concerned government agencies formulate a training design and program, including training modules, for implementation in selected LGUs.

## ANNEX 1. Summary of Documentary Requirements for the Procedures in Securing a Building Permit

|  | Documentary Requirements  | No. of Copies Required  |
|--|---|---|
| <b>I. Pre-requisite Requirements</b>                                   |   |   |
| A. <i>Barangay</i> Clearance   | <ul style="list-style-type: none"> <li>• Community Tax Certificate</li> </ul>   | <ul style="list-style-type: none"> <li>• 1</li> </ul>   |
| B. Lot Plan from a Geodetic Engineer                                   | <ul style="list-style-type: none"> <li>• none</li> </ul>  | <ul style="list-style-type: none"> <li>• none</li> </ul>  |
| C. Certificate of land title from the Register of Deeds                | <ol style="list-style-type: none"> <li>1. Lot Plan with site Map from a Geodetic Engineer</li> <li>2. <i>Barangay</i> Clearance</li> </ol>  | <ul style="list-style-type: none"> <li>• 1 copy</li> <li>• 1 copy</li> </ul>  |
| D. Locational clearance from the Local Planning and Development Office | <ol style="list-style-type: none"> <li>1. Notarized locational clearance application form</li> <li>2. <i>Barangay</i> Clearance</li> <li>3. Transfer Certificate of Title (TCT)</li> <li>4. Latest real property tax receipt</li> <li>5. Architectural Plan</li> </ol>  | <ul style="list-style-type: none"> <li>• 1 copy</li> <li>• 1 copy</li> <li>• 1 copy</li> </ul>  |
| E. Tax Declaration   | none  |   |
| F. Real Property Tax Receipt   | none  |   |
| <b>II. Building Permit and Ancillary Permits</b>                       | <ol style="list-style-type: none"> <li>1. Building Permit Application Form</li> <li>2. <i>Barangay</i> Clearance</li> <li>3. Certified True Copy of the Original Certificate of Title or TCT from the Register of Deeds</li> <li>4. Photocopy of the Tax Declaration</li> <li>5. Declaration</li> <li>6. Real Property Tax Receipt</li> <li>7. Building Plans</li> <li>8. Survey plans, design plans</li> <li>9. Detailed cost estimates/Bill of Materials</li> <li>10. For the Ancillary Permits:</li> <li>11. Architectural documents</li> <li>12. Civil/Structural Documents</li> <li>13. Electrical Documents</li> <li>14. Mechanical Documents</li> <li>15. Sanitary Documents</li> <li>16. Plumbing Documents</li> <li>17. Electronics Documents</li> <li>18. Geodetic Documents</li> </ol> | <ul style="list-style-type: none"> <li>• 1-7 copies</li> <li>• 3-5 copies</li> <li>• 3-5 copies</li> <li>• 1-5 copies</li> <li>• 1-5 copies</li> <li>• 5-6 copies</li> <li>• 5 sets</li> <li>• 3 -5 sets</li> <li>• 1-5 copies</li> </ul> |
| Other Requirements   | <ol style="list-style-type: none"> <li>1. Photocopies of valid PRC IDs and current PTRs with dry seal</li> <li>2. Secretary Certificate or Board Resolution</li> <li>3. Special Power of Attorney/Notarized Authorization Letter of Representatives</li> <li>4. Lease of Contract/Deed of Absolute Sale</li> </ol>  | <ul style="list-style-type: none"> <li>• 2-5 copies</li> <li>• 4 copies</li> <li>• 5 sets</li> </ul>  |

|  | <b>Documentary Requirements</b>  | <b>No. of Copies Required</b>                              |
|--|--|--|
|  | <ol style="list-style-type: none"> <li>5. Boring test (for buildings 3 storeys and above)</li> <li>6. Structural Analysis (for buildings 2 storeys and above)</li> <li>7. IAPOA &amp; UAP Receipt of architect</li> <li>8. PCAB License of electrical contractor for 200 amp. Main and above</li> <li>9. City environmental certificate</li> <li>10. FSEC</li> <li>11. Home owner's association clearance (if applicable)</li> <li>12. Construction Safety Health Program (DOLE)</li> <li>13. Application letter</li> <li>14. Soil analysis (for 3 storey and above)</li> <li>15. Metro Iloilo Water District (MIWD)</li> <li>16. Previous approved plan or permit in case of addition, alteration and renovation</li> </ol> | <ul style="list-style-type: none"> <li>• 3 sets</li> </ul> |

## ANNEX 2. Current Building Permitting System

| Major Stages                    | Steps                   |   |                          |   | Required Documents        | Signatories  |                  | Processing time | Amount of fee                          |
|---------------------------------|-------------------------|---|--------------------------|---|---------------------------|--|------------------|-----------------|--|
|                                 | Applicant's perspective |   | Government's perspective |   |                           | Requisite signatories  | Final signatory  |                 |  |
|                                 | Seq.                    | Action  | Seq.                     | Action  |                           |  |                  |                 |  |
| 1.<br>Secure barangay clearance | 1                       | Apply for a Community Tax Certificate (CTC)                       | 1                        | Process the CTC   | Community tax certificate | Evaluator<br>Barangay Clerk<br>Barangay treasurer or collecting officer or cashier | Barangay Captain | 3 mins.         | Varied: Php200.00 in majority of LGUs. |
|                                 | 2                       | Pay the CTC and get the Cedula                                    |                          |   |                           |  |                  | 3 mins.         |  |
|                                 | 3                       | Apply for barangay clearance or certificate for a building permit | 2                        | Receive payment and issue a (a) community tax certificate; and (b) official receipt for barangay clearance or certificate |                           |  |                  | 5 mins.         |  |
|                                 | 4                       | Pay for the barangay clearance or certificate                     | 3                        | Receive documents   |                           |  |                  | 1 min.          |  |
|                                 |                         |   | 4                        | Evaluate documents and prepare barangay clearance   |                           |  |                  |                 |  |
|                                 |                         |   | 5                        | Barangay Captain signs barangay clearance or certificate  |                           |  |                  |                 |  |







|  |   |   |   |  |   |  |                      |                                 |   |
|--|---|---|---|--|---|--|----------------------|---------------------------------|---|
| 6.<br>Secure Fire<br>Safety and<br>Evaluation<br>Certificate<br>(FSEC) | 1 | File application<br>form and submit<br>requirements | 1 | Receive and assess<br>completeness of<br>application form and<br>documents | <ul style="list-style-type: none"> <li>Survey plans</li> <li>Structural design plan</li> </ul>  | 4 – 5<br>Evaluators and<br>Inspectors  | Fire<br>Marshal      | 5-10 days                       | 0.10% of<br>the Bill of<br>Materials,<br>or as<br>provided<br>under BFP<br>Circular   |
|  |   |   | 2 | Preparation of bill of<br>payment  |   |  |                      |                                 |   |
|  | 2 | Payment of<br>application fees                      | 3 | Issuance of official receipt<br>and claim stub                             |   |  |                      |                                 |   |
|  |   |   | 4 | Review and evaluation  |   |  |                      |                                 |   |
|  |   |   | 5 | Schedule inspection dates  |   |  |                      |                                 |   |
|  | 3 | Participate in<br>inspection                        | 6 | Conduct of inspection/s  |   |  |                      |                                 |   |
|  |   |   | 7 | Preparation and signing of<br>FSEC   |   |  |                      |                                 |   |
|  | 4 | Payment of fire<br>fees                             | 8 | Receive payment and<br>issue official receipt                              |   |  |                      |                                 |   |
|  | 5 | Present official<br>receipt and<br>Claim            | 9 | Issuance of FSEC   |   |  |                      |                                 |   |
| 6.<br>Secure building<br>permit from the<br>OBO                        | 1 | File application<br>form and submit<br>requirements | 1 | Assess completeness of<br>application form and<br>documents                | <ul style="list-style-type: none"> <li>Application form</li> <li>Barangay Clearance</li> <li>Certified true copy of Original Certificate of Title (OCT) or TCT from Register of Deeds</li> <li>Photocopy</li> </ul> | 5 – 7<br>evaluators or<br>reviewers,<br>depending on<br>the documents<br>for<br>professional<br>review | Building<br>Official | 17<br>working<br>days<br>(mode) | Various (for<br>building -<br>computed<br>per square<br>meter<br>depending<br>on the type<br>of building<br>or<br>structure,<br>as<br>classified<br>under the<br>DPWH |
|  |   |   | 2 | Preparation of bill of<br>application fees                                 |   |  |                      |                                 |   |
|  | 2 | Payment of<br>application fees                      | 3 | Issuance of official receipt<br>and claim stub                             |   |  |                      |                                 |   |
|  |   |   | 4 | Review and evaluation of<br>plans and documents                            |   |  |                      |                                 |   |
|  |   |   | 5 | Schedule the conduct of<br>inspection/s                                    |   |  |                      |                                 |   |

|  |   |   |   |  |   |  |  |          |  |
|--|---|---|---|--|---|--|--|----------|--|
|  | 3 | Participate in inspection/s   | 6 | Conduct of inspection/s that may be required   | of tax declaration <ul style="list-style-type: none"> <li>• Building Permit application form</li> <li>• At least five (5) sets of survey plans, design plans, and other related documents as required under the NBCP</li> <li>• Locational clearance from LPDO</li> <li>• Clearances and certificates from other government agencies</li> </ul> |  |  |          | NBCDO MC 1; other constructions depend on the cost of the project) |
|  |   |   | 7 | Preparation and signing of permit/s  |   |  |  |          |  |
|  |   |   | 8 | Preparation of order of payment  |   |  |  |          |  |
|  | 4 | Payment of fees and other charges; Claim permit/ sign releasing logbook | 9 | Issuance of official receipt ; Issuance of building permit and other ancillary permits | <ul style="list-style-type: none"> <li>• Claim stub and official receipt of payment</li> </ul>  |  |  | 1 minute |  |

### ANNEX 3. Current Occupancy Permitting System

| Major Stages                                      | Steps                   |   |                          |   | Required Documents   | Signatories   |                 | Processing time | Amount of fee  |
|---|-------------------------|---|--------------------------|---|--|---|-----------------|-----------------|--|
|   | Applicant's perspective |   | Government's perspective |   |  | Requisite signatories                               | Final signatory |                 |  |
|   | Seq.                    | Action  | Seq.                     | Action  |  |   |                 |                 |  |
| 1.<br>Secure Fire Safety and Inspection Clearance | 1                       | File application form and submit requirements | 1                        | Receive and assess completeness of application form and documents | <ul style="list-style-type: none"> <li>Structural design plan</li> <li>FSEC</li> </ul> | 4 – 5 Evaluators and Inspectors; Collecting officer | Fire Marshal    | 5 – 10 days     | Cost and fees depend on bill of materials, location of project and floor area of the structure |
|   |                         |   | 2                        | Preparation of bill of payment                                    |  |   |                 |                 |  |
|   | 2                       | Payment of fees (Fire Code Fees)              | 3                        | Issuance of official receipt and claim stub                       |  |   |                 |                 |  |
|   |                         |   | 4                        | Review and evaluation   |  |   |                 |                 |  |
|   |                         |   | 5                        | Schedule inspection dates   |  |   |                 |                 |  |
|   | 3                       | Participate in inspection                     | 6                        | Conduct of inspection/s   |  |   |                 |                 |  |
|   |                         |   | 7                        | Preparation and signing of FSEC                                   |  |   |                 |                 |  |

| Major Stages                          | Steps                   |  |                          |   | Required Documents  | Signatories   |                   | Processing time | Amount of fee  |
|---------------------------------------|-------------------------|--|--------------------------|---|---|---|-------------------|-----------------|--|
|                                       | Applicant's perspective |  | Government's perspective |   |   | Requisite signatories   | Final signatory   |                 |  |
|                                       | Seq.                    | Action   | Seq.                     | Action  |   |   |                   |                 |  |
|                                       | 4                       | Present official receipt and Claim                 | 8                        | Issuance of FSIC                                      |   |   |                   |                 |  |
| 2.<br>Secure certificate of occupancy | 1                       | File application form and submit requirements      | 1                        | Assess completeness of application form and documents | <ul style="list-style-type: none"> <li>• Application form</li> <li>• Copy of approved building permit</li> <li>• Assessment of building permit fee</li> <li>• Fire Safety Inspection Certificate</li> <li>• Approved building/ structural plans</li> <li>• Construction logbook</li> <li>• Clearance or certificate from utility companies</li> <li>• Picture of the structure</li> </ul> | 5 – 7 evaluators or reviewers, depending on the documents for professional review; Collecting officer | Building Official | 5 – 22 days     | Cost and fees depend on bill of materials, location of project and floor area of the structure |
|                                       |                         |  | 2                        | Preparation of bill of application fees               |   |   |                   |                 |  |
|                                       | 2                       | Payment of application fees and receive claim stub | 3                        | Issuance of official receipt and claim stub           |   |   |                   |                 |  |
|                                       |                         |  | 4                        | Review and evaluation of plans and documents          |   |   |                   |                 |  |
|                                       |                         |  | 5                        | Schedule the conduct of inspection/s                  |   |   |                   |                 |  |
|                                       | 3                       | Participate in inspection/s                        | 6                        | Conduct of inspection/s that may be required          |   |   |                   |                 |  |
|                                       |                         |  | 7                        | Preparation and signing of permit/s                   |   |   |                   |                 |  |
|                                       |                         |  | 8                        | Preparation of order of payment                       |   |   |                   |                 |  |
|                                       | 4                       | Payment of fees and other charges                  | 9                        | Issuance of official receipt                          |   |   |                   |                 |  |
|                                       | 5                       | Claim and  | 10                       | Issuance of   |   |   |                   |                 |  |

| Major Stages | Steps                   |                                  |                          |                          | Required Documents | Signatories           |                 | Processing time | Amount of fee |
|--------------|-------------------------|----------------------------------|--------------------------|--------------------------|--------------------|-----------------------|-----------------|-----------------|---------------|
|              | Applicant's perspective |                                  | Government's perspective |                          |                    | Requisite signatories | Final signatory |                 |               |
|              | Seq.                    | Action                           | Seq.                     | Action                   |                    |                       |                 |                 |               |
|              |                         | receive certificate of occupancy |                          | certificate of occupancy | official receipt   |                       |                 |                 |               |

## ANNEX 4. Recommended Building Permitting System

| Major Stages  | Steps                   |  |                          |  | Required Documents  | Signatories           |                         | Processing time (range) | Amount of fee                    |
|---|-------------------------|--|--------------------------|--|---|-----------------------|-------------------------|-------------------------|----------------------------------|
|   | Applicant's perspective |  | Government's perspective |  |   | Requisite signatories | Final signatory         |                         |                                  |
|   | Seq.                    | Action   | Seq.                     | Action   |   |                       |                         |                         |                                  |
| 1.<br>Secure/issuance of TCT certification from the Register of Deeds | 1                       | Submit all requirements to the Entry Clerk             | 1                        | Receive the requirements from the applicant (including checking of the requirements) | <ul style="list-style-type: none"> <li>Lot plan with site map from a Geodetic Engineer</li> </ul> | Checker/evaluator     | Head, Register of Deeds | 23 mins.                | Php300.00 plus Php150.00 per pag |
|   | 2                       | Pay the registration fees and receive official receipt | 2                        | Receive payment of registration and issue official receipt                           |   |                       |                         |                         |                                  |
|   |                         |  | 3                        | Review and approve the requested Title and documents                                 |   |                       |                         |                         |                                  |
|   |                         |  | 4                        | Print the Certified True Copy  |   |                       |                         |                         |                                  |
|   | 3                       | Receive the Certified True Copy of Title and Documents | 5                        | Release the certified True Copy of Title and Documents                               |   |                       |                         |                         |                                  |
| 2.<br>Secure Barangay Clearance (optional)                            | 1                       | File application form and submit                       | 1                        | Receive application form   | Application form/slip   |                       |                         | 1 minute                |                                  |
|   |                         |  | 2                        | Prepare barangay clearance   |   |                       |                         | 5 minutes               |                                  |

| Major Stages                 | Steps                   |   |                          |   | Required Documents  | Signatories           |                 | Processing time (range)  | Amount of fee |
|------------------------------|-------------------------|---|--------------------------|---|---|-----------------------|-----------------|--|---------------|
|                              | Applicant's perspective |   | Government's perspective |   |   | Requisite signatories | Final signatory |  |               |
|                              | Seq.                    | Action  | Seq.                     | Action  |   |                       |                 |  |               |
|                              |                         | requirements, if any  | 3                        | Signing of barangay clearance   |   | Barangay Captain      | 1 minute        |  |               |
|                              | 2                       | Payment of fees   | 4                        | Receive payment and issue receipt   |   | Barangay Cashier      | 5 minute        |  |               |
|                              | 3                       | Claim and receive barangay clearance; and sign on releasing logbook | 5                        | Release barangay clearance  |   |                       | 1 minute        |  |               |
| 3.<br>Secure building permit | 1                       | Submit Application Forms and Documentary Requirements               | 1                        | Assess completeness of application forms and <u>basic</u> documents and provide claim stub  | <ul style="list-style-type: none"> <li>Unified application form</li> <li>Barangay Clearance, if required by LGU</li> <li>Certified true copy of OCT/TCT, on file with the Register of Deeds</li> <li>Five (5) sets of survey plans, design plans and other documents</li> </ul> |                       | 5 – 20 minutes  | The recommendation of the Study is to increase the rates of prescribed, uniformed fees by 100 percent from level earlier set under the NBCP and its IRR. This recommendation calls for the amendment of the NBCP |               |
|                              |                         |   | 2                        | Determine if clearances or certificates are needed from other agencies and inform applicant |   |                       | 5 – 10 minutes  |  |               |



| Major Stages | Steps                   |   |                          |   | Required Documents  | Signatories           |                 | Processing time (range) | Amount of fee |
|--------------|-------------------------|---|--------------------------|---|---|-----------------------|-----------------|-------------------------|---------------|
|              | Applicant's perspective |   | Government's perspective |   |   | Requisite signatories | Final signatory |                         |               |
|              | Seq.                    | Action  | Seq.                     | Action  |   |                       |                 |                         |               |
|              |                         |   |                          |   |   |                       |                 |                         | and its IRR.  |
|              | 2                       | Secure and submit additional clearances and certificates from other agencies, if needed | 3                        | Input to database of applicants                               | prepared, signed and sealed over the printed names of duly licensed and registered professionals, as stipulated under Section 302 (3) of the IRR of the NBCP <ul style="list-style-type: none"> <li>• Photo copy of valid licenses of all involved professionals</li> <li>• Architectural Documents</li> <li>• Civil/ Structural Documents</li> <li>• Electrical Documents</li> <li>• Mechanical Documents</li> <li>• Sanitary Documents</li> <li>• Plumbing Documents</li> </ul> |                       |                 | 10 – 15 minutes         |               |
|              |                         |   | 4                        | Secure locational zoning clearance from LPDO or Zoning Office |   |                       | LPDC            | 1 hour                  |               |
|              |                         |   | 5                        | Secure Tax Declaration and Real Property Tax Certificate      |   |                       | Assessor        | 1 hour                  |               |
|              |                         |   | 6                        | Secure FSEC from Fire Marshall                                |   |                       | FM              | 5 days                  |               |
|              |                         |   | 7                        | Review and evaluation of plans and documents                  |   |                       |                 | 5 days                  |               |

| Major Stages | Steps                   |   |                          |  | Required Documents  | Signatories                         |                 | Processing time (range) | Amount of fee |
|--------------|-------------------------|---|--------------------------|--|---|-------------------------------------|-----------------|-------------------------|---------------|
|              | Applicant's perspective |   | Government's perspective |  |   | Requisite signatories               | Final signatory |                         |               |
|              | Seq.                    | Action  | Seq.                     | Action   |   |                                     |                 |                         |               |
|              |                         |   |                          |  | <ul style="list-style-type: none"> <li>• Electronics Documents</li> <li>• Geodetic Documents</li> <li>• Clearances and certificates from other agencies, if required</li> </ul> |                                     |                 |                         |               |
|              | 3                       | Facilitate or Provide Assistance in the Conduct of Inspection | 8                        | Schedule date/s of inspection/s  |   |                                     |                 |                         |               |
|              |                         |   | 9                        | Conduct of inspection/s that may be required                                 |   |                                     |                 | 1 day                   |               |
|              |                         |   | 10                       | Preparation and signing of permit or permits                                 | Review and evaluation reports; inspection report  | Technical Evaluators and Inspectors | OBO             | 30 mins.                |               |
|              |                         |   | 11                       | Preparation of order of payment  |   |                                     |                 | 5 mins.                 |               |
|              | 4                       | Payment of Fees and Charges                                   | 12                       | Receive payment and issue official receipt                                   |   |                                     |                 | 5 mins.                 |               |
|              | 5                       | Claim and receive Permit/s and sign releasing log book        | 13                       | Issuance of official receipt and building permit and other ancillary permits | <ul style="list-style-type: none"> <li>• Claim stub and official receipt</li> </ul>   |                                     |                 | 1 mins.                 |               |

## ANNEX 5. Recommended System for the Issuance of Certificate of Occupancy

| Major Stages                    | Steps                   |   |                          |   | Required Documents  | Signatories           |                 | Processing time (range) | Amount of fee |
|---------------------------------|-------------------------|---|--------------------------|---|---|-----------------------|-----------------|-------------------------|---------------|
|                                 | Applicant's perspective |   | Government's perspective |   |   | Requisite signatories | Final signatory |                         |               |
|                                 | Seq.                    | Action  | Seq.                     | Action  |   |                       |                 |                         |               |
| Secure certificate of occupancy | 1                       | Submit Application Forms and Documentary Requirements | 1                        | Assess completeness of application forms and documents and provide claim stub | For the certificate of occupancy and FSIC <ul style="list-style-type: none"> <li>• Application of Certificate of Occupancy</li> <li>• Duly notarized Certificate of Completion</li> <li>• Construction Logbook</li> <li>• As-built plans and specifications</li> <li>• Building Inspection Sheet</li> <li>• Photocopy of Building Permit and Assessment of Occupancy Permit Fee</li> <li>• Copy of Fire Insurance Policy, if any</li> <li>• Copy of Latest Fire Safety</li> </ul> |                       |                 | 5 – 10 mins.            |               |
|                                 |                         |   | 2                        | Input to database of applicants   |   |                       |                 | 10 – 20 mins.           |               |
|                                 |                         |   | 3                        | Review and evaluation of plans and documents                                  |   |                       |                 | 5 days                  |               |

| Major Stages | Steps                   |   |                          |  | Required Documents  | Signatories                     |                 | Processing time (range) | Amount of fee |
|--------------|-------------------------|---|--------------------------|--|---|---------------------------------|-----------------|-------------------------|---------------|
|              | Applicant's perspective |   | Government's perspective |  |   | Requisite signatories           | Final signatory |                         |               |
|              | Seq.                    | Action  | Seq.                     | Action   |   |                                 |                 |                         |               |
|              |                         |   |                          |  | Inspection Certificate immediately preceding this application, if any                             |                                 |                 |                         |               |
|              | 2                       | Facilitate or Provide Assistance in the Conduct of Inspection | 4                        | Schedule date/s of inspection/s  |   |                                 |                 | 30 mins.                |               |
|              |                         |   | 5                        | Conduct of inspection/s that may be required: BFP and OBO plus other concerned departments and units |   |                                 |                 | 1 day                   |               |
|              |                         |   | 6                        | Preparation and signing of FSIC  | <ul style="list-style-type: none"> <li>FSEC and inspection report</li> </ul>                      | Inspector of local Fire Station | FM              | 30 mins.                |               |
|              |                         |   | 7                        | Preparation and signing of CFEI  | <ul style="list-style-type: none"> <li>Inspection report</li> </ul>                               | Inspector of OBO                | OBO             | 30 mins.                |               |
|              |                         |   | 8                        | Preparation and signing of certificate of occupancy  | <ul style="list-style-type: none"> <li>Review and evaluation report; inspection report</li> </ul> | Evaluator/s                     | OBO             | 30 mins.                |               |

| Major Stages | Steps                   |                               |                          |   | Required Documents | Signatories           |                 | Processing time (range) | Amount of fee |
|--------------|-------------------------|-------------------------------|--------------------------|---|--------------------|-----------------------|-----------------|-------------------------|---------------|
|              | Applicant's perspective |                               | Government's perspective |   |                    | Requisite signatories | Final signatory |                         |               |
|              | Seq.                    | Action                        | Seq.                     | Action  |                    |                       |                 |                         |               |
|              |                         |                               |                          |   |                    |                       |                 |                         |               |
|              |                         |                               | 9                        | Preparation of order of payment: BFP and OBO  |                    |                       |                 | 30 mins.                |               |
|              | 3                       | Payment of Fees and Charges   | 10                       | Issuance of official receipt                  |                    |                       |                 | 5 mins.                 |               |
|              | 4                       | Claim and receive certificate | 11                       | Issuance of certificate of occupancy and FSIC |                    |                       |                 | 1 minute                |               |

# **ANNEX 6. DRAFT JMC ON THE STREAMLINING OF PROCEDURES FOR SECURING A BUILDING PERMIT AND AN OCCUPANCY PERMIT**

**REPUBLIC OF THE PHILIPPINES**

**Joint Memorandum Circular No. \_\_\_\_\_, series of 2015**  
\_\_\_\_\_ [Date of Issuance]

**To: THE REGIONAL AND PROVINCIAL DIRECTORS OF THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT (DILG), REGIONAL DIRECTORS AND DISTRICT ENGINEERS OF THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS (DPWH); THE BUREAU OF FIRE PROTECTION (BFP), MEMBERS OF THE SANGGUNIANGPANGLUNGSOD AND SANGGUNIANG BAYAN, AND LOCAL CHIEF EXECUTIVES OF ALL CITIES AND MUNICIPALITIES**

**Subject: GUIDELINES IN THE IMPLEMENTATION OF A STREAMLINED PROCESSES IN THE ISSUANCE OF BUILDING PERMIT AND CERTIFICATE OF OCCUPANCY**

## **1.0 Purpose**

The overall intent of streamlining the processes in the issuance of building permit and certificate of occupancy is to minimize the steps that an applicant has to go through in securing said permit and certificate. Specifically, this Joint Memorandum Circular is intended:

- 1.1 To provide guidelines in the streamlining of relevant and related processes in the issuance of construction permit and certificate of occupancy consistent with the provisions of Presidential Decree (PD) 1096, s. 1977, otherwise known as the National Building Code of the Philippines (NBCP), and its Implementation Rules and Regulations (IRR), Republic Act (RA) 9514, otherwise known as the Fire Code of the Philippines (FCP), and its IRR, and supportive of the objectives of RA 9485, otherwise known as the Anti-Rate Tape Act of 2007 (ARTA) and its IRR.
- 1.2 To clarify the roles and responsibilities of DILG, DPWH, BFP and concerned offices and departments at the local government units in ensuring the implementation of necessary activities for the streamlining of subject processes.

## **2.0 Statement of Policies**

- 2.1 Presidential Decree 1096, s. 1977 and its IRR provide the general processes and relevant documents that an applicant for either building permit or certificate of occupancy has to go through and comply with.
- 2.2 DPWH National Building Code Development Office Memorandum Circular No. 1, s. 2005 provides that until a Building Official (BO) is fully deputized by the Secretary of Public Works and Highways for a particular local government, the official designated by the concerned local chief executive through a Special Order to be responsible for the enforcement of the provisions of the NBCP as well as of its IRR shall serve as BO for said local government.

- 2.3 RA 9514 and its IRR provide that no occupancy or business permit, or permit to operate shall be issued without securing a Fire Safety Inspection Certificate (FSIC) from the Chief, BFP, or his/her duly authorized representative. Likewise, it is provided that, with the approval of the Secretary of the Interior and Local Governments, the Chief BFP is authorized to inspect at a reasonable time, any building, structure, installation or premises for dangerous or hazardous conditions or materials as set forth in the FCP.
- 2.4 The DILG, DPWH, BFP and Local Governments as well as their various instrumentalities have the authority and power to streamline the processes of securing construction-related permits, clearances and certificates, consistent with and supportive of the provisions of pertinent national and local policies to ensure ease, comfort and convenience to applicants as well as for efficiency and prompt delivery of services by the government, anchored on the overall policy of the State to safeguard life, health, property and public welfare.

### **3.0 Definition of Terms**

- 3.1 Applicant – Any person, firm, partnership, corporation, head of government or private institution, organization of any character applying for the issuance of permits and certificates.
- 3.2 Application Form – A preformatted prescribed form duly accomplished and notarized by the respective design professional with validation matrices related to other building rules and regulations.
- 3.3 Backroom Operation – A working arrangement among the OBO and other concerned departments and offices under the local government, and the BFP where application and documentary requirements for building permit and certificate of occupancy are transferred and moved from one department to another for review, evaluation and action without the physical interference of the applicant.
- 3.4 Building Official – The Executive Officer of the OBO appointed by the Secretary of Public Works and Highways.
- 3.5 Building Permit – A document issued by the BO to an owner/applicant to proceed with the construction, installation, addition, alteration, renovation, conversion, repair, moving, demolition or other work activity of a specific project/building/structure or portions thereof after the accompanying principal plans, specifications and other pertinent documents with the duly notarized application are found satisfactory and substantially conforming with the NBCP and its IRR.
- 3.6 Construction – All on-site work done in the site preparation, excavation, foundation, assembly of all components and installation of utilities, machineries and equipment of buildings/structures.
- 3.7 Occupancy – The purpose for which a building or portion thereof is used or intended to be used.
- 3.8 Office of the Building Official (OBO) – The Office authorized to enforce the provisions of the NBCP and its IRR in the field as well as the enforcement of orders and decisions made pursuant thereto.
- 3.9 One-Stop Shop – A mechanism of coordination among the OBO, other concerned departments or offices at the local government, and the Office of the Fire Marshall at the local level, either through co-location of related functions or through a practical system of linkages with the end in view of delivering services to the applicant in one are or in easily accessible areas.

- 3.10 Step – Any procedure taken by an applicant as part of the process of applying for and/or processing permits and licenses that triggers an interface, whether physical or online/virtual, with or an action on the part of the office/unit to which the applicant has presented or communicated with himself/herself leading to a result (a document, certification, or decision) that is necessary to secure a permit.

#### **4.0 Coverage of Construction Permitting Process**

Consistent with pertinent provisions of the NBCP and the FCP, construction-related permitting process shall cover the following:

- 4.1 Issuance of Building Permit. Section 301 of the NBCP provides that “No person, firm or corporation, including any agency, instrumentality, of the government shall erect, construct, alter, repair, move, convey or demolish any building or structure or cause the same to be done without first obtaining a building permit therefor from the Building Official assigned in the place where the subject building is located or the building work is to be done.”
- 4.2 Issuance of Certificate of Occupancy. Section 309 of the NBCP provides that “No building or structure shall be used or occupied and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy therefor as provided...”
- 4.3 Conduct of Inspection. Section 207 of the NBCP provides that “...a Building Official may enter any building or the premises at all reasonable times to inspect and determine compliance with the requirements...” Likewise, the OBO is mandated to conduct the final inspection, verification and/or review of the building/structure based on the Certificate of Completion (Section 309 (3)).
- 4.4 Issuance of Fire Safety Inspection Certificate (FSIC). The IRR of the NBCP also provides that the City/Municipal Fire Marshall of the BFP shall issue a Fire Safety Inspection Certificate (FSIC) after the conduct of an inspection (Section 309 (2)). Relatedly, Section 5 (g) of the FCP provides that “no occupancy permit, business or permit to operate shall be issued without securing a Fire Safety Inspection Certificate (FSIC) from the Chief, BFP, or his/her duly authorized representative.”

#### **5.0 Components of Streamlining Construction-Related Applications**

- 5.1 Complete Checklists of Procedures and Requirements. All cities and municipalities shall make available in conspicuous place in the Municipal or City Hall a complete checklist of procedures and requirements in securing building permit and certificate of occupancy, consistent with the provisions of the IRR of the NBCP, particularly Section 302 (on requirements) and Figure III.3 (process flow chart for processing of application). The checklists may also be downloaded from the website of cities and municipalities.
- 5.2 One-Stop Shop for Construction-Related Applications. All cities and municipalities are encouraged to set up a one-stop shop for construction-related applications, preferably at the OBO, without altering the prescribed organizational set-up for the Office of Building Official as provided in Figure II.1 of the IRR of the NBCP, to serve the following functions:
- c. Receive applications and documents for building permit and certificate of occupancy, either through on-line or physical;
  - d. Release building permit or certificate of occupancy, either through on-line or physical;
  - e. Coordinate and facilitate the conduct of technical reviews both by the entities of the local government and the BFP;



- f. Coordinate the conduct of joint inspections by the OBO and the BFP; and
  - g. Receive payment of all related fees and charges, either through on-line or physical.
- 5.3 Automation of Processes. For efficiency and quick delivery of government services, all concerned entities of the government – both national and local – are encouraged to automate related processes in the issuance of building permit and certificate of occupancy which may include, among others, the following:
- a. Filling of application;
  - b. Storage and retrieval of application forms and documents;
  - c. Releasing of permit and certificate;
  - d. Payment of fees and charges; and
  - e. Database sharing among the OBO and other involved entities of the local government, i.e., Local Planning and Development Office (LPDO), Zoning Office (ZO), Local Treasurer's Office (LTO), Local Assessor's Office (LAO), Business Permit and Licensing Office (BPLO), and with the BFP.

## **6.0 Standards in Securing Building Permit**

- 6.1 Steps in Securing Building Permit. From the perspective of an applicant, the following shall be considered as the basic, maximum steps in securing building permit after getting the application form and the checklist of requirements:
- (iv) Submission of Application Forms and Documentary Requirements
  - (v) Facilitate or Provide Assistance in the Conduct of Inspection
  - (vi) Payment of Fees and Charges and Claim Permit
- 6.2 Details of these steps and the corresponding steps to be done by the OBO and other departments or units of the local government, and the BFP, as may be deemed necessary, are presented in Annex 1.<sup>7</sup>
- 6.3 To minimize face-to-face interaction between an applicant and any entity of the government, cities and municipalities are encouraged to automate systems related to item 6.1 (a), (b) and (d). More specifically, cities and municipalities are also encouraged to explore the establishment of online payment of fees and related charges.
- 6.4 On the submission of application forms and documentary requirements, cities and municipalities are encouraged to set-up an unmanned kiosk or a drop box where an applicant can drop in said application forms and documentary requirements.
- 6.5 For the conduct of required inspection or series of inspections, the OBO and the concerned Fire Marshall are encouraged to form a joint inspection team for the purpose.
- 6.6 Documentary Requirements. In applying for a building permit, the applicant shall be required to submit the following documents together with the application form:
- (xiii) Certified true copy of OCT/TCT, on file with the Register of Deeds
  - (xiv) Five (5) sets of survey plans, design plans and other documents prepared, signed

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<sup>7</sup> Annex 1 is the same as Annex 4 of the main report

and sealed over the printed names of duly licensed and registered professionals, as stipulated under Section 302 (3) of the IRR of the NBCP

- (xv) Photo copy of valid licenses of all involved professionals
  - (xvi) Architectural Documents
  - (xvii) Civil/Structural Documents
  - (xviii) Electrical Documents
  - (xix) Mechanical Documents
  - (xx) Sanitary Documents
  - (xxi) Plumbing Documents
  - (xxii) Electronics Documents
  - (xxiii) Geodetic Documents
- 6.7 Through the One-Stop Shop, the following documents shall be secured on behalf of the applicant, as part of the One-Stop Shop's backroom operations:
- (v) Tax Declaration from the Assessor's Office
  - (vi) Certificate of Current Real Property Tax Receipt from the Assessor's Office
  - (vii) Locational or Zoning Clearance from the Planning and Development Office or Zoning Office
  - (viii) Fire Safety Evaluation Clearance
- 6.8 All clearances from other agencies, as stipulated under Section 302 (12) b of the IRR of the NBCP, and other documents or clearances from local authorities as maybe provided by local ordinances shall be secured independently by the applicant and shall no longer be submitted to the OBO as requirements for the issuance of building permit. Necessary caveat shall however be included in the building permit that future complains or inconsistencies arising from other agencies on any of the activities covered by the building permit shall be enough reason for revocation of said building permit.
- 6.9 Barangay clearance shall be considered optional as requirement for the issuance of building permit. The OBO shall, however, furnish the concerned barangay through the Barangay Captain for the latter's information and reference a copy of the building permit as soon as the original copy is released to the applicant.
- 6.10 The applicant shall secure a Fire Safety Evaluation Certificate (FSEC) from the fire station covering the area prior to the submission of all requirements to the OBO. The FSEC shall be considered a requirement for the review, evaluation and issuance of the building permit.
- 6.11 Payment of Fees. All related fees shall be paid by the applicant in a designated cashiering area in the One-Stop Shop. As provided under item 6.3 above, all cities and municipalities are encouraged to establish a system of online payment of fees and related charges and other electronic payment scheme.
- 6.12 Processing Time. The OBO, through the One-Stop Shop is enjoined to issue the building permit within 5 days from the payment of the required fees by the applicant.
- 6.13 Signatories. The building permit shall be signed by the Building Official. Technical staff members are however enjoined to sign the review or evaluation sheet of the technical documents they were assigned to evaluate for reference of the Building Official. Clearances or certificates secured through the back room operation shall be signed by the respective officials, e.g., the locational clearance should be signed by either the local planning and development coordinator or the zoning official as the case may be, and the tax declaration and copy of real property tax receipt should be signed by the local assessor.

- 6.14 Establishing Coordination with other LGU Departments. All OBOs are enjoined to provide all information on an approved building permit to concerned departments or offices of the local government, such as the BPLO and the local Assessor's Office, as maybe deemed necessary and appropriate, as soon as this is released to the applicant; likewise to the concerned barangay as provided under item 6.9 above. All cities and municipalities are thus encouraged to automate their databases and ensure capacities for data and information sharing among concerned departments and offices at the local government.

## **7.0 Standards in Securing Certificate of Occupancy**

- 7.1 Steps. From the perspective of an applicant, the following shall be considered as the basic, maximum steps in securing certificate of occupancy:
- (iv) Submission of Application Forms and Documentary Requirements
  - (v) Facilitate or Provide Assistance in the Conduct of Inspection
  - (vi) Payment of Fees and Charges and Claim Certificate
- 7.2 Details of these steps and the corresponding steps to be done by the OBO and the BFP are presented in Annex 2.<sup>8</sup>
- 7.3 To minimize face-to-face interaction between an applicant and any entity of the government, cities and municipalities are encouraged to automate systems related to item 7.1 (a), (b) and (d). More specifically, cities and municipalities are also encouraged to explore the establishment of online payment of fees and related charges.
- 7.4 On the submission of application forms and documentary requirements, cities and municipalities are encouraged to set-up an unmanned kiosk or a drop box where an applicant can drop in said application forms and documentary requirements.
- 7.5 For the conduct of required inspection or series of inspections, the OBO and the concerned Fire Marshall are encouraged to form a joint inspection team, as may be deemed necessary, for the purpose.
- 7.6 Documentary Requirements. In applying for a certificate of occupancy, the applicant shall be required to submit the following documents together with the application form, all – except item e below - duly signed by whoever is the contractor and signed and sealed by the Owner's duly licensed Architect or Engineer who undertook the full time inspection and supervision of the construction works:
- (vi) A duly notarized Certificate of Completion
  - (vii) Construction Logbook
  - (viii) As-built plan and specifications
  - (ix) Building inspection sheet
  - (x) Copy of the Fire Insurance Policy, if any
- 7.7 The issuance of the Fire Safety Inspection Certificate (FSIC) by the concerned Fire Marshall and the Certificate of Final Electrical Inspection (CFEI) by the OBO shall be coordinated and accomplished through the back room operation.
- 7.8 Clearances or certificates from utility companies shall be secured by the applicant independently and after the issuance of the Certificate of Occupancy; hence, they are not considered requirements for the issuance of said certificate.

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<sup>8</sup> Annex 2 is the same as Annex 5 of the main report

- 7.9 Payment of Fees. All related fees shall be paid by the applicant in a designated cashiering area in the One-Stop Shop. The Fire Marshall may either designate a personnel from the local fire station covering the municipality or city to serve as BFP cashier in the One-Stop Shop or enter into a memorandum of agreement with the concerned local chief executive for the collection of related fire fees and charge with a provision that the concerned local government shall remit within a reasonable or mutually agreed period the amount due to BFP, consistent with the provisions of the FCP and its IRR.
- 7.10 As provided under item 7.3 above, all cities and municipalities are encouraged to establish a system of online payment of fees and related charges and other electronic payment scheme.
- 7.11 Processing Time. The OBO, through the One-Stop Shop is enjoined to issue the Certificate of Occupancy as soon as all the required documents are submitted or within 5 days from the payment of the required fees by the applicant. This include the processing time for the BFP to issue the FSIC within five (5) days as provided under the IRR of the FCP.
- 7.12 Signatories. The Certificate of Occupancy shall be signed by the Building Official. Clearances or certificates secured through the back room operation shall be signed by the respective officials, e.g., the FSIC should be signed by the Fire Marshall, and the CFEI should be signed by the BO or a duly designated personnel of the OBO.
- 7.13 Onward Linkage. All OBOs are enjoined to provide all information on an approved certificate of occupancy to concerned departments or offices of the local government, such as the BPLO and the local Assessor's Office, as maybe deemed necessary and appropriate, and to the BFP, as soon as this is released to the applicant. All cities and municipalities are thus encouraged to automate their databases and ensure capacities for data and information sharing among concerned departments and offices at the local government.

## **8.0 Implementation of the Standards**

- 8.1 All cities and municipalities are enjoined to implement the standards for the issuance of building permit and certificate of occupancy, as presented in sections 6.0 and 7.0, respectively.
- 8.2 The Secretaries of DILG and DPWH and the Chief, BFP shall oversee the implementation of the standards at the local government level.
- 8.3 A manual or guidebook for the implementation of reforms shall be prepared to complement this Joint Memorandum Circular.
- 8.4 The Local Government Academy (LGA), under the supervision of the Undersecretary for Local Governments of the DILG, shall conduct a series of training programs for OBO and other concerned departments and offices of local governments as well as the BFP on the implementation of this Joint Memorandum Circular which may cover, among others, the following modules:
- a. Standards for the Issuance of Building Permit and Certificate of Occupancy
  - b. Preparation of Change Management Plan and Action Plan for each local government, OBO and local BFP office.

## 9.0 Roles and Responsibilities

### 9.1 DPWH

- a. Enjoin Building Officials to implement the standards set forth in this Joint Memorandum Circular.
- b. Issue, as maybe deemed necessary, supplementary circulars or department orders to effect or further clarify pertinent provision or provisions of this Joint Memorandum Circular.
- c. Oversee, in close collaboration with DILG and BFP, the implementation of the standards.

### 9.2 DILG

- a. Determine mechanism/s and/or strategies to encourage local government units, OBO and BFP to effect the implementation of the standards set forth in this Joint Memorandum Circular.
- b. Issue, as maybe deemed necessary, supplementary circulars or department orders to effect or further clarify pertinent provision or provisions of this Joint Memorandum Circular.
- c. Establish a monitoring system on the compliance of OBOs, local governments and BFP to the standards.
- d. Monitor on a periodic and regular basis the extent of implementation of the standards.
- e. Oversee, in close collaboration with DPWH and BFP, the implementation of the standards.

### 9.3 BFP

- a. Enjoin the cooperation of Fire Marshalls and BFP personnel at the local level in the implementation of the standards.
- b. Issue, as maybe deemed necessary, supplementary circulars or department orders to effect or further clarify pertinent provision or provisions of this Joint Memorandum Circular.
- c. Oversee, in close collaboration with DILG and BFP, the implementation of the standards.

## 10.0 Enforcement Clause

This Joint Memorandum Circular shall enforce all other provisions of PD 1096, s. 1977, and its IRR and RA 9514 and its IRR.

## 11.0 Separability Clause

If any clause, sentence or provision of this Joint Memorandum Circular shall be invalid or unconstitutional, its remaining parts shall not be affected thereby.

## 12.0 Repealing Clause

All orders, rules and regulations inconsistent or contrary to the provisions of this Joint Memorandum Circular are hereby repealed or modified accordingly.

13.0 Effectivity

Issued this \_\_\_th day of \_\_\_\_\_ in Metro Manila, Republic of the Philippines

Manuel A. Roxas III  
Secretary  
Department of the Interior  
and Local Government

Rogelio Singson  
Secretary  
Department of Public Works  
and Highways

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Chief  
Bureau of Fire Protection