



REPUBLIC OF THE PHILIPPINES
PROVINCE OF RIZAL
MUNICIPALITY OF TAYTAY



OFFICE OF THE MUNICIPAL COUNCILOR
HON. CEFERINO R. RESURRECCION JR

DRAFT ORDINANCE No. _____

AN ORDINANCE PROMOTING AND STRENGTHENING THE LICENSING AND REGULATION OF THE PROFESSIONAL PRACTICE OF ELECTRONICS ENGINEERING AT THE MUNICIPALITY OF TAYTAY, RIZAL AS ENACTED BY REPUBLIC ACT NO. 9292 OR THE "ELECTRONICS ENGINEERING LAW OF 2004"

INTRODUCED & SPONSORED BY: COUN. CEFERINO R. RESURRECCION JR.

WHEREAS, Electronics Engineering is important in nation building and development;

WHEREAS, Republic Act No. 9292, or the "Electronics Engineering Law of 2004" was enacted to promote and strengthen the licensing and regulation of the professional practice of electronic engineering in the country,

WHEREAS, with the endorsement of the Department of Interior and Local Government through Memorandum Circular 2013-001 dated January 4, 2013 for the implementation of RA9292 otherwise known as "Electronics Engineering Law of 2004";

WHEREAS, the new National Building Code of the Philippines otherwise known as P.D. 1096 is being implemented throughout the country duly supported by its' NBCDO Memorandum Circular No. 01 series of 2005 as guidelines to implement its Implementing Rules and Regulations (IRR)

WHEREAS, the local government of Taytay, Rizal share the responsibility of developing and nurturing competent, productive and well-rounded Professional Electronics Engineers (PECEB), Electronics Engineers (ECEs), and Electronics Technicians (ECTs) whose standards of practice and service are excellent and globally competitive,

WHEREAS, in harmony with the inherent power of the Local Chief Executive as stipulated in Chapter 3 of the Local Government Code of 1991 pertinent to requiring owners of building construction to obtain permit, make changes should there be violations to law or ordinances or demolition of removal of which, this ordinance seeks to establish and promote public safety and security while preventing possible loss of lives and/or damage to properties,

WHEREAS, Rule III of the Implementing Rules and Regulations of the new National Building code of the Philippines provides that the Ancillary Permits duly signed and sealed by the corresponding professionals and the plans and specifications should be submitted together with the duly notarized Application for Building Permit,

WHEREAS, Ancillary Electronics Plans and Documents, should be duly signed and sealed by the corresponding design professional, which is the Professional Electronics Engineer (PECE);

WHEREAS, any BUILDING PERMIT is NULL and VOID, if not accompanied by an Ancillary Permit,

WHEREAS, due to the increasing workload in evaluating building/structure documents, the Municipal Engineering Office is in need of additional manpower to meet with the demands of their office and submit necessary reports for the interest of quality service;



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WHEREAS, there is a need to create new positions in order to equally distribute the workload of the said office, optimize and expedite their works and enhance the services they render to their clients;

WHEREAS, the creation of One (1) Engineer II — SG16 (Electronics Engineer) or higher (if Professional Electronic Engineer) is in compliance to section 31 of RA9292 or the Electronics Engineering law of 2004, an act providing for a more responsive and comprehensive regulation for the registration, licensing and practice of Professional Electronics Engineers (PECEs), Electronics Engineers (ECEs), and Electronic Technicians (ECTs);

WHEREAS, Section 76 of RA 7160 of the Local Government Code of 1991 states that, "Every LGU shall design and implement its structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission";

WHEREAS, the Electronics Code of the Philippines (Books 1-4) should be used as the official code book for the practice and implementation of RA 9292;

WHEREAS, the municipal government recognizes the value of compliance to the RA 9292 Law in terms of safeguarding a person, entity, life and property,

WHEREAS, this ordinance should also be able to promote the establishment of uniform standards, regulations and requirements for all electronics engineering systems and applications, including, but not limited to Telecommunications Cables and Systems, Electronics Fire Alarm and Detection Systems, Broadcasting Systems, Public Address, Background Music system, Sound Systems and other Sound Communications Systems, Television Systems, Centralized Clock Systems, Information and Communications Technologies (ICT), Computer and Network Systems, Wireless Devices, Wireless Access Points, and other Wireless Systems, Security (Burglar) and Surveillance (CCTV) Systems, Electronics Control and Conveyor Systems, Building Automation Systems, Building Management Systems, Building Wiring utilizing Copper Cable, Fiber Optic Cable or Other Media Electronics System and Any Other Electronics, IT, ICT systems, equipment, apparatus, device and/or component, Communication Towers and Cable Facilities for both in-house and outside plant cabling design, installation, operation and maintenance; all systems of which the application will ensure adequate protection and safety to persons engaged in the business as well as the general public;

WHEREAS, it is imperative to require any person, firm, or corporation including any agency, office or instrumentality of the government to conform with all of the requirements set forth in this ordinance;

NOW, THEREFORE, be it ordained, as it is hereby ordained by the Sangguniang Bayan, in session assembled, that:

SECTION 1 : SUBMISSION OF ANCILLARY PERMITS

The Owner/Project Engineer or Contractor who will submit the pertinent documents or known as the Ancillary Permits must be COMPLETE and duly signed and sealed by the corresponding professionals to the Municipal Engineering Office or Office of the Building Official prior to the approval of the Building Permit.

SECTION 2 : REQUIREMENTS PRIOR TO THE APPROVAL OF THE BUILDING PERMIT

Since the Electronics Permit is an Ancillary Permit, it should be submitted together with all of the other Ancillary Permits, and it should be duly signed and sealed by the only licensed professional mandated by law, which is the Professional Electronics Engineer

SECTION 3 : NUMBERING

The Ancillary Permits shall have the same numbering as the Building Permit.

SECTION 4: VALIDITY OF BUILDING PERMIT

The Building Permit is null and void if not accompanied by the Ancillary Permits or in reference to this ordinance in the absence of an Electronics Permit and/or not in accordance to this ordinance or relevant laws.

SECTION 5 : SCHEDULE OF ELECTRONICS FEES

Central Office, switching equipment, remote switching units, concentrators, PABX/PBX cordless/wireless telephone and communications systems, intercommunication systems and other types of switching/routing/distribution equipment used for voice data image text, facsimile, internet service, cellular, paging and other types/forms of wired or wireless communications

> P 2.40 per port

Broadcast Station for radio and TV for both commercial and training purposes, CATV headed, transmitting/receiving/relaying radio and broadcast communications stations, communications centers, switching center, control centers, cell sites, equipment silos/shelters and other similar locations/structures used for electronics and communications services, including those for navigational aids, radar, telemetry, tests and measurements, global positioning and personnel/vehicle location

> P 1,000.00 per location

Automated Teller machines, ticketing, vending and other types of electronic dispensing machines, telephone booths, pay phones, coin changers, location or direction finding systems, navigational equipment used for land, aeronautical or maritime applications. Photography and reproduction machines, x-ray, scanners, ultrasound and other apparatus/equipment used for medical, biomedical, laboratory and testing purposes and other similar electronic or electronically-controlled apparatus or devices, whether located indoors or outdoors

> Php 10.00 per unit

Electronics and Communications Outlets used for connection and termination of voice, data, computer (including workstations, servers, routers, etc.), audio, video, or any form of electronics and communications services, irrespective of whether a user terminal is connected

> P 2.40 per outlet

Station/terminal/Control Point/Port/Central or remote panels/outlets for security and alarm systems (including watchman system, burglar alarms, intrusion detection systems, lighting controls, parking management system, barrier controls, signal lights, etc.), electronics fire alarm and detection systems (including early-detection systems, smoke detectors, fire detectors, heat detectors, and etc.), sound reinforcement/background music/paging/conference systems and the like, CATV, MATV, CCTV and off-air TELEVISION, electronically-controlled installations whether a user terminal is connected

> P 2.40 per termination

Studios, auditoriums, theaters and similar structures for radio and TV broadcast, recording, audio/video, reproduction/simulation and similar activities

>P 1,000.00 per location

Antenna towers/masts or other structures for installation of any electronic and/or communications transmission/reception

>P 1,000.00 per location

Electronic or electronically-controlled indoor and outdoor signages and display systems, including TV monitors, multi-media signs, etc.

> P 50.00 per unit

Poles and Attachment:

> Per Pole : P 20.00 per unit

> Per Attachment : P 20.00 per unit

Other types of electronics not specified above

> P 50.00 per unit

SECTION 6 : REGULATION FEES ON COMMUNICATION FACILITIES

Imposition of Fees and Taxes:

There is hereby levied a tax and fees on the establishment of cell sites, cell sites towers, radio communication towers, repeater towers and other communication facilities being established and operated within the jurisdiction of the municipality of Taytay, Rizal.

There shall be a collected Mayor's business permit fee for the establishment, operation and maintenance of cell sites, cell sites towers, radio communication towers, repeater towers and other communication facilities in the municipality for every site in the amount of Ten Thousand Pesos (P 10,000.00) to be collected before such may be established and every year thereafter.

The Mayor's business permit fee referred hereto shall be exclusive to that which the Office of the Building Official may charge.

No Building Permit shall be issued allowing the establishment and/or operation of such facilities unless the proper business permits is first secured.

There shall be imposed an annual tax on communication facilities such as telephone posts, cell sites, and other communication facilities being constructed or established and used by the companies within the municipality's jurisdiction for the following amount:

> For every post : P 20.00

> For every cell site/communication tower: P 150,000.00

> For every Digital Subscriber Line Access Multiplexer/outside Plant Cabinets:

(DSLAM/OPAC) P 500.00

SECTION 7 : COMMUNICATION/ELECTRONICS FACILITIES UPGRADE

The contractor is hereby required to secure the necessary ELECTRONICS PLANS/PERMITS prior to carrying out changes or alterations to the original specifications of the site/tower/facilities and other communications assets.

The contractor shall be held primarily liable and shall be fined for any violations in the non-acquisition of the required permits.

The provisions of the building codes, particularly to ELECTRONICS SECTION, shall apply in relation to the design, structure and specifications of the electronics and communications facilities to be upgraded.

SECTION 8 : ANNUAL INSPECTION AND ANNUAL ELECTRONICS INSPECTION FEES

An annual Electronic site/facilities inspection should be conducted by the electronics section of the engineering office to all buildings/establishments/spaces facilities prior to renewal of Mayor's Business Permit.

An updated set of electronics plan and documents shall be required to be submitted.

Annual electronic inspection fees shall be the same as the fees defined above on the schedule of electronic fees.

SECTION 9: CREATION OF THE NEW POSITION

A new position in the Municipal Engineering Office is hereby created:

One (1) Engineer - SG 16 (ELECTRONIC ENGINEER) or higher

SECTION 10: RESPONSIBILITIES OF THE CREATED POSITION

The main function of the proposed creation is to extend services to the Office of the Building Official (OBO) or in the Absence of the OBO Office, then the engineer will evaluate building/structure documents as to compliance to technical requirements for:

Engineer (Electronics Engineer) — He/She shall perform the tasks, but not limited to the following:

- Electronics Documents/Plans General Layout legends;
- Electronics Documents/Plans Single line Diagram;
- Electronics Documents/Plans Riser Diagram;
- Electronics Documents/Plans Isometry of the System;
- Electronics Documents/Plans Technical Equipment Specifications;
- Electronics Documents/Plans Cost Estimates;
- Annual Inspection of Electronics Facilities/Systems;
- Inspection of Completed Electronic facilities/systems prior to Issuance of Occupancy Permit;
- Inspection of New Electronics facilities/buildings/structures/offices/systems.

SECTION 11: BUDGET APPROPRIATION

The Municipal Government of Taytay shall appropriate budget for the implementation of this ordinance.

SECTION 12: SEPARABILITY CLAUSE

If for any reason, any section or provision of this ordinance shall be held as unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

SECTION 13: APPLICABILITY CLAUSE

All other matters relating to the implications in this ordinance shall be governed by pertinent provisions of existing laws and other ordinances.

SECTION 14: PENALTY

The Owner/Project Engineer/Contractor who violates this ordinance or failed to secure the required permit, a fine shall be imposed in accordance to the new National Building Code of the Philippines or in the amount of Twenty Thousand Pesos (2,500.00) per violation or whichever is higher.

If the fees and taxes are not paid within the time prescribed, a surcharge of twenty-five percent (25%) per annum or fraction thereof shall be added to the total unpaid amount from the date it was due.

SECTION 15: EFFECTIVITY

This ordinance shall take effect after its publication.