EXEMPLARY FROM THE MINUTES OF 9TH REGULAR SESSION OF SANGGUNIANG PANLUNGSOD OF CITY OF SANTA ROSA, LAGUNA HELD ON MONDAY, MARCH 3, 2008 AT THE LEGISLATIVE BUILDING.

Present:
1. Hon. MANUEL G. ALIPON - Vice-Mayor, Presiding Officer
2. Hon. LUISITO B. ALGABRE - Member
3. Hon. MYTHOR C. CENDANA - Member
4. Hon. MA. THERESA C. AALA - Member
5. Hon. ARNEL DC. GOMEZ - Member
6. Hon. JOSE C. CARTAÑO - Member
7. Hon. ANTONIA T. LASERNA - Member
8. Hon. ARTURO M. TIONGCO - Member
9. Hon. PAULINO Y. CAMACLANG, Jr. - Member
10. Hon. RAYMOND RYAN F. CARVAJAL - Member
11. Hon. WILFREDO A. CASTRO - Member, ABC President

Absent:
1. Hon. RONALD IAN A. DE GUZMAN - Member
2. Hon. ABIEL DOMMINIC D. ALIPON - Member, SK President

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ORDINANCE NO. 1558-2008
(On motion of Mem. Gomez and seconded by Mem. Cendana)

AN ORDINANCE REQUIRING OWNERS / OPERATORS / LESSEES / OCCUPANTS / CONCESSIONAIRES OF BUSINESS ESTABLISHMENTS / CONTRACTORS AND DEVELOPERS AND OTHER PERSONS REQUIRED TO SECURE BUSINESS AND BUILDING PERMIT IN THE CONSTRUCTION AND OPERATION OF BUSINESS INCLUDING RENOVATIONS AND REPAIR WORKS IN THE CITY OF SANTA ROSA, LAGUNA TO SECURE PUBLIC LIABILITY INSURANCE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES.

Be it ORDAINED by the Sangguniang Panlungsod of the City of Santa Rosa, Laguna, that:

SECTION 1. Declaration of Policy.
Republic of the Philippines
CITY OF SANTA ROSA
Province of Laguna

OFFICE OF THE SANGGUNIANG PANLUNGSOD

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It is hereby declared a policy of the City of Santa Rosa, Laguna to promote the welfare and general well-being of the public by providing ample protection to victims of victims of accidents and/or structures undergoing construction, repair, renovation and other similar activities. Towards this end, the City Government shall adopt measures to assure that the victims of accidents and/or disasters are reasonably compensated for the loss or injury sustained and the prompt and expedient indemnification of damages suffered by reasons thereof.

SECTION 2. Public Liability Insurance Requirements.

Pursuant to the above policy, all persons whether natural or judicial, required under the law to secure business permit and/or building permit in doing business undertaking construction, repair, and maintenance work in the City of Santa Rosa, Laguna are hereby required to secure public liability insurance as an expedient means of indemnifying victims of accidents and/or disasters, either natural or man-made occurring in business establishments and in building and/or structures under construction, renovation, repair or where similar activities are undertaken.

SECTION 3. The provision of a contract of insurance to the contrary notwithstanding, the Public Liability Insurance required under this ordinance shall perforce be the basic premises, i.e. operations coverage of a comprehensive general liability policy or the third party liability coverage of a contractor’s all risk policy with a combined single limit (for bodily injury/property damage) per occurrence with an amount equivalent to Five Thousand Pesos ($5,000.00) per square meter of space occupied or used as a common areas or per seat or customer capacity basis as certified by the Building Official or whichever is higher or per square meter of floor area under construction, addition, renovation, repair, or demolition subject to a minimum limit of liability of One Hundred Thousand Pesos ($100,000.00) per occurrence and a maximum limit of liability of Five Million Pesos ($5,000,000.00) per occurrence.

SECTION 4. In determining liability under this Ordinance, lessees, occupants and concessionaries of spaces in commercial/business buildings and/or establishments shall be held liable for damages suffered by third parties while within the area leased or occupied. Those (damages) sustained in spaces used as common area shall be exclusively borne by the contractor or developer thereof.
SECTION 5. Filing of claims for and payment of damages. Pursuant to this measure, shall not constitute a bar in filing similar claims under existing laws.

SECTION 6. Any persons securing business permit to do business of building permit for construction or repair work, in the City of Santa Rosa, Laguna shall, upon application or renewal thereof, present proof that the herein required liability insurance and the payment of premium have been complied with. No permit shall be issued and/or renewed without first complying with the requirements of this ordinance.

SECTION 7. The public liability insurance required under this ordinance must be occurred from a company duly-registered, licensed and authorized under the law to transact insurance and business in the Philippines. The required public liability insurance shall be issued on a policy form approved by the Insurance Commission.

SECTION 8. For the protection of the public, the Head of the Business Permit and License Office or City Building Official in coordination with the Insurance Commission shall display or cause to be displayed the list of insurance companies in good standing in conspicuous places with the City Hall premises.

SECTION 9. Any person, natural or judicial, found guilty of violating this Ordinance causing misdeclaration, misrepresentation and other fraud committed for purposes of evading the payment of the required insurance coverage under this Ordinance shall be meted the fine of Five Thousand Pesos (P5,000.00) or imprisonment of one (1) year, or both based on the discretion of the court, without prejudice to the revocation and/or cancellation of the business license of the offender.

If the person found guilty of violating this Ordinance is a juridical person, the penalty herein prescribed shall be imposed upon the president, manager or any responsible officer.

SECTION 10. Exemption.

Business establishments with a capital of not more than Fifty Thousand Pesos (P50,000.00) and construction or repair work in building/structure costing not more than One Hundred Thousand Pesos (P100,000.00) are exempted from the provisions of this Ordinance.
SECTION 11. This Ordinance shall take effect upon approval and publication in a Newspaper with circulation in the area or region.

UNANIMOUSLY APPROVED.

CERTIFICATION:

I hereby certify to the correctness of the quoted ordinance.

CYNTHIA M. GOMEZ
Secretary to the Sang. Panlungsod

CERTIFIED CORRECT:

MANUEL C. ALIPON
City Vice-Mayor

APPROVED:

ARLENE ARCILLAS-NAZARENO
City Mayor