



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 535, S-2014

**AN ORDINANCE ADOPTING THE 2014 GREEN BUILDING
REGULATIONS OF MANDALUYONG CITY
AND FOR OTHER PURPOSES**

WHEREAS, the 1987 Constitution of the Republic of the Philippines recognizes the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Republic Act 7160, or the Local Government Code of 1991 mandates all Local Government Units to ensure and promote the health and safety of the people, and enhance their right to a balanced ecology;

WHEREAS, overwhelming scientific evidence shows that global warming is altering the earth's normal temperature and rainfall patterns, and that human activities such as burning of fossil fuel and land use change due to rapid urbanization are considered as significant factors that contribute to the Green House Gas (GHG) balance of the earth, which in turn leads to climate change;

WHEREAS, the effects of climate change are now being felt throughout the world in periods of long drought, abnormal deluges and floods—globally known as El Niño and La Niña phenomena and more unpredictable weather conditions; and recent weather-related environmental catastrophes demonstrate the harmful effects of climate change in the Philippines;

WHEREAS, these intertwined problems of climate change, social inequity, rising energy prices, and degradation of the natural systems require an integrated response that goes far beyond reducing carbon emissions;

WHEREAS, climate change adaptation must be inextricably linked with actions to create and maintain jobs, improve community liveability and public health, address social inequity and foster strong, resilient natural system;

WHEREAS, it is globally recognized that green building can significantly improve energy, water and resource efficiency, reduce waste and pollution generation, protect the environment, and improve occupants' health and productivity;

WHEREAS, it has become imperative for both public and private buildings to include green building and landscape requirements based on local climatic, geological, and topographical conditions which, while stricter than current building standards, are shown to be cost effective over the life of the building;

WHEREAS, in order to ensure environmental sustainability of buildings, reduce its negative impact to health and environment and consequently drive market transformation, there is a need for the Local Government as building regulator to formulate, adopt and implement green building regulations;

WHEREAS, the City of Mandaluyong has a long standing commitment to leadership in Green Building standards, sustainable design and construction practices, efficient water and other resource conservation and management and the reduction of Green House Gas Emissions;

NOW, THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod ng Mandaluyong in a session assembled:

ARTICLE I
TITLE OF THE ORDINANCE

SECTION 1. TITLE OF THE ORDINANCE. This Ordinance shall be known and referred to as the "2014 Green Building Regulation of Mandaluyong City".

ARTICLE II
AUTHORITY AND PURPOSE

SECTION 2. AUTHORITY. This Ordinance is enacted pursuant to the Local Government Code which mandates the Local Government Units to ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of people to a balanced ecology and preserve the comfort and convenience of their inhabitants.

SECTION 3. PURPOSE. This Ordinance is enacted for the purpose of improving the efficiency of buildings in the use of natural resources, contributing to the global efforts in reducing Green House Gas (GHG) emissions and minimizing impact of buildings on health and environment through Green Building Regulations. Green Building is the practice of adopting sustainable features and measures in the design, construction and operation of buildings.

ARTICLE III
DEFINITION OF TERMS AND PHRASES

- ❖ APARTELLE. The collaboration or the combination of an apartment and a hotel. It is a place of accommodation. It is similar to a pension house, a tourism inn, a guest house and a dormitory.
- ❖ ASHRAE. American Society of Heating, Refrigerating and Air-Conditioning Engineers.
- ❖ BUILDING ENVELOPE. The interface and thermal barrier between the interior of the building and the outdoor environment including the walls, roof and foundation.
- ❖ CARBON EMISSION. The release of carbon into the atmosphere.
- ❖ COMMERCIAL BUILDING. Building that is used for commercial purposes. Types can include office buildings, retail, convenience store and shopping malls.
- ❖ EDUCATIONAL BUILDING. Building designed for various activities in a primary, secondary, or higher educational system and often including living areas for students.
- ❖ ENERGY. The ability or capacity to do work or to produce change. Forms of energy include heat, light, sound, electricity and chemical energy.

- ❖ **GREEN BUILDING.** An integrated whole-building approach to the planning, design, construction, operation, and maintenance of buildings and their surrounding landscape that help mitigate the environmental, economic and social impacts of buildings through the following: site conservation and sustainable planning, water conservation and efficiency, energy efficiency and renewable energy; conservation of materials and resources, and improved indoor environmental quality and human health.
- ❖ **GREEN HOUSE GAS.** Any of the atmospheric gases that contribute to the greenhouse effect.
- ❖ **GREEN MATERIALS.** Includes all construction materials, hardware and fittings, rough-ins and finishing that are certified environment-friendly and the practice of optimizing its use such that construction debris and waste generated are limited to a minimum.
- ❖ **INDOOR ENVIRONMENTAL QUALITY.** Refers to indoor air quality that focuses on airborne contaminants as well as other health, safety and comfort issues.
- ❖ **MACHINERIES.** Refers to machines, equipment mechanical contrivances, instruments, appliances or apparatus which may or may not be attached, permanently or temporarily to the real property, it includes the physical facilities for production, the installation and appurtenant service facilities, those which are mobile, self-powered or self-propelled, and those not permanently attached to the real property which are actually directly, and exclusively used to meet the needs of particular industry, business or activity and which by very nature and purpose are designed for, or necessary to its manufacturing, mining, logging, commercial, industrial or agricultural purposes.
- ❖ **MIXED USED BUILDING.** Medium to high rise building that blends any combination of residential, commercial, cultural and institutional use.
- ❖ **MODIFICATION/RENOVATION.** Rehabilitation or expansion of an existing building and covers any of the following scope of works:
 1. Any of the electrical works, HVAC System and Water Supply.
 2. Construction of additional floor area or renovation of floor area of at least 1,000 sq.m.
- ❖ **OFFICE BUILDING.** Building in which business, clerical, or professional activities are conducted.
- ❖ **RENEWABLE ENERGY.** Energy that comes from resources which are continuously replenished such as sunlight, wind and geothermal heat.
- ❖ **RETAIL.** Business dedicated to the sale of goods or commodities in small quantities directly to the ultimate consumers.
- ❖ **RESIDENTIAL BUILDING.** Building/structure for exclusive use as multiple family dwellings with mixed housing types, may include low, medium or high-rise residential condominium buildings and apartelle that are already commercial in nature or scale.

- ❖ SITE SUSTAINABILITY. The manner by which the building is located and constructed so as to minimize the use of energy, water and natural resources, generate less waste, and minimize the impact on the land compared to traditional design, construction and maintenance techniques.
- ❖ TOTAL FLOOR AREA. The total floor space within the building computed by measuring to the exterior face of the permanent external building walls. Total Floor Area shall include all floor space within a building, specifically:
 - a. Office areas
 - b. Residential areas
 - c. Commercial Areas
 - d. Corridors
 - e. Lobbies
 - f. Vertical penetrations which shall mean stairs, floors, pipe shafts, vertical ducts, and the like, and their enclosing walls.
 - g. Rest rooms or toilets
 - h. Machine rooms, pump rooms, electrical rooms, utility rooms.
 - i. Storage rooms and closets
 - j. Covered balconies and terraces
 - k. Interior walls and columns, and other interior features
 - l. Covered areas used for parking and driveways, including vertical penetrations in parking floors where no residential or office units are present, plant boxes and residual areas arising from the layout of parking lots.
 - m. Uncovered areas for AC cooling towers, overhead water tanks, roof decks, laundry areas and cages, wading or swimming pools, whirlpools or Jacuzzis, gardens, courts and function areas.

ARTICLE IV

SCOPE, COVERAGE AND APPLICABILITY

SECTION 4. SCOPE. Green Building aims at improving building performance in the following areas:

- 4.1 Energy Efficiency
- 4.2 Water Efficiency
- 4.3 Materials and Waste Management
- 4.4 Site Sustainability
- 4.5 Indoor Environmental Quality

SECTION 5. COVERAGE AND APPLICATION. This Green Building Regulation applies to all buildings to be constructed as specified herein.

- 5.1 Green Building requirements shall apply entirely to new buildings in the following categories:
 - a. Residential buildings with total floor area greater than 20,000 sq.m.
 - b. Office buildings with total floor area greater than 10,000 sq.m.
 - c. Mixed-use buildings with total floor area greater than 10,000 sq.m.
 - d. Educational buildings with total floor area greater than 5,000 sq.m
 - e. Retail buildings with total floor area greater than 15,000 sq.m.

- f. Hotel buildings
- g. Hospital buildings
- h. Government Buildings

For mixed-use buildings, building requirements for each building type incorporated into the mixed-use building shall apply.

- 5.2 Green Building requirements apply to scope of works covered by modification/renovation of existing buildings in the categories above and covering a floor area of at least 1,000 square meters.
- 5.3 The Mandaluyong City Green Building Authority (MCGBA) as defined herein shall review the application of this regulation to building categories and total floor areas three years from the adoption of this ordinance and every year thereafter. The Mandaluyong City Green Building Authority (MCGBA) may broaden the application to include other measures, building categories, existing buildings and/or lower corresponding total floor areas.

SECTION 6. APPROACH.

- 6.1. Compliance with the National Building Code, its IRR and Reference Codes and other relevant laws is mandatory.
- 6.2. This Ordinance prescribes additional mandatory measures that have been predetermined through detailed analysis to achieve savings in energy and water efficiency, materials and waste efficiency, Indoor Environmental Quality (IEQ) and site sustainability. Other measures not included may be considered by the applicant/project in order to achieve greater efficiency and savings for energy and water consumption.

SECTION 7. GREEN BUILDING REGULATIONS.

7.1 ENERGY EFFICIENCY

- a. Purpose. Energy Efficiency requires the adoption of efficient practices, designs, methods and technology that reduce energy consumption resulting in cost savings as well as reduced consumption of non-renewable energy.
- b. The applicant/project shall comply with the list of measures indicated in the table below.

TABLE OF ENERGY EFFICIENCY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
BUILDING ENVELOPE						
Air tightness and vapor barrier	Required	Required	Required	Required	Exempt	Required
Window to Wall Ratio and Solar Heat Gain Coefficient of Glass	Required	Required	Required	Required	Required	Required
Operable windows	Required	Exempt	Required	Exempt	Required	Required
EFFICIENCY OF MECHANICAL SYSTEM						
Energy Efficiency of Air-conditioning Equipment	Required	Required	Required	Required	Required	Required
Variable Speed Drives and High Efficiency Motors	Required	Required	Required	Required	Required	Required
Enthalpy Recovery of Exhaust Air	Required	Required	Required	Required	Exempt	Exempt
Ceiling Fans or Wall Fans	Exempt	Exempt	Exempt	Required	Required	Required

EFFICIENCY OF ELECTRICAL SYSTEM						
Daylight controlled lighting system	Required	Required	Required	Exempt	Exempt	Required
Lighting Power Density	Required	Required	Required	Required	Required	Required
Occupancy Sensors	Required	Exempt	Required	Exempt	Required	Required
Lifts and Escalator Efficiencies	Required	Required	Required	Required	Required	Required

7.2 WATER EFFICIENCY

- a. PURPOSE. Water Efficiency requires the adoption of efficient practices, design, materials, fixtures, equipment and methods that reduce water consumption resulting in cost savings as well as reduced consumption of potable water and maximize use thru re-use and re-cycling.
- b. The applicant/project shall comply with the list of measures indicated in the table below:

TABLE OF WATER EFFICIENCY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
Water efficient fittings (including low flow taps and W/C flushes)	Required	Required	Required	Required	Required	Required
Rain-water harvesting	Required	Required	Required	Required	Required	Required
Water recycling for cooling towers	Exempt	Required	Exempt	Required	Exempt	Exempt

7.3 MATERIALS AND WASTE MANAGEMENT

- a. PURPOSE. Materials Efficiency requires the adoption of efficient waste management practices and use of materials that are environment friendly and locally available.
- b. The applicant/project shall comply with the list of measures indicated in the table below:

TABLE OF MATERIALS EFFICIENCY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
MRF (waste segregation and collection)	Required	Required	Required	Required	Required	Required

7.4 INDOOR ENVIRONMENTAL QUALITY

- a. PURPOSE. Indoor Environmental Quality (IEQ) requires the adoption of design, construction and operation practices that take into consideration the improvement of the occupant’s health, productivity, safety and quality of life.
- b. The IEQ measures listed in the table below must be complied with.

TABLE OF IEQ MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
Designated smoking area	Required/ Ordinance No. 467, S-2011	Required/ Ordinance No. 467, S-2011	Required/ Ordinance No. 467, S-2011	Smoking ban per City Ord. No. 467, S-2011	Required/ Ordinance No. 467, S-2011	Smoking ban per City Ord. No. 467, S-2011
Designation of pantry or area for staff dining	Required	Exempt	Exempt	Required	Required	Required

7.5 SITE SUSTAINABILITY

- a. PURPOSE. Site sustainability requires the adoption of design, construction and operation practices that minimize the impact of buildings on ecosystems and water resources.
- b. The site sustainability measure below must be complied with.

TABLE OF SITE SUSTAINABILITY MEASURES						
	BUILDING TYPE APPLICABILITY					
	OFFICE	RETAIL	HOTEL	HOSPITAL	RESIDENTIAL	SCHOOL
A minimum of fifty percent of the required unpaved area shall be devoted to vegetation planted with species indigenous to the entire region.	Required	Required	Required	Required	Required	Required

ARTICLE V
MANAGEMENT ARRANGEMENTS

SECTION 8. RESPONSIBILITY FOR ENFORCEMENT.

- 8.1. OFFICE OF THE LOCAL CHIEF EXECUTIVE (LCE). This Ordinance shall be enforced and administered by the LCE.
- 8.2. TECHNICAL SUPPORT. The Mandaluyong City Green Building Council and the Mandaluyong City Green Building Authority, which are herein established, shall provide technical support to the Local Chief Executive (LCE).

SECTION 9. MANDALUYONG CITY GREEN BUILDING COUNCIL (MCGBC). The Mandaluyong City Green Building Council is hereby established subject to the arrangements below:

- 9.1 COMPOSITION. The Mandaluyong City Green Building Council (MCGBC) shall be composed of the following:
 - a. City Mayor as Chairman
 - b. City Green Building Officer as Co-Chairman
 - c. City Planning and Development Coordinator
 - d. City Engineer/Building Official
 - e. Chairman of the Sangguniang Panlungsod on Engineering and Public Works
 - f. Legal Officer
 - g. Public Information Officer
 - h. City Assessor
 - i. City Health Officer
- 9.2 TECHNICAL SUPPORT. A Technical Working Group and Secretariat shall be created to provide technical assistance to the Mandaluyong City Green Building Council.
- 9.3 HONORARIA. For the effective performance of its functions, the members of the Mandaluyong City Green Building Council, Technical Working Group and the Secretariat shall be entitled to a monthly honorarium subject, however, to change depending on new or recent legislations, memoranda, circulars or Presidential proclamation as follows:

a.	Chairman	P 3,000.00
b.	Members and Secretariat	2,500.00

- 9.4 MEETINGS. The Mandaluyong City Green Building Council (MCGBC) shall meet regularly at least once a month. In case of urgent issues, the Mandaluyong City Green Building Council (MCGBC) may hold a special meeting to address the said issue.
- 9.5 DUTIES AND RESPONSIBILITIES. The Mandaluyong City Green Building Council (MCGBC) shall perform the following duties and responsibilities:
- a. Facilitate the review of this Green Building Ordinance and recommend to the Sangguniang Panlungsod necessary amendments or adoption of new Green Building Regulations.
 - b. Monitor implementation, conduct study and research to update the ordinance.
 - c. Evaluate and approve incentives to be given to owners/ developers.
 - d. Determine and recommend to Sangguniang Panlungsod the annual budget of a Transitory Green Building Office for the operation and implementation of the Green Building Ordinance. The budget of such transitory office shall be sourced from the approved budget of the MCGBA.

SECTION 10. MANDALUYONG CITY GREEN BUILDING AUTHORITY. To provide technical assistance and support to the Local Chief Executive, a Mandaluyong City Green Building Authority (MCGBA) is hereby created. The Mandaluyong City Green Building Authority (MCGBA) shall be headed by the City Green Building Officer (CGBO), who shall manage and supervise the operations of the Mandaluyong City Green Building Authority (MCGBA).

- 10.1 COMPOSITION. The Office of the MCGBA shall be composed of the following personnel, subject to the Qualification Standards of the Civil Service Commission. The composition of Mandaluyong City Green Building Authority (MCGBA) shall not exceed the following staffing structure.

	POSITION	SALARY GRADE
1.	City Green Building Officer	SG 27
2.	Assistant City Green Building Officer	SG 24
3.	Two (2) Division Chiefs (GBO IV)	SG 22
4.	Four (4) Section Chiefs (GBO III)	SG 18
5.	Four (4) Evaluators/Inspectors (GBO II)	SG 15
6.	Eight (8) Evaluators/Inspectors (GBO I)	SG 11
7.	One (1) Secretary	SG 11
8.	One (1) Driver	SG 4
9.	One (1) Utility	SG 4
10.	One (1) Liaison Officer	SG 4

- 10.2 QUALIFICATIONS AND RESPONSIBILITIES OF THE CITY GREEN BUILDING OFFICER (CGBO).

- A. The City Green Building Officer (CGBO) shall be:
 - 1. Filipino citizen, a resident of the City of Mandaluyong and of good moral character;
 - 2. A registered voter of the city of Mandaluyong;
 - 3. Duly Registered Architect or Civil Engineer, or any other relevant profession;
 - 4. Current member of a duly accredited organization of his/her profession and in good standing for the last two (2) years.
 - 5. Must have a planning, design and management experience for at least five (5) years prior to his appointment.
- B. The City Green Building Officer (CGBO) shall perform the following duties and responsibilities:
 - 1. Act on all applications for Green Building Compliance Certificate (GBCC) for all projects, issue the Green Building Pre-Compliance Certificate (GBPCC) and Green Building Compliance Certificate (GBCC).
 - 2. Conduct continuing study in green building trends and standards and coordinate with the Mandaluyong City Green Building Council (MCGBC) regarding proposed amendments to the Ordinance prior to the adoption by the Sangguniang Panlungsod.
 - 3. Monitor projects and issue notices of violation and show cause orders to owners, developers, or managers of projects that are in violation of the Green Building Ordinance and if necessary, refer subsequent actions thereon to the appropriate agency.

10.3 CAPACITY BUILDING. The City Green Building Official (GBO) and the technical staff of the Mandaluyong City Green Building Authority (MCGBA) shall be authorized to undergo technical trainings on Green Building to enhance their capacities to perform their functions in implementing this Code.

- a. To further enhance capacities, the City Green Building Official (GBO) and the technical staff shall also have the privilege of receiving support for training to qualify them as Green Building expert or its equivalent in any recognized Green Building System, subject to the provision below.
- b. All staff of the Mandaluyong City Green Building Authority (MCGBA) who receive support for training to qualify as Green Building expert under the provision above shall submit a sworn statement of commitment to serve the Mandaluyong City Green Building Authority (MCGBA) in his/her capacity for a minimum of three (3) years. Any staff who availed of the above but opted to leave the service in less than three years after being qualified and for no valid reason as determined by the Local Chief Executive shall be obliged to pay the cost to the Local Government Unit for supporting his/her training.

- 10.4 TRANSITORY GREEN BUILDING OFFICE. Upon approval of this Ordinance, the City Planning and Development Department shall act as the transitory Mandaluyong City Green Building Authority (MCGBA) under the supervision of the Mandaluyong City Green Building Council (MCGBC) and shall remain as such until an official Mandaluyong City Green Building Authority (MCGBA) is fully organized and established. The City Planning and Development Coordinator shall act as the temporary City Green Building Officer and shall appoint or designate any employees of the City Government of Mandaluyong and/or recommend hiring or hire additional personnel who, in his discretion, have the technical knowledge and capability to efficiently handle the work, and occupy the position of the officers and staff of the Mandaluyong City Green Building Authority (MCGBA). Provided that, the number of temporary officers and staff does not exceed what is required in the approved structure of the Mandaluyong City Green Building Authority (MCGBA).
- 10.5 BUDGETARY ALLOCATION. Upon determination of sufficiency of funds by the Office of the Local Chief Executive and after complying with the existing laws, rules and regulations, an annual appropriation for the established MCGBA shall be included in the regular budgeting procedures to cover the operational and management expenses as well as other expenses necessary for the proper, responsive and full operation of the organized and established MCGBA.

The officers and staff of the Transitory Green Building Office shall be entitled to a monthly compensation not exceeding 25% of their respective monthly salary without prejudice to other allowances, honoraria or incentives compensatory to other duties and tasks assigned to them.

ARTICLE VI GREEN BUILDING (GB) CERTIFICATION PROCESS

SECTION 11. GREEN BUILDING CERTIFICATE. All owners and developers of projects within the coverage of this Ordinance shall secure the following certificates:

1. GB Pre-Compliance Certificate (GBPCC) in Building Design
2. GB Compliance Certificate (GBCC) in Construction

SECTION 12. GREEN BUILDING PRE-COMPLIANCE CERTIFICATE (GBPCC) IN BUILDING DESIGN.

- 12.1 BUILDING PERMIT. For buildings covered by this Ordinance, no building permit shall be issued without a GBPCC in Design.
- 12.2 DOCUMENTARY REQUIREMENTS. Proponent shall be required to submit the following documentary requirements for the evaluation of the MCGBA:
1. Duly accomplished application form;
 2. At least seven (7) sets of complete plans (Architectural, Structural, Mechanical, Electrical, Sanitary, and Electronics) signed by the owner or his duly authorized representative and relevant professionals;

3. One (1) copy of lot plan with vicinity map;
4. General specification of materials/equipment to be used for the Green Building measures duly signed and sealed by professionals concerned and owner of building or duly authorized representative;
5. Bill of Materials for Green Building Measures;
6. Pre-Compliance Checklist of Requirements;
7. Computation of projected building consumption for energy (kwh/capita or sq.m) and water (cu.m/capita or sq.m) specifying local design standards used.
8. Projected building consumption for energy (kwh/capita or sq.m) and water (cu.m/capita or sq.m) upon application of Green Building Measures

12.3 EVALUATION AND ISSUANCE. Issuance of the GBPCC in the Design shall be subject to satisfactory finding that the project drawings and specifications have complied with the requirements of this Code. The GBPCC shall be issued by the MCGBA only upon presentation of the official receipt of payment.

SECTION 13. GREEN BUILDING COMPLIANCE CERTIFICATE IN CONSTRUCTION.

- 13.1 OCCUPANCY PERMIT. No Occupancy Permit for buildings covered under this Ordinance shall be issued prior to the issuance of the Green Building Compliance Certificate in Construction.
- 13.2 DOCUMENTARY REQUIREMENTS. Proponent shall be required to submit the following documentary requirements for the evaluation of the MCGBA. Assessment will be made with the MCGBA Site Inspection Report:
 1. Duly accomplished application form and Compliance Check List of Requirements.
 2. Three (3) sets of As Built plan duly signed by the owner or his duly authorized representative and relevant professionals.
- 13.3 EVALUATION AND ISSUANCE. Issuance of the Green Building Compliance Certificate in Construction shall be subject to satisfactory finding that the project as constructed has complied with the requirements of this Code.

SECTION 14. REPORTORIAL REQUIREMENTS.

- 14.1 ANNUAL REPORTS. The developer/administrator of the Building shall submit to the MCGBA an annual report, commencing one year from the issuance of the occupancy permit. The report shall contain the following information:
 - 14.1.1 Monthly Energy consumption (kwh) and bill or equivalent document certified by concerned utility company;
 - 14.1.2 Monthly Water consumption and bill or equivalent document certified by concerned utility company;
 - 14.1.3 Occupancy rate.
 - 14.1.4 Other relevant data necessary for building profiling.

14.2 CONFIDENTIALITY. All information shall be treated with confidentiality and shall be aggregated. No specific attribution shall be made to a building or building owner when data is presented publicly.

ARTICLE VII
GREEN BUILDING FEES

SECTION 15. GREEN BUILDING FEES. The rate of filing and processing fees for the Green Building Certificate shall be as follows:

TYPE OF TRANSACTION	GREEN BUILDING PRE-COMPLIANCE CERTIFICATE	GREEN BUILDING COMPLIANCE CERTIFICATE
	RATE OF FEES (Pesos)	RATE OF FEES (Pesos)
A. FILING/APPLICATION FEE	P 150.00	P 50.00
B. PROCESSING FEE		
1. RESIDENTIAL		
a. Residential	3.00 per sq.m. of total floor area	1.00 per sq.m. of total floor area
b. Utilized for commercial/gain purposes	5.25 per sq.m. of total floor area	1.75 per sq.m. of total floor area
2. COMMERCIAL/RETAIL/OFFICE/HOTEL	5.25 per sq.m. of total floor area	1.75 per sq.m. of total floor area
3. INSTITUTIONAL		
a. School	3.75 per sq.m. of total floor area	1.25 per sq.m. of total floor area
b. Hospital	3.75 per sq.m. of total floor area	1.25 per sq.m. of total floor area
4. RENOVATION/RETROFITTING	Corresponding prescribed rate for items 1-3 above	Corresponding prescribed rate for items 1-3 above
5. ALL GOVERNMENT PROJECTS	Free of charge pursuant to Section 209 of the NBC	Free of charge pursuant to Section 209 of the NBC
C. CERTIFICATE FEE	P 75.00	P 25.00
D. SURCHARGE	A surcharge of one hundred percent (100%) of the total Green Building fees but not less than Two Thousand Pesos (P2,000.00) whichever is higher shall be charged to any applicant, proponent, proprietor, owner or representative who commences or undertakes any project without having first secured a Green Building Pre-Compliance Certificate and which shall be due upon securing of such certificate.	

SECTION 16. PROCEEDS FROM GREEN BUILDING FEES. All payments for Green Building Fees shall be made directly to the City Treasurer's Department, eighty percent (80%) of which shall accrue to the General Funds of the City of Mandaluyong and shall be dedicated for infrastructure support, environmental projects of the City Government and shall augment the funds of salaries and wages of the MCGBA and twenty percent (20%) from such Green Building Fees to be deposited into a City Government trust fund to be used as follows:

- 16.1 Fifteen Percent (15%) to fund requirements for transportation expenses, office supplies and equipment and personnel capacity enhancement activities of the MCGBA.
- 16.2 Five Percent (5%) as productivity incentives for personnel actually involved in City Green Building policy formulation and implementation such as members of the MCGBC, MCGBA, Sangguniang Panlungsod Committee on Engineering and Public Works and Heads and staff of the City Planning and Development Office and Engineering Department involved in green building activities.

ARTICLE VIII
CENTER FOR EXCELLENCE

SECTION 17. CENTER FOR EXCELLENCE. The City shall allocate an area to serve as the Green Building Center for Excellence. The center shall be managed by the MCGBA and shall showcase Green Building success stories, processes and reference materials to be open to visitors free of charge. The MCGBA shall be authorized to host Green Building Learning Events.

ARTICLE IX
INCENTIVES AND PENALTIES

SECTION 18. INCENTIVES. The City shall provide incentives as may be deemed appropriate by the Mandaluyong City Green Building Council to owners and developers whose buildings have complied with the provisions of this Ordinance.

18.1 INCREASED BUILDING HEIGHT LIMIT (BHL) AND FLOOR AREA RATIO (FAR). Any owner or developer who was issued a Green Building Pre-Compliance Certificate shall automatically be granted Floor Area Ratio or Building Height Limit as indicated below, whichever is applicable, subject to the provisions of Section 13 of this Ordinance:

ZONE CLASSIFICATION As per Ordinance No. 475, S-2011	BUILDING HEIGHT LIMIT/ FLOOR AREA RATIO	
	NO. OF STOREYS	HEIGHT IN METERS
R3-A	8	24
R3-B	14	42
R3-C	21	63
C-1	6	18
C-2	7	21
C3-A	18	54
C3-B	34	102
C3-C	65	195
C4-FAR 3	FAR 4	
C4-FAR 10	FAR 12	

18.2 REAL PROPERTY TAX DISCOUNT ON MACHINERY AND IMPROVEMENT. Any owner or developer who was able to secure a Green Building Compliance Certificate and Occupancy Permit shall automatically be given the following:

- a. A discount of fifty percent (50%) on Real Property Tax on Machinery for every machinery installed in accordance with Section 7 Green Building Regulations.
- b. A discount of ten percent (10%) on Real Property Tax on Improvement.

Provided:

- a. Such discounts shall be applied directly to the tax due as computed by the City Assessor's Department pursuant to the Tax Code of the City of Mandaluyong;

b. Such discounts shall apply only to the first year of payment of taxes;

c. Such discounts shall be independent of other applicable discounts as defined in the Tax Code of the City of Mandaluyong.

18.3 DOCUMENTARY REQUIREMENTS. The incentives shall be given only upon submission of the following subject to evaluation and approval of the MCGBC:

a. Letter of Intent to avail of Green Building incentive

b. Green Building Certificate

c. Occupancy Permit

d. List and actual cost of Green Building Measures installed

SECTION 19. PENALTIES. Any person who violates any provision of this Ordinance shall, upon conviction be penalized with fine from a minimum of Five Hundred Pesos (P500.00) up to a maximum of Five Thousand Pesos (P5,000.00) or imprisonment of two (2) months to one (1) year, or both, at the discretion of the Court. If the violator is a corporation or partnership, the penalty prescribed above shall be imposed upon the president and/or general manager or the managing partner, as the case may be, of the erring entity. These penalties are without prejudice to the filing of the proper administrative, criminal or civil actions in the proper court, body or tribunal for violations of other laws.

ARTICLE X FINAL PROVISION

SECTION 20. IMPLEMENTING RULES AND REGULATIONS. Within six (6) months from the effectivity of this Ordinance, a team composed of the MCGBA, City Planning and Development Department, Engineering Department, City Health Department, City Assessor, and City Legal Department shall prepare the implementing rules and regulations of this Ordinance for approval of the LCE. The IRR shall be subject to periodic review of said team. In case of extreme necessity, said team shall convene immediately to evaluate which portion is difficult to conform with and/or is counter to the objective of the City. Said team shall draft and recommend a revised IRR subject to approval of the LCE.

SECTION 21. REPEALING CLAUSE. All local Ordinances of the Sangguniang Panlungsod ng Mandaluyong and Executive Orders and Administrative Regulations of the Local Chief Executive, or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 22. SEPARABILITY CLAUSE. Should any part or provision of this Ordinance be held unconstitutional or invalid by a competent court, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 23. SUPPLETORY EFFECT OF OTHER LAWS AND DECREES. The provisions of this Ordinance shall be without prejudice to the application of other laws, Presidential Decrees, Letters of Instructions and other executive or administrative orders vesting national government agencies with jurisdiction over energy, water, health, land use and environment, which shall remain in force and effect, provided that decisions of the national government agencies concerned shall be consistent with the overall goals and objectives of this Ordinance.


SECTION 24. EFFECTIVITY CLAUSE. Unless otherwise provided herein, this Ordinance shall take effect fifteen (15) days, after its complete publication in at least one (1) newspaper of general circulation in Metro Manila.

ENACTED on this 27th day of January, 2014 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE
WAS ENACTED AND APPROVED BY THE SANGGUNIANG
PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAL
Sanggunian Secretary

PRESIDED BY:


EDWARD G. BARTOLOME
Vice Mayor &
Presiding Officer

APPROVED:


BENJAMIN DC. ABALOS, JR.
City Mayor

Date: FEB 06 2014