



Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
17th City Council

PO2008-96

48th Regular Session

ORDINANCE NO. SP-1917S-2009

AN ORDINANCE REQUIRING THE DESIGN, CONSTRUCTION OR RETROFITTING OF BUILDINGS, OTHER STRUCTURES AND MOVABLE PROPERTIES TO MEET MINIMUM STANDARDS OF A GREEN INFRASTRUCTURE, PROVIDING INCENTIVES THEREFOR AND FOR OTHER PURPOSES.

Introduced by Councilors BERNADETTE HERRERA-DY, FRANCISCO A. CALALAY, JR., DOROTHY A. DELARMENTE, VICTOR V. FERRER, JR. JOSEPH P. JUICO, RICARDO T. BELMONTE, JR., WINSTON "Winnie" T. CASTELO, RAMON P. MEDALLA, ALLAN BUTCH T. FRANCISCO, VOLTAIRE GODOFREDO L. LIBAN III, EDEN "Candy" A. MEDINA, AIKO S. MELENDEZ, JORGE B. BANAL, JR., FRANZ S. PUMAREN, WENCEROM BENEDICT C. LAGUMBAY, DANTE M. DE GUZMAN, DIORELLA MARIA G. SOTTO, JAIME F. BORRES, ANTONIO E. INTON, JR., JESUS MANUEL C. SUNTAY, JANET M. MALAYA, EDCEL B. LAGMAN, JR., VINCENT DG. BELMONTE, BAYANI V. HIPOL, CONCEPCION S. MALANGEN and ALEXIS GRACE R. MATIAS.

WHEREAS, the continuing development of real estates and land development projects must be mindful of the basic principles of conservation, environmental protection and planning patterns that consider the natural environment;

WHEREAS, the institutionalization of eco-friendly systems and technologies supports government efforts to reduce greenhouse gases and other hazardous emissions from buildings and other structures;

WHEREAS, the implementation of a green infrastructure policy emphasizes the need to promote and protect the interrelation of the natural ecosystem and development as these are key factors that contribute to sustainable development, empowerment of the people and urban development.

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NOW, THEREFORE,

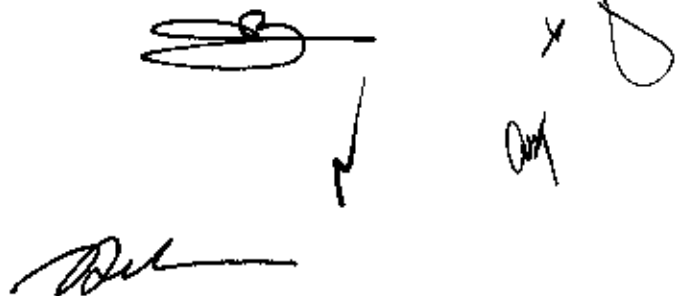
BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY
IN REGULAR SESSION ASSEMBLED:

ARTICLE I
GENERAL PROVISIONS

SECTION 1. SHORT TITLE. – This Ordinance shall be known
and referred to as the “Green Building Ordinance of 2009”.

SECTION 2. DECLARATION OF POLICY. – It is the declared
policy of the Quezon City Government to:

- 2.1 Establish and maintain building standard that require the planning, design, construction, operation and maintenance, including the retrofitting of building projects that strictly adhere to energy efficiency, cost effectiveness and mitigate impacts on environmental degradation;
- 2.2 Emphasize that land conservation, urban planning and development should include green infrastructure as a key planning framework in order to arrest the adverse impact of rapid growth on our environment and ecosystems;
- 2.3 Require the planning and integration of green spaces and installation of available and cost efficient technologies prior to any infrastructure development;
- 2.4 Require the installation, use, operation and maintenance of cost efficient technologies that use renewable energy or biofuels, compressed natural gas, liquefied petroleum gas or bio-ethanol blended gasoline, in the operation of motorized vehicles, whether public or private;
- 2.5 Create and maintain a network of green spaces and integrate them in the whole gamut of infrastructure projects and developments, being mindful of the strategic connection between structures, parks, riparian areas and other green spaces in order to maintain a healthy biodiversity;

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- 2.6 Increase the demand for environmentally preferable building materials, finishes, and furnishings;
- 2.7 Emphasize that the impact of greenhouse gas emissions does not recognize jurisdictions or boundaries, hence, must be the concern not only of government but of private, business and other stakeholders or sectors;
- 2.8 Provide measures for the protection of ground water on all vertical structures;
- 2.9 Provide incentives for land users, developers and planners who incorporate, implement, install and actually use environment friendly technologies that promote a strong biodiversity, improve the state of health of the population and abate the continuing destruction of our ecosystem, ground water and air quality.


SECTION 3. DEFINITIONS. - Unless otherwise defined under this Ordinance, the following terms shall mean and be construed as:

- 3.1 **Building** - any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.
- 3.2 **Carbon Credits** - are emission allowances allocated or auctioned under a cap-and-trade program, or it can be utilized to offset emissions. Such offsetting and mitigating activities are authorized under the Kyoto Protocol. Under the Protocol, the amount of emissions reduced is evidence by a Certified Emission Reduction (CER).
- 3.3 **Direct Injection Retrofit Technology** - a technological alteration to an existing engine, replacing the carburetor with an in-cylinder fuel injector, providing for significant reduction in tailpipe smoke emissions, increasing fuel efficiency and economy.
- 3.4 **Dwelling Unit** - one or more habitable rooms which are occupied or which are intended or designated to be occupied by one family with facilities for living, sleeping, cooking and eating.

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- 3.5 *Effluent - is a general term denoting any wastewater, partially or completely treated, or in its natural state, flowing out of a manufacturing plant, industrial plant or treatment plant.*
- 3.6 *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 on the following:*
- 3.6.1 *Site conservation and sustainable planning;*
 - 3.6.2 *Water conservation and efficiency;*
 - 3.6.3 *Energy efficiency and renewable energy;*
 - 3.6.4 *Conservation of materials and resources, and;*
 - 3.6.5 *Indoor environmental quality and human health.*
- 3.7 *Sewage Treatment Plant (STP) - process of removing contaminants from wastewater and household sewage, both runoff (effluents) and domestic. It includes physical, chemical and biological processes to remove physical, chemical and biological contaminants.*
- 3.8 *Wastewater Treatment Facility - Any plant or facility owned or maintained by any department, agency or authority of the state, or by any sewer company, private corporation, association, person or group of persons, or by any industry or institution, except domiciles or residential units, which subjects wastewater to a process for removing or altering the objectionable constituents of wastewater for the purpose of meeting the requirements of Clean Water Act of 2004 (Republic Act No. 9275) to make it less offensive or dangerous.*



**ARTICLE II
GREEN INFRASTRUCTURE**

SECTION 4. APPLICATION – All vertical structures, whether or not used for commercial, industrial, institutional or residential use are hereby mandated to apply and implement the policies provided under this Ordinance, including the provision for mechanisms that shall reduce greenhouse gas emissions, including wastewater treatment. Implementors of this Ordinance shall benefit from the Green Building Tax Credit provided for under Article IV, Section 14 hereof.

A system of inspection, evaluation and certification shall be devised and implemented by the Environmental Protection and Waste Management Department, City Planning and Development Office and the Building Official for this purpose.

SECTION 5. PRELIMINARY CERTIFICATION – In the case of proposed and new structures, an applicant must:

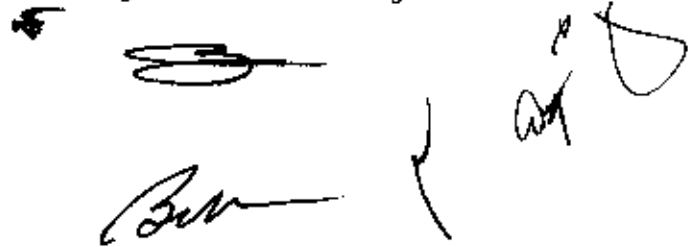
5.1 Apply with the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department for preliminary certification if the applicant will be the owner or contract purchaser of the facility at the time of construction, in writing on a form prepared and provided for and shall contain:

5.1.1 A statement that the applicant plans to construct a facility that meets the requirements under this Section;

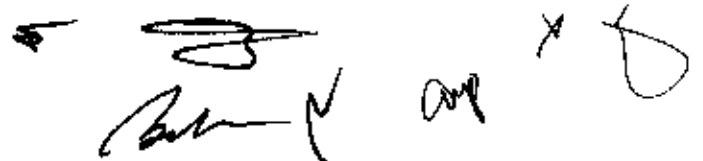
5.1.2 A detailed description of the proposed facility and its operation and information showing that the facility will operate as represented in the application;

5.1.3 The estimated start and finish date of the construction of the facility; and

5.1.4 Any other information determined by the Building Official, CPDO and the EPWMD to be necessary prior to issuance of an initial certificate.

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- 5.2 The Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department may allow an applicant to file the preliminary application after the start of the construction of the facility if the Building Official finds that filing the application before the start of construction is inappropriate because special circumstances render filing earlier unreasonable.
- 5.3 If the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department determine that the proposed construction is technically feasible and should operate in accordance with the representations made by the applicant, and is in accordance with the provisions under Section 9 and any applicable rules or standards adopted by the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department, the Building Official together with the City Planning and Development Office and the Environmental Protection and Waste Management Department shall issue, addressed to the City Treasurer and the City Assessor, a certification recommending approval for the issuance of the Preliminary Credit Certificate for the proposed construction. The Preliminary Credit Certificate shall state the following:
- 5.3.1 The first taxable year for which the credit may be applied;
- 5.3.2 The expiration date of the tax credit. Such expiration date may be extended at the discretion of the City Treasurer in order to avoid unwarranted hardship; and
- 5.3.3 The maximum amount of the total credit allowed and the maximum amount of credit allowed in any single taxable year.
- 5.4 If the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department determine that the construction does not comply with the provisions under Section 9 and applicable rules and standards, the Building Official shall issue an order denying certification.

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SECTION 6. CHANGES BETWEEN PRELIMINARY CERTIFICATION AND FINAL CERTIFICATION.

6.1 To change a project that has already received preliminary certification, the applicant shall file a written request to the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department which states:

6.1.1 A detailed description of the changes;

6.1.2 The reasons for the changes; and

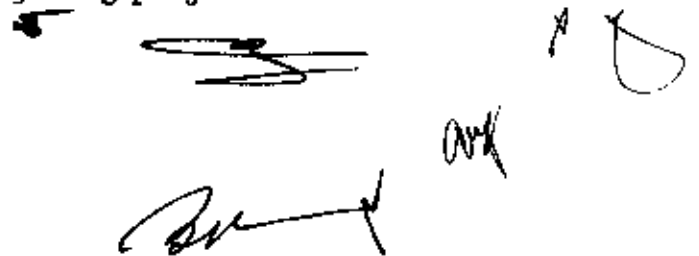
6.1.3 The effects that the changes will have on the amount of tax credit stated by the preliminary certification.

6.2 The Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department must determine and decide if the changed project complies with the requirements under Section 9:

6.2.1 If the changed project complies with the requirements under Section 9, then the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department shall issue an amended preliminary certification.

6.2.2 If the changed project does not comply with the requirements under Section 9 then the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department shall issue orders that revoke the preliminary certification.

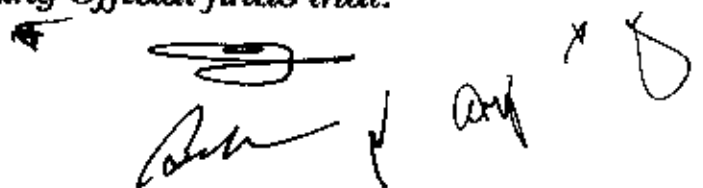
SECTION 7. FINAL CERTIFICATION. Upon completion of the proposed construction or retrofitting project:

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- 7.1 No final certification shall be issued by the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department under this Section unless the facility was constructed under a preliminary certificate of approval issued under Section 5.
- 7.2 An applicant may apply with the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department for final certification of a facility:
- 7.3 If the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department issued a preliminary certification for the facility under Section 5; and
- 7.4 After completion of construction of the proposed facility.

An application for final certification shall be made in writing on a form prepared by the Departments and shall contain: (1) A statement that the conditions of the preliminary certification have been complied with; (2) An eligibility certificate from a licensed project architect or engineer licensed that consists of: (a) A certification by the Building Official, City Planning and Development Office and the Environmental Protection and Waste Management Department that the building, with respect to which the credit is claimed, is compliant with the provisions of this Ordinance; (b) A statement of the degree of compliance achieved by the building, to permit determination of the proper credit amount under Section 14; (3) A statement that the facility is in operation; and (4) Any other information determined by the Building Official to be necessary prior to issuance of a final certificate, including inspection of the facility by the Departments of Engineering and Environmental Protection and Waste Management Department and the City Planning and Development Office.

SECTION 8. REVOCATION OF CERTIFICATE. - The Building Official may order the revocation of the final certificate issued under Section 7 of this Ordinance upon the recommendation of the Environmental Protection and Waste Management Department and the City Planning and Development Office, if the Building Official finds that:

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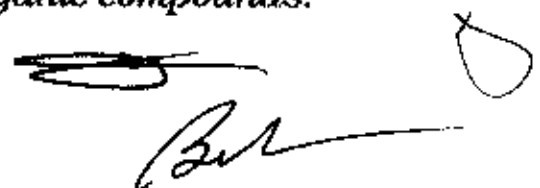
- 8.1 The certification was obtained by fraud or misrepresentation; or
- 8.2 The holder of the certificate has substantially failed to construct or complete the facility in compliance with the plans, specification, and procedures in such certificate. As soon as the order of revocation under this Section becomes final, the Building Official shall notify the City Treasurer and the City Assessor of such order.

If the certificate is ordered revoked pursuant to item Number 8.1 of this Section, all prior tax credits provided to the holder of the certificate by virtue of such certificate shall be forfeited, and upon notification under this Section, the City Treasurer shall immediately proceed to collect those taxes not paid by the certificate holder as a result of the tax credits provided to the holder under this Ordinance.

If the certificate is ordered revoked pursuant to item Number 8.2 of this Section, the certificate holder shall be denied any tax credit under this Ordinance in connection with such facility after the date that the order of revocation becomes final. Thereafter, all taxes shall become due and demandable in favor of the government.

SECTION 9. REQUIREMENTS. - The design, construction, operation, maintenance, renovation, and deconstruction of all major facilities or structures, whether private or government-owned, that enter into the pre-design phase after the date of enactment of this Ordinance, and the site of all such facilities or structures, shall conform to, or exceed, the evaluation and rating scheme of the Green Building Rating System, to be devised and implemented by the Departments of Environmental Protection and Waste Management Department, Engineering, Building Official and the City Planning and Development Office for a new building and for major renovations. All existing buildings shall also be certified through the same certification process.

The criteria for evaluation and rating shall cover the following: use of renewable building materials, installation and use of insulation and energy reduction and efficiency mechanisms, solid waste and waste water treatment schemes, incorporation of green architecture, and reduction systems for greenhouse gases and other volatile organic compounds.



The process of certification shall begin from the initial preparation and planning phase and throughout the lifespan of the facility or structure.

SECTION 10. EXEMPTIONS. - The requirements of the provisions of this Ordinance may be waived in favor of properties, facilities or structures, under the following terms and conditions:

- 10.1 The Building Official may exempt any building from compliance with the mandates under Article II of this Ordinance if it is deemed that the cost of compliance sufficiently exceeds the building's life-cycle cost savings.
- 10.2 Any building under the mandate of Article II that is given exemption by the Building Official must comply with the Green Building Evaluation and Rating System to the maximum extent possible such that the cost of compliance does not sufficiently exceed the building's life-cycle cost savings.

ARTICLE III SEWAGE TREATMENT PLANT

SECTION 11. INSTALLATION OF SEWAGE TREATMENT PLANT. - All Subdivisions, Government and Privately Owned Buildings or Structures are hereby required to install, maintain and operate a Sewage Treatment Plant and shall be incorporated in the building plans as well as in the construction of buildings or structures within the territorial jurisdiction of Quezon City.

SECTION 12. COMPUTATION FOR EFFLUENT DISCHARGE.
- The following shall be the basis of computation for effluent discharge:

- 12.1 Basic consideration in the implementation of this Article shall be Effluent Discharge of more than thirty cubic meters (30 cu.m.) per day, in accordance with Section 5, note 4 of the Department of Environment and Natural Resources Administrative Order No 35, Series of 1990.





12.2 Effluent discharge shall be computed based on the following table:

Type of Occupancy	Water Consumption	Parameter	
		Occupancy	% of Water Discharge
Residential	300 L/person/day	5 pax/household	80%
Hotels/Apartelles/Lodging Houses	200 L/person/day	2 pax/room	80%
Hospitals	165 L/bed/day		80%
Schools	60 L/student/day		80%
Malls	8-12 L/sqm/day		80%
Office Buildings	100 L/person/day	41 pax/7 sqm	80%
IT Buildings	100 L/person/day	1 pax/5 sqm	80%
Industrial Buildings	Automatic STP compliance		

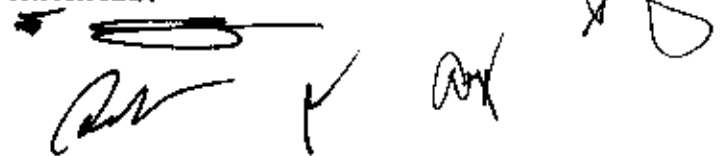
12.3 At least forty percent (40%) of the total floor area shall be allocated for effluent discharge.

SECTION 13. GUIDELINES OF IMPLEMENTATION. – The following shall be the guidelines of implementation for this Article:

13.1 All new buildings or structures with commercial value and with effluent discharge of more than thirty (30) cubic meter per day as computed using the parameters set forth under Sections 11 and 12 of this Ordinance shall be required to install, maintain and operate a Sewage Treatment Plant.

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- 13.2 All new subdivisions with effluent discharge of more than thirty (30) cubic meters per day as computed using the parameters set forth under Sections 11 and 12 of this Ordinance shall be required to install, maintain and operate a Sewage Treatment Plant. Thirty (30) cubic meters equates to twenty (20) residential houses thus, for every twenty (20) residential houses thereof, one (1) STP shall be provided.
- 13.3 All old buildings or structures with commercial value and with effluent discharge of more than thirty (30) cubic meters per day as computed using the parameters set forth under Section 12 shall be required to install, maintain and operate a Sewage Treatment Plant within a period of three (3) years after the approval of this Ordinance.
- 13.4 All old subdivisions with effluent discharge of more than thirty (30) cubic meters per day as computed using the parameters set forth under Section 12 shall be required to install, maintain and operate a Sewage Treatment Plant, however, the water utility companies shall be directed to institute the necessary measures and shall be given three (3) years to comply after the approval of this Ordinance.
- 13.5 All new government owned buildings or structures with effluent discharge of more than thirty (30) cubic meters shall be required to install, maintain and operate STP.
- 13.6 All old government owned buildings or structures with effluent discharge of more than thirty (30) cubic meters a day shall be required to install, maintain and operate STP, is given a period of three (3) years to comply with the provisions of this Ordinance.
- 13.7 All other residential houses outside of subdivisions, government and privately owned buildings/structures with commercial value but more than thirty (30) cubic meters effluent discharge shall be required to install, maintain and operate STP, however, the water utility companies is hereby mandated to institute the necessary measures and shall be given three (3) years to comply with this Ordinance.

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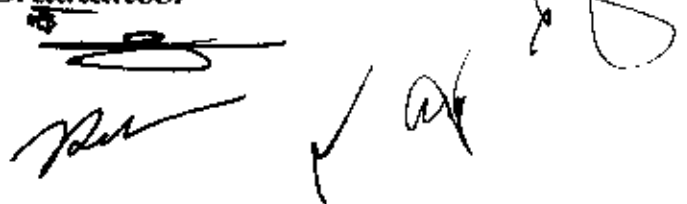
- 13.8 All new industrial buildings/structures regardless of volume of effluent discharge shall be required to install, maintain and operate a Sewage Treatment Plant.
- 13.9 All old industrial buildings regardless of effluent discharge shall be required to install, maintain and operate a Sewage Treatment Plant.
- 13.10 All markets regardless of effluent discharge shall be required to install, maintain and operate a Sewage Treatment Plant.

ARTICLE IV GREEN VEHICLES

SECTION 14. APPLICATION. – Tricycles for hire and public utility vehicles which are registered, owned and operated by residents or organizations located and based in Quezon City and who hold and own franchises from the Sangguniang Panlungsod or other government franchising agencies, including vehicles owned and operated by the city government, are given a non-extendible period of three (3) years within which to retrofit from consuming or burning fossil fuel or petroleum products to Direct Injection Retrofit Technology or other fuel efficient technologies: Provided, these technologies pass the minimum standards set by the Bureau of Product Standards of the Department of Trade and Industry: Provided, further, that these products must at least meet or surpass the standard 7,800 parts per million hydrocarbon emission level prescribed by the Environmental Management Bureau of the Department of Environment and Natural Resources.

SECTION 15. PREFERRED FUEL. – It is a declared policy of the city government that the preferred fuel of use shall either be Compressed Natural Gas (CNG), Liquefied Petroleum Gas (LPG), bio-ethanol blended gasoline or other forms of biofuels.

SECTION 16. ADMINISTRATIVE AND PENAL PROVISIONS.
– The provisions of this Article shall be strictly applicable to all public conveyances, including tricycles for hire and shall suffer the penalty of decommissioning and revocation of their respective franchises. Revoked franchises, however, may be applied for and replaced with newer or other tricycle units who are able to comply with the provisions of this Ordinance.

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The Tricycle Regulatory Unit is hereby directed to implement an orderly and staggered scheme of implementation for compliance by all tricycle franchisees: Provided, that it does not exceed the period prescribed under this Article. The Tricycle Regulatory Unit shall issue a Certificate of Compliance prior to the renewal of its franchise-license and registration with the Land Transportation Office.

In the case of city government owned vehicles, the City General Services Office is hereby directed to install, retrofit and utilize Direct Injection Retrofit Technology. It shall devise and implement an orderly and staggered scheme of implementation. The amount necessary for the implementation hereof shall be proposed and submitted by the City General Services Office to the Local Finance Committee and must be included in the Annual Appropriations Ordinance of the city government within the years prescribed for compliance under this Ordinance. All other vehicles incapable of complying with the provisions of this Ordinance must be decommissioned forthwith and disposed of in accordance with existing laws, rules and regulations on the disposal of movable properties.

ARTICLE IV GREEN BUILDING CREDIT

SECTION 17. GREEN BUILDING TAX CREDIT. - The Green Building Tax Credit is hereby made available to a taxpayer for either the construction of a green building or the rehabilitation or retrofitting of a building, which is not a green building, into a green building, subject to the following terms and conditions:

- 17.1 A taxpayer may apply for a Green Building Tax Credit provided that the facility subject to the Green Building Tax Credit is within the territorial jurisdiction of Quezon City and the applicant is the actual and lawful owner or contract purchaser of the facility at the time of erection, construction, installation, or acquisition of the proposed facility.

- 17.2 If a credit is allowed to a building owner pursuant to this Section with respect to the property, and such property or an interest therein is sold, the credit for the period after the sale, which would have been allowable under this Section to the prior owner, shall be allowable to the new owner. Credit for the year of sale shall be allocated between the parties on the basis of the number of days during such year that the property or interest was held by each.
- 17.3 If a credit is allowed to a tenant pursuant to this Section with respect to the property, and if such tenancy is terminated but such property remains in use in the building by a successor tenant, the credit for the period after such termination, which would have been allowable under this Section to the prior tenant, shall be allowable to the successor tenant. Credit for the year of termination shall be allocated between the parties on the basis of the number of days during such year that the property was used by each.
- 17.4 Notwithstanding any other provision of law to the contrary, in the case of allowance of credit under this Section to a successor owner or tenant, as provided under item number 17.1 or 17.2 of this Section, the City Treasurer and the City Assessor is hereby authorized to reveal to the successor owner or tenant any information, with respect to the credit of the prior owner or tenant, which is the basis for the denial in whole or in part of the credit claimed by such successor owner or tenant.

SECTION 18. CREDIT COMPONENTS. – A Tax Credit incentive is hereby established to encourage the construction, retrofitting and maintenance of Green Infrastructures under the following schemes:

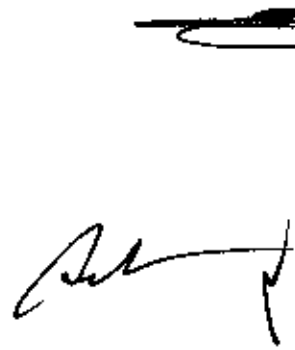

- 18.1 **Green Building Tax Credit.** A taxpayer is eligible for a Green Building Tax Credit against a tax due: Provided, that they comply with the requirements of Section 6 and: Provided, further, that the building owned or occupied meet the requirements of an eligible building as set forth in Section 9. The amount of the credit shall be determined pursuant to Section 17.

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The credit shall be the sum of the following credit components, whichever are applicable:

18.1.1 Green Whole-Building Credit Component - The green whole-building credit component shall be available to a taxpayer (whether owner or tenant) for either the construction of a green building or the rehabilitation of a building, which is not a green whole building, into a green whole building. The green whole-building credit component may not be allowed for any taxable year unless all the requirements under Section 9 are met, and the whole building is certified by the Environmental Protection and Waste Management Department, City Planning and Development Office and the Building Official: Provided, however, that in no case shall the credit be more than twenty-five percent (25%) of the total amount of Real Property Tax due for the same taxable year, under the provisions of Ordinance No. SP-91, S-1993, as amended.

18.1.2 Green Base Building Credit Component - The green base building credit component shall be available to a taxpayer who is the owner for either the construction of a green building or the rehabilitation of a building, which is not a green base building, into a green base building. The green base building credit component may not be allowed for any taxable year unless all the requirements under Section 9 are met, and the base building is certified by the Environmental Protection and Waste Management Department, City Planning and Development Office and the Building Official: Provided, however, that in no case shall the credit be more than twenty percent (20%) of the total amount of Real Property Tax due for the same taxable year, under the provisions of Ordinance No. SP-91, S-1993, as amended.

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18.1.3 Green Tenant Space Credit Component - The green tenant space credit component shall be available to a taxpayer (whether owner or tenant) for constructing tenant space or rehabilitating tenant space, which is not green tenant space, into green tenant space. The green tenant space credit component may not be allowed for any taxable year unless all the requirements under Section 9 are met, and the tenant space is certified by the Environmental Protection and Waste Management Department, City Planning and Development Office and the Building Official: Provided, however, that in no case shall the credit be more than fifteen percent (15%) of the total amount of Real Property Tax due for the same taxable year, under the provisions of Ordinance No. SP-91, S-1993, as amended.

18.2 For each component eligible to receive credit, such credit component amount shall not exceed the maximum amount specified in the preliminary certificate issued pursuant to Section 5: Provided, that the credit may be availed of only once within the Five (5) years duration within which to avail of the credit provided for under this Ordinance. Provided, finally, that once the Green Building Tax Credit has been availed of, it shall remain in full force and effect until the completion and full occupancy of the facility or structure, unless sooner recommended for revocation by the Building Official.

SECTION 19. RESTRICTIONS. - The Green Building Tax Credit may not be allowed for any taxable year unless all of the following are met:

19.1 The whole building, base building, or tenant space has achieved the desired rating under minimum standards, rules and regulations, to be prescribed by the Environmental Protection and Waste Management Department, the City Planning and Development Office and the Building Official: Provided, however, that rating standards to be used in the grant of the Green Building Tax Credit shall not be limited to the amount of floor space or the square footage of the building;

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19.2 The taxpayer has obtained and filed a preliminary credit certificate issued pursuant to Section 5 of this Ordinance;

19.2.1 The building is actually in service, as shown by a Certificate of Occupancy;

19.2.2 For each component eligible to receive credit in Section 17, once construction is complete and an occupancy certificate is received, such credit component amount shall be allowed only for a non-extendible period of three (3) succeeding taxable years provided that the taxpayer obtains an eligibility certificate that meets all requirements for an eligibility certificate as described in Section 7; and

19.2.3 The taxpayer shall file the eligibility certificate and the preliminary credit component certificate, with the claim for credit. Allowable costs under this Section and for the number of years that the credit is made available shall not exceed, in the aggregate, the amount determined pursuant to Section 17.

SECTION 20. TAX DISCOUNT. – A system of tax discount shall be devised for compliance based on the following criteria:

20.1 Use of renewable energy;

20.2 Use of energy efficient technology;

20.3 Provision of open spaces; and

20.4 Use of environment-friendly materials.

SECTION 21. EVALUATION COMMITTEE. – An Evaluation Committee is hereby created to devise a system and guidelines for the grant of tax discount for having complied with the criteria set under Section 19 hereof. The Committee shall be tasked to evaluate and recommend tax discount for consideration of the Sangguniang Panlungsod. The Evaluation Committee shall be composed of the following:

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- 21.1 City Treasurer
- 21.2 City Assessor
- 21.3 Head, Environmental Protection and Waste Management Department
- 21.4 City Building Official
- 21.5 City Planning and Development Office
- 21.6 United Architects of the Philippines-Quezon City Chapter
- 217 Three (3) Non Government Organizations in the field of environment.

**ARTICLE V
FINAL PROVISIONS**

SECTION 22. CARBON CREDITS. - To access Carbon Credits, within Five (5) years from the approval and implementation of the provisions of this Ordinance, the city government is hereby authorized to negotiate, enter into, undertake, implement or establish, whether singly or under joint venture agreements, with reputable domestic or international organizations, greenhouse reduction projects.

Commercial, industrial and large-scale emitters or consumers shall be allotted carbon credits which they may undertake or offer for sale or acquisition, their unused allowances: Provided, however, that emitters who are about to exceed their quotas, may acquire or buy third-party surplus quotas, in a public document. Provided: further, in case demand for energy grows over time, the total emissions shall stay within the cap.

The emissions cap provided under this Section shall be jointly determined, provided for and implemented by the Environmental Protection and Waste Management Department and the City Planning and Development Office. The emission cap shall provide industries or stakeholders reasonable degree of flexibility and predictability in its planning to accommodate their energy requirements.

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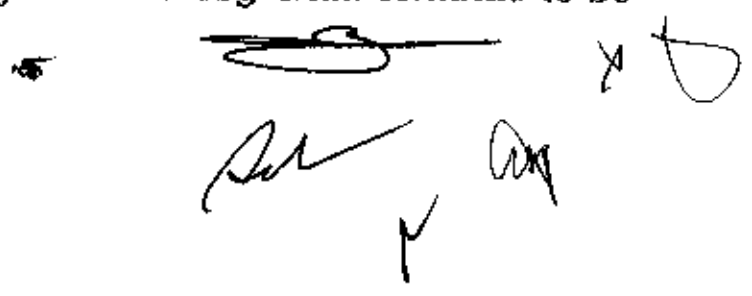
The city government is also authorized to participate and negotiate with countries or international organizations dealing in the International Emissions Trading (IET) of accumulated carbon credits to cover for surpluses or shortfalls in allowances, pursuant to the provisions of the Kyoto Protocol.

SECTION 23. APPLICABILITY OF EXISTING MINIMUM STANDARDS. - The minimum standards provided under Republic Act Nos. 8749 (Clean Air Act of 1999) and 9275 (Clean Water Act of 2004) and other legal issuances, administrative directives or orders, policies, implementing rules and regulations issued by the Environmental Management Bureau, Department of Environment and Natural Resources shall serve as the basis for the implementation of the policies and directives under this Ordinance especially on the treatment, handling, disposal and reduction of waste water and solid waste, whether of domestic, bulk or commercial volume.

SECTION 24. IMPLEMENTING RULES AND REGULATIONS. -The Heads of the Environmental Protection and Waste Management Department, Engineering, the City Planning and Development Officer, the City Treasurer and Assessor or their authorized deputies are given a non-extendible period of Sixty (60) calendar days within which to draft and issue the Rules and Regulations Implementing the provisions of this Ordinance.

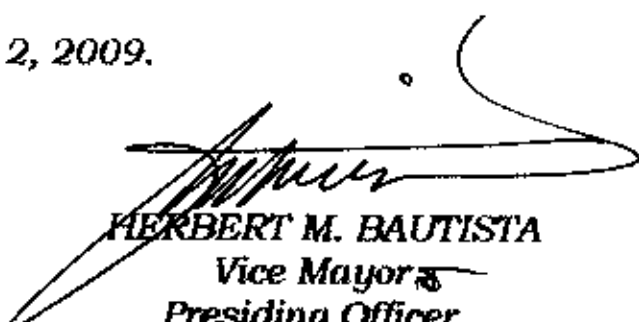
SECTION 25. AMENDATORY AND REPEALING CLAUSE. - All other Ordinances, Resolutions, Orders, Rules and Regulations inconsistent with the provisions of this Ordinance are hereby considered amended, rescinded or repealed accordingly.

SECTION 26. SEPARABILITY CLAUSE. - If, for any reason or reasons, any provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remaining parts thereof not affected thereby shall continue to be in full force and effect.

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SECTION 27. EFFECTIVITY CLAUSE. This Ordinance shall take effect Fifteen (15) days following its complete publication in a newspaper of general circulation.

ENACTED: February 2, 2009.


HERBERT M. BAUTISTA
Vice Mayor &
Presiding Officer

ATTESTED:


DOROTHY D. LAGRADA, DPA
City Secretary

APPROVED: April 2, 2009


FELICIANO R. BELMONTE, JR.
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on January 26, 2009, and was reverted back for Second Reading on February 2, 2009 and was finally PASSED on Third/Final Reading on the same date.


DOROTHY D. LAGRADA, DPA
City Secretary