

# [Fire safety code of the philippines essay sample](https://assignbuster.com/fire-safety-code-of-the-philippines-essay-sample/)

AN ACT ESTABLISHING A COMPREHENSIVE FIRE CODE OF THE PHILIPPINES, REPEALINGPRESIDENTIAL DECREE NO. 1185 AND FOR OTHER PURPOSES Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled: :

Section 2.   
It is the policy of the State to ensure public safety and promote economic developmentthrough the prevention and suppression of all kinds of destructive fires and promote theprofessionalization of the fire service as a profession. Towards this end, the State shall enforce alllaws, rules and regulations to ensure adherence to standard fire prevention and safety measures, andpromote accountability for fire safety in the fire protection service and prevention service. Section 3.

Definition of Terms.   
– As used in this Fire Code, the following words and phrases shallmean and be construed as indicated: Abatement   
– Any act that would remove or neutralize a fire hazard. Administrator   
– Any person who acts as agent of the owner and manages the useof a building for him. Blasting Agent   
– Any material or mixture consisting of a fuel and oxidizer used toset off explosives. Cellulose Nitrate or Nitro Cellulose   
– A highly combustible and explosive compound produced by thereaction of nitric acid with a cellulose material. Cellulose Nitrate Plastic   
(Pyroxylin) – Any plastic substance, materials or compound having cellulosenitrate (nitro cellulose) as base. Combustible, Flammableor Inflammable   
– Descriptive of materials that are easily set on fire. Combustible Fiber   
– Any readily ignitable and free burning fiber such as cotton, oakum, rags, waste cloth, waste paper, kapok, hay, straw, Spanish moss, excelsior and other similar materials commonlyused in commerce. Combustible Liquid

– Any liquid having a flash point at or above 37. 8\_C (100\_F). Corrosive Liquid   
– Any liquid which causes fire when in contact with organic matter or with certain chemicals. Curtain Board   
– A vertical panel of non-combustible or fire resistive materialsattached to and extending below the bottom chord of the roof trusses, to divide the underside of the roof into separatecompartments so that heat and smoke will be directed upwards toa roof vent. Cryogenic

– Descriptive of any material which by its nature or as a result of itsreaction with other elements produces a rapid drop in temperatureof the immediate surroundings.   
Damper   
– A normally open device installed inside an air duct system whichautomatically closes to restrict the passage of smoke or fire. Distillation   
– The process of first raising the temperature in separate the morevolatile from the less volatile parts and then cooling andcondensing the resulting vapor so as to produce a nearly purifiedsubstance. Duct System

– A continuous passageway for the transmission of air. Dust   
– A finely powdered substance which, when mixed with air in theproper proportion and ignited will cause an explosion. Electrical Arc   
– An extremely hot luminous bridge formed by passage of anelectric current across a space between two conductors or terminals due to the incandescence of the conducting vapor. Ember   
– A hot piece or lump that remains after a material has partiallyburned, and is still oxidizing without the manifestation of flames. Finishes   
– Materials used as final coating of a surface for ornamental or protective purposes. Fire   
– The active principle of burning, characterized by the heat and lightof combustion. Fire Trap   
– A building unsafe in case of fire because it will burn easily or because it lacks adequate exits or fire escapes. Fire Alarm   
– Any visual or audible signal produced by a device or system towarm the occupants of the building or fire fighting elements of thepresence or danger of fire to enable them to undertake immediateaction to save life and property and to suppress the fire. Fire Door

– A fire resistive door prescribed for openings in fire separationwalls or partitions. Fire Hazard   
– Any condition or act which increases or may cause an increase inthe probability of the occurrence of fire, or which may obstruct, delay, hinder or interfere with fire fighting operations and thesafeguarding of life and property. Fire Lane

– The portion of a roadway or publicway that should be kept openedand unobstructed at all times for the expedient operation of firefighting units. Fire Protective and Fire Safety Device   
– Any device intended for the protection of buildings or persons toinclude but not limited to built-in protection system such assprinklers and other automatic extinguishing system, detectors for heat, smoke and combustion products and other warning systemcomponents, personal protective equipment such as fire blankets, helmets, fire suits, gloves and other garments that may be put onor worn by persons to protect themselves during fire. Fire Safety Constructions

– Refers to design and installation of walls, barriers, doors, windows, vents, means of egress, etc. integral to andincorporated into a building or structure in order to minimizedanger to life from fire, smoke, fumes or panic before the buildingis evacuated. These features are also designed to achieve, among others, safe and rapid evacuation of people throughmeans of egress sealed from smoke or fire, the confinement of fire or smoke in the room or floor of origin and delay their spreadto other parts of the building by means of smoke sealed and fireresistant doors, walls and floors. It shall also mean to include thetreatment of buildings components or contents with flameretardant chemicals. Flash Point

– The minimum temperature at which any material gives off vapor insufficient concentration to form an ignitable mixture with air. Forcing   
– A process where a piece of metal is heated prior to changing itsshape or dimensions.

Sprinkler System   
– An integrated network of hydraulically designed piping installed ina building, structure or area with outlets arranged in a systematicpattern which automatically discharges water when activated byheat or combustion products from a fire. Standpipe System

– A system of vertical pipes in a building to which fire hoses can beattached on each floor, including a system by which water ismade available to the outlets as needed. Vestibule   
– A passage hall or antechamber between the outer doors and theinterior parts of a house or building. Vertical Shaft   
– An enclosed vertical space of passage that extends from floor tofloor, as well as from the base to the top of the building.

Section 4.   
Applicability of The Code.   
– The provisions of the Fire Code shall apply to all persons andall private and public buildings, facilities or structures erected or constructed before and after itseffectivity. Section 5.   
Responsibility for the Enforcement of this Code

– This Code shall be administered and enforced by the Bureau of Fire   
Protection (BFP), under the direct supervision and control of the Chief of the Bureau of Fire Protection, through the hierarchy of organization as provided for in Chapter VI of Republic Act No. 6975. with the approval of the Secretary of the Department of the Interior and LocalGovernment (DILG), the BFP, is hereby authorized to: a. Issue implementing rules and regulations, and prescribe standards, schedules of fees/fireservice charges and administrative penalties therefore as provided in the pertinent provisionsof this Code; b. Reorganize the BFP as may be necessary and appropriate; c. Support and assist fire volunteers, practitioners and fire volunteer organizations in the countrywho shall undergo mandatory fire suppression, inspection, rescue, emergency medicalservices and related emergency response trainings and competency evaluations to beconducted by the BFP. In the case of the Fire practitiones, they shall undergo mandatorycontinuous professional education and competency evaluation of their expertise, knowledgeand skills in the area of fire science, engineering and technology to be conducted by the BFP;

The BFP may enter into external party agreements for the conduct of training, education andevaluation of fire volunteers, practitioners and fire volunteer organizations, which shall beunder the full control and supervision of the BFP: Provided, however , That during firefightingoperations, fire volunteer organizations shall be under the direct operational control of the fireground commanders of the BFP; d. Enter into long term agreement, either through public biddings or negotiations in accordancewith the provisions of Republic Act No. 9184, otherwise known as the GovernmentProcurement Reform Act of 2003, for the acquisition of fire prevention, fire protection and firefighting investigation, rescue, paramedics, hazardous material handling equipment, supplies, materials and related technical services necessary for the fire services; e. Enter into Memoranda of Agreement with other departments, bureaus, agencies, offices andcorporations of the government, as well as private institutions, in order to define areas of cooperation and coordination and delineate responsibility on fire prevention education, firesafety, fire prevention, fire suppression and other matters of common concern;

f. Call on the police, other law enforcement agencies, and local government assistance to render necessary assistance in the enforcement of this Code; g. Designate a fire safety inspector through his/her duly authorized representative, who shallconduct an inspection of every building or structure within his area of responsibility at leastonce a year and every time the owner, administrator or occupant shall renew his/her businesspermit or permit to operate; No occupancy permit, business or permit to operate shall be issued without securing a FireSafety Inspection Certification (FSIC) from the Chief, BFP, or his/her duly authorizedrepresentative; h. Inspect at reasonable time, any building, structure, installation or premises for dangerous or hazardous conditions or materials as set forth in this Code, provided that in case of singlefamily dwelling, an inspection must be upon the consent of the occupant or upon lawful order from the proper court.

The Chief, BFP or his/her duly authorized representative shall order theowner/occupant to remove hazardous materials and/or stop hazardous operation/process inaccordance with the standards set by this Code or its implementing rules or regulations or other pertinent laws; i. Where conditions exist and are deemed hazardous to life and property, to order theowner/occupant of any building or structure to summarily abate such hazardous conditions; j. Require the building owner/occupant to submit plans and specifications, and other pertinentdocuments of said building to ensure compliance with applicable codes and standards; and k. Issue a written notice to the owner and/or contractor to stop work on portion of any work due toabsence, or in violation of approved plans and specifications, permit and/or clearance or certification as approved by the Chief, BFP or his/her duly authorized representative. Thenotice shall state the nature of the violation and no work shall be continued on that portion untilthe violation has been corrected. Section 6.

Technical Staff

– The Chief, BFP shall constitute a technical staff of highly qualifiedpersons who are knowledgeable on fire prevention, fire safety, and fire suppression. They may bedrawn not only from the organic members of the BFP and other government offices and agencies, butalso from other sources. In the latter case, they will either be appointed into the service or hired asconsultants in accordance with law. The technical staff shall study, review and evaluate latestdevelopments and standards on fire technology; prepare plans/programs on fire safety, prevention andsuppression and evaluate implementation thereof; develop programs on the professionalization of thefire service; coordinate with appropriate government and private institutions for the offering of collegecourses on fire technology and fire protection engineering; propose amendments to the Fire Code; advise the Chief, BFP on any matter brought to his attention; and perform such other functions asdirected on any matter brought to his attention and perform such other functions as directed by higher authorities. Section 7.

Inspections, Safety Measures, Fire Safety, Constructions, and Protective and/or Warning Systems .   
– As may be defined and provided in the Rules and Regulations, owners, administrators or occupants of buildings, structures and their premises or facilities and other responsible persons shall be required to comply with the following, as may be appropriate: a. Inspection Requirement – A fire safety inspection shall be conducted by the Chief, BFP or his duly authorized representative as prerequisite to the grants of permits and/or licensesby local governments and other government agencies concerned, for the: (1) Use or occupancy of buildings, structures, facilities or their premises including theinstallation or fire protection and fire safety equipment, and electrical system in anybuilding structure or facility; and (2) Storage, handling and/or use of explosives or of combustible, flammable, toxic andother hazardous materials; b. Safety Measures for Hazardous Materials – Fire safety measures shall be required for themanufacture, storage, handling and/or use of hazardous materials involving: (1) cellulose nitrate plastic of any kind;

(2) combustible fibers;   
(3) cellular materials such as foam, rubber, sponge rubber and plastic foam; (4) flammable and combustible liquids or gases of any classification; (5) flammable paints, varnishes, stains and organic coatings; (6) high-piled or widely spread combustible stock;

(7) metallic magnesium in any form;   
(8) corrosive liquids, oxidizing materials, organic peroxide, nitromethane, ammoniumnitrate, or any amount of highly toxic, pyrophoric, hypergolic, or cryogenic materialsor poisonous gases as well as material compounds which when exposed to heat or flame become a fire conductor, or generate excessive smoke or toxic gases; (9) blasting agents, explosives and special industrial explosive materials, blasting caps, black powder, liquid nitro-glycerine, dynamite, nitro cellulose, fulminates of any kind, and plastic explosives containing ammonium salt or chlorate; (10) fireworks materials of any kind or form;

(11) matches in commercial quantities;   
(12) hot ashes, live coals and embers;   
(13) mineral, vegetable or animal oils and other derivatives/by products; (14) combustible waste materials for recycling or resale; (15) explosive dusts and vapors; and   
(16) agriculture, forest, marine or mineral products which may undergo spontaneouscombustion. (17) any other substance with potential to cause harm to persons, property or theenvironment because of one or more of the following: a) The chemicalproperties of the substance;

b) The physical properties of the substance;   
c) Thebiological properties of the substance.   
Without limiting the definition of hazardous material, all dangerous goods, combustible liquids and chemicals arehazardous materials. c. Safety Measures for Hazardous Operation/Processes – Fire Safety measures shall berequired for the following hazardous operation/processes: (1) welding or soldering;

(2) industrial baking and drying;   
(3) waste disposal;   
(4) pressurized/forced-draft burning equipment;   
(5) smelting and forging;   
(6) motion picture projection using electrical arc lamps; (7) refining, distillation and solvent extraction; and (8) such other operations or processes as may hereafter be prescribed in the Rules and Regulations. d. Provision on Fire Safety Construction, Protective and Warning System – Owners, occupants or administrator or buildings, structures and their premises or facilities, exceptsuch other buildings or structures as may be exempted in the rules and regulations to bepromulgated under Section 5 hereof, shall incorporate and provide therein fire safetyconstruction, protective and warning system, and shall develop and implement fire safetyprograms, to wit: (1) Fire protection features such as sprinkler systems, hose boxes, hose reels or standpipe systems and other fire fighting equipment; (2) Fire Alarm systems;

(3) Fire walls to separate adjoining buildings, or warehouses and storage areasfrom other occupancies in the same building; (4) Provisions for confining the fire at its source such as fire resistive floors andwalls extending up to the next floor slab or roof, curtain boards and other firecontaining or stopping components; (5) Termination of all exits in an area affording safe passage to a public way or safedispersal area; (6) Stairway, vertical shafts, horizontal exits and other means of egress sealed fromsmoke and heat; (7) A fire exit plan for each floor of the building showing the routes from each other room to appropriate exits, displayed prominently on the door of such room; (8) Self-closing fire resistive doors leading to corridors; (9) Fire dampers in centralized airconditioning ducts; (10) Roof vents for use by fire fighters; and

(11) Properly marked and lighted exits with provision for emergency lights toadequately illuminate exit ways in case of power failure. Section 8. Prohibited Acts

– The following are declared as prohibited act and omission. (a) Obstructing or blocking the exit ways or across to buildings clearly marked for fire safetypurposes, such as but not limited to aisles in interior rooms, any part of stairways, hallways, corridors, vestibules, balconies or bridges leading to a stairway or exit of anykind, or tolerating or allowing said violations; (b) Constructing gates, entrances and walkways to buildings components and yards whichobstruct the orderly and easy passage of fire fighting vehicles and equipment; (c) Prevention, interference or obstruction of any operation of the Fire Service, or of dulyorganized and authorized fire brigades; (d) Obstructing designated fire lanes or access to fire hydrants;

(e) Overcrowding or admission of persons beyond the authorized capacity in movie houses, theaters, coliseums, auditoriums or other public assembly buildings, except in other assembly areas on the ground floor with open sides or open doors sufficient to providesafe exits; (f) Locking fire exits during period when people are inside the building; (g) Prevention or obstruction of the automatic closure of fire doors or smoke partitions or dampers; (h) Use of fire protective of fire fighting equipment of the fire service other than for fire fightingexcept in other emergencies where their use are justified; (i) Giving false or malicious fire alarms;

(j) Smoking in prohibited areas as may be determined by fire service, or throwing of cigars, cigarettes, burning objects in places which may start or cause fire; (k) Abandoning or leaving a building or structure by the occupant or owner without appropriatesafety measures; (l) Removing. destroying, tampering or obliterating any authorized mark, seal, sign or tagposted or required by the fire service for fire safety in any building, structure or processingequipment; and (m) Use of jumpers or tampering with electrical wiring or overloading the electrical systembeyond its designated capacity or such other practices that would tend to undermine thefire safety features of the electrical system. Section 9.

Violation, Penalties and Abatement of Fire Hazard

– Fire hazards shall be abatedimmediately. The Chief, BFP or his/her duly authorized representative, upon the report that a violationof this Code or other pertinent laws, rules and regulations is being committed, shall issue notice/order to comply to the owner, administrator, occupant or other person responsible for the condition of thebuilding or structure, indicating among other things, the period within which compliance shall beeffected, which shall be within ten (10) to fifteen (15) days after the receipt of the notice/order, depending on the reasonableness to adequately comply with the same.

If, after the lapse of the aforesaid period, the owner, administrator, occupant or other responsibleperson failed to comply, the Chief, BFP or his/her authorized representative shall put up a sign in frontof the building or structure that it is fire hazard. Specifically, the notice shall bear the words “ WARNING: THIS BUILDING/STRUCTURE IS A FIRE HAZARD”, which shall remain posted until such time that theowner, administrator, occupant or other person responsible for the condition of the building, structureand their premises or facilities abate the same, but such period shall not exceed fifteen (15) days fromthe lapse of the initial period given in the notice/order to comply.

Finally, with the failure of the owner, administrator, occupant or other person responsible for thecondition of the building, structure and their premises or facilities to comply within the period specifiedabove, the Chief, BFP may issue order for such abatement. If the owner, administrator or occupant of buildings, structure and their premises or facilities does not abate the same within the period fixed insaid order, the building, structure, premises or facilities shall be ordered closed by the Chief, BFP or his/her duly authorized representative notwithstanding any permit clearance or certificate earlier issuedby the local authorities.

Any building or structure assessed and declared by the chief, BFP or his/her duly authorizedrepresentative as a firetrap on account of the gravity or palpability of the violation or is causing clear and present imminent fire danger to adjoining establishments and habitations shall be declared a publicnuisance, as defined in the Civil Code of the Philippines in a notice to be issued to the owner, administrator, occupant or other person responsible for the condition of the building, structure and their premises or facilities. If the assessed value of the nuisance or the amount to be spent in abating thesame is not more than One hundred thousand pesos (P100, 000. 00), the owner, administrator or occupant thereof shall abate the hazard within fifteen (15) days, or if the assessed value is more thanOne hundred thousand pesos (P100, 000. 00), within thirty (30) days from receipt of the order declaringsaid building or structure a public nuisance;

Otherwise, the Chief, BFP or his/her duly authorizedrepresentative shall forthwith cause its summary abatement. failure to comply within five (5) days fromthe receipt of the notice shall cause the Chief, BFP or his/her duly authorized representative to put up asign in front of the building or structure, at or near the entrance of such premises, notifying the publicthat such building or structure is a “ FIRETRAP”, which shall remain until the owner, administrator, occupant or other person responsible for the condition of the building, structure and their premises or facilities abate the same within the specified period.

Summary abatement as used herein shall mean all corrective measures undertaken to abate hazardswhich shall include, but not limited to remodeling, repairing, strengthening, reconstructing, removal anddemolition, either partial or total, of the building or structure. The expenses incurred by the governmentfor such summary abatement shall be borne by the owner, administrator or occupant. These expensesshall constitute a prior lien upon such property. Section 10.

Enforcement of The Lien

– If the owner, administrator or occupant fails to reimburse thegovernment of the expenses incurred in the summary abatement within ninety (90) days from thecompletion of such abatement, the building or structure shall be sold at public auction in accordancewith existing laws and rules. No property subject of lien under Section 9 hereof, may be sold at a pricelower than the abatement expenses incurred by the government. The property shall be forfeited in favor of the government if the highest bid is not at least equal to the abatement expenses. Section 11.

Penalties

–1. Against the private individual:   
a) Administrative fine – Any person who violates any provision of the Fire Code or anyof the rules and regulations promulgated under this Act shall be penalized by anadministrative fine of not exceeding Fifty thousand (P50, 000. 00) pesos or in theproper case, by stoppage of operations or by closure of such buildings, structuresand their premises or facilities which do not comply with the requirements or byboth such administrative fine and closure/stoppage of operation to be imposed bythe Chief, BFP. Provided , That the payment of the fine, stoppage of operationsand/or closure of such buildings, structures, and their premises or facilities shallnot absolve the violator from correcting the deficiency or abating the fire hazard. The decision of the Chief, BFP, under this subsection, may be appealed to theSecretary of the Interior and Local Government. Unless ordered by the Secretaryof the Interior and Local Government the appeal shall not stay the execution of theorder of the Chief, BFP.

The decision of the Secretary of the Interior and LocalGovernment shall be final and executory. (b) Punitive – In case of willful failure to correct the deficiency or abate the fire hazardas provided in the preceding subsection, the violator shall, upon conviction, bepunished by imprisonment of not less than six (6) months nor more than six (6)years, or by a fine of not more than One hundred thousand (P100, 000. 00) pesosor both such fine and imprisonment; Provided, however , that in case of acorporation, firm, partnership or association, the fine and/or imprisonment shall beimposed upon its officials responsible for such violation, and in case the guiltyparty is an alien, in addition to the penalties herein prescribed, he shallimmediately be deported;

Provided , finally , that were the violation is attended byinjury, loss of life and/or damage to property, the violator shall be proceededagainst under the applicable provisions of the Revised Penal Code. Any person who, without authority, maliciously removes the sign that a building or structure is a fire hazard/firetrap placed by the authorized person in this Code shallbe liable for imprisonment for thirty (30) days or a fine not exceeding One hundredthousand pesos (P100, 000. 00) or both in the discretion of the court.

Any person, who disobeys the lawful order of the fire ground commander during afirefighting operation shall be penalized with imprisonment of one (1) day to thirty(30) days and a fine of five thousand pesos (P5, 000. 00). 2. Against the public officer/employeea) Administrative – The following acts or omissions shall render the publicofficer/employee in charge of the enforcement of this Code, its implementingrules and regulation and other pertinent laws, administratively liable, and shallbe punished by reprimand, suspension or removal in the discretion of thedisciplining authority, depending on the gravity of the offense and withoutprejudice to the provisions of other applicable laws: (1) Unjustified failure of the public officer/employee to conduct inspectionof buildings or structures at least once a year; (2) Deliberate failure to put up a sign in front of the building or structurewithin his/her area of responsibility found to be violating this Code, itsimplementing rules and regulations and other pertinent laws, that thesame is a “ FIRE HAZARD” or a “ FIRETRAP”; (3)

Endorsing to the Chief, BFP or his/her duly authorized representativefor the certification, or submitting a report that the building or structurecomplies with the standards set by this Code, its implementing rulesor regulations or other pertinent laws when the same is contrary tofact; (4) Issuance or renewal of occupancy or business permit without the firesafety inspection certificate issued by the Chief, BFP or his/her dulyauthorized representative; (5) Failure to cancel the occupancy or business permit after the owner, administrator, occupant or other person responsible for the conditionof the building, structure and other premises failed to comply with thenotice/order for compliance with the standards set by this Code, itsimplementing rules and regulations and other pertinent laws, withinthe specified period; (6) Failure to abate a public nuisance within fifteen (15) days after theowner, administrator, occupant or other responsible person failed toabate the same within the period contained in the notice to abate; (7)

Abusing his/her authority in the performance of his/her duty throughacts of corruption and other unethical practices; or (8) Other willful impropriety or gross negligence in the performance of his/her duty as provided in this act or its implementing rules andregulations. b) Punitive – In the case of willful violation involving the abovementioned acts or omissions enumerated under Section 11 subparagraph 2(A) the publicofficer/employees shall, upon conviction, be punished by imprisonment of notless than six (6) months nor more than six (6) years or by a fine of not morethan One hundred thousand (P100, 000. 00) or both such fine andimprisonment:

Provided, That where the violation is attended by injury, loss of life and/or property, the violator shall be proceeded against under theapplicable provisions of the Revised Penal Code. Section 12.

Appropriation and Sources of Income

-(a) To support the manpower, infrastructure and equipment needs of the fire service of theBFP, such amount as may be necessary to attain the objectives of the Fire Code shall beappropriated and included in the annual appropriation of the BFP. (b) To partially provide for the funding of the fire service the following taxes and fees whichshall accrue to the General Fund of the National Government, are hereby imposed: (1) Fees to be charged for the issuance of certificates, permits and licenses asprovided for in Section 7 (a) hereof;

(2) One-tenth of one per centum(0. 1%) of the verified estimated value of buildings or structures to be erected, from the owner thereof, but not to exceed fifty thousand(P50, 000. 00) pesos, one half to be paid prior to the issuance of the buildingpermit, and the balance, after final inspection and prior to the issuance of the useand occupancy permit;(3) One-hundredth of one per centum

(0. 10%) of the assessed value of buildings or structures annually payable upon payment of the real estate tax, except onstructures used as single family dwellings;(4) Two per centum (2%) of all premiums, excluding re-insurance premiums for thesale of fire, earthquake and explosion hazard insurance collected by companies, persons or agents licensed to sell such insurances in the Philippines;(5) Two per centum (2%) of gross sales of companies, persons or agents selling firefighting equipment, appliances or devices, including hazard detection and warningsystems; and(6) Two per centum (2%) of the service fees received from fire, earthquake, andexplosion hazard reinsurance surveys and post loss service of insuranceadjustment companies doing business in the Philippines directly through agents. Section 13.

Collection of Taxes, Fees and Fines

– All taxes, fees and fines provided in this Code, shall be collected by the BFP. Provided   
, That twenty percent (20%) of such collection shall be set asideand retained for use by the city or municipal government concerned, which shall appropriate the sameexclusive for the use of the operation and maintenance of its local fire station, including theconstruction and repair of fire station: Provided further, That the remaining eighty (80%) shall beremitted to the National Treasury under a trust fund assigned for the modernization of the BFP.

“ Sec. 13-A. Assessment of Fire Code Taxes, Fees and Fines.   
– The assessment of fire code taxes, fees and fines is vested upon the BFP. The BFP shall, subject to the approval of the DILG, prescribethe procedural rules for such purpose.

Sec. 13-B. Collection and Assessment of Local Taxes, Fees and Fines. – The collection andassessment of taxes, fees and fines as prescribed in the Local Government Code, except thosecontained in this Code, shall be function of the concerned local government units.

Sec. 13-C. Use of Income Generated from the Enforcement of the Fire Code. – The Chief, BFP isauthorized, subject to the approval of the Secretary of the Interior and Local Government, to use theincome generated under the Fire Code for procurement of fire protection and fire fighting investigation, rescue, paramedics, supplies and materials, and related technical services necessary for the fireservice and the improvement of facilites of the Bureau of Fire Protection and abatement of fire hazards.

The BFP shall determine the optimal number of equipment, including, but not limited to, fire trucks andfire hydrants, required by every local government unit for the proper delivery of fire protection servicesin its jurisdiction.

In the procurement of fire fighting and investigation supplies and materials, the Bureau of ProductStandards of the Department of Trade and Industry shall evaluate, determine and certify if the supply toprocured conforms to the product standards fixed by the BFP. For this purpose, the BFP shall submit tothe Bureau of Product Standards a detailed set of product standards that must be complied with in theprocurement of fire fighting and investigation supplies and materials within six (6) months from theeffectivity of this act.

Sec. 13-D. Monitoring the Implementation of the Fire Code and the Amount of the Fees Collected . -The Chief, BFP shall, within six (6) month from the effectivity of this Code, submit to the Secretary of the Interior and Local Government for his/her approval, a management tool or mechanism that wouldensure effective monitoring of the enforcement of the Fire Code to include the amount of Fire Codefees collected.

Section 14.   
Within sixty (60) days from the effectivity of this Act, the Secretary of the Interior and LocalGovernment shall issue the rules and regulations for its effective implementation.

Section 15.   
Presidential Decree No 1185 is hereby repealed. All laws, presidential decrees, letters of instructions, executive orders, rules and regulations insofar as they are inconsistent with this Act, arehereby repealed or amended as the case may be.

Section 16.   
In case any provision of this Act or any portion thereof is declared unconstitutional by acompetent court, other provisions shall not be affected thereby.