

Republic of the Philippines CITY COUNCIL City of Manila

REGULAR SESSION NO. 67

11[™] CITY COUNCIL

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ORDINANCE NO. 8654

AN ORDINANCE ADOPTING CERTAIN ZONING REGULATIONS RESPONSIVE TO THE "NEW NORMAL" AND PROVIDING FOR ITS ADMINISTRATION AND ENFORCEMENT THEREBY AMENDING THE CITY ORDINANCE NO. 8119, OTHERWISE KNOWN AS THE MANILA COMPREHENSIVE LAND USE PLAN AND ZONING ORDINANCE OF 2006

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PREAMBLE

WHEREAS, on March 16, the National Government imposed an enhanced community quarantine (ECQ) over the entire Luzon due to the pandemic brought about by the threat of the coronavirus disease (COVID-19);

WHEREAS, even as the National Government gradually modified the status of the community quarantine in the National Capital Region (NCR), from ECQ to MECQ to GCQ, and prepares to lift the GCQ, there is the realization that things will never be the same again, which constitutes the need to transcend into the "New Normal";

WHEREAS, to help the local economy to build back better and maximize the easeof-doing business in the city, leniency of certain zoning regulations and respective documentary requirements shall be herein-adopted. In any case, the leniencies shall not be detrimental to the health, safety and welfare of the people in the community and shall cause no adverse impact to the subject site/place and its adjacent neighborhood;

WHEREAS, in order to implement policies and programs adapting to a "new normal" state of economic activities, the City Government of Manila recognizes the need to adopt certain zoning regulations responsive to the "New Normal", thereby pumppriming the local economy while providing the proper regulatory environment within the framework of good governance and community participation: NOW, THEREFORE,

Be it ordained by the City Council of Manila, in session assembled, THAT:

SECTION 1. Title of the Ordinance. – An ordinance adopting certain zoning regulations responsive to the "new normal" and providing for its administration and enforcement thereby amending the City Ordinance No. 8119, otherwise known as "The Manila Comprehensive Land Use Plan and Zoning Ordinance of 2006".

SEC. 2. Purposes. – Manila's complexity as a highly urbanized city with the highest population density in the world, serving as center of culture, educations, services and trade, the proposed amendment to the allowable and restricted uses stipulated in the existing Zoning Ordinance is envisioned to be more resilient, effective and responsive to the current urban challenges posed by its unique nature and characteristics which sets it apart from other cities in the Metro.

ARTICLE II, AUTHORITY AND PURPOSE – Sec. 12 and Sec. 15 and ARTICLE VIII – Sec. 52, ARTICLE XI – Sec. 78 is hereby supplemented and shall henceforth be read as follows:

ARTICLE II AUTHORITY AND PURPOSE

SEC. 12. Use Regulations in High Density Residential/Mixed Use Zone (R3-MXD). An R-3/MXD shall be primarily for high-density high-rise housing/dwelling purposes and limited complementary/supplementary trade, services and business activities. Enumerated below are the allowable uses:

- Detached family dwelling;
- 2. Semi-detached family dwelling e.g. duplex, row houses;
- Multi-family dwelling;
- Commercial housing:
 E.g. hotel, apartment, apartelle, boarding house, dormitory, pension house, club house, motel, residential inn;
- Branch library, art gallery and exhibit area;

- 6 Pre-school and tutorial centers, provided that they do not exceed four (4) classrooms.
- 7 Home-based businesses, including, but not limited to dressmaking, tailoring, baking, gourmet food-making, sari-sari store, provided that
 - The number of persons engaged in such business/industry shall not exceed three (3), inclusive of the owner,
 - b The area shall not occupy more than 20% of the total floor area of the dwelling unit and there shall be no change in the outside appearance of the building or premises;
 - No home-based shall be conducted in any customary accessory uses cited-above;
 - d No traffic shall be generated by such home-based in greater volume than would be normally expected in a residential neighborhood and any need for parking generated by the conduct of such home occupation shall be met off the street, sidewalk and in a place other than in a declared parking space of the business owner;
 - No equipment or process shall be used in such home-based which creates noise, vibration, glare, fumes, odor, or electrical interference detectable to the normal senses and visual or audible interference in any radio television receivers or causes fluctuation in the line voltage of the premises;
- 8. Home industry classified as cottage industry or small-scale industry which does not require heavy equipment as defined by DTI provided that:
 - a. Such home industry shall not occupy more than thirty percent (30%) of the floor area of the dwelling unit in order to maintain its residential use or fifty Square Meters (50 Sq. M.), whichever is lesser. There shall be no change or alteration in the outside appearance of the dwelling unit and shall not be a nuisance/hazard;
 - Allotted capitalization shall not exceed the capitalization as set by the Department of Trade and Industry (DTI);
 - Shall consider same provisions as enumerated in letter c, d & e of Home occupation of this section;
- Multi-purpose Hall & Barangay Hall with parking provision within the building;
- 10. Nursing/convalescent home;
- Philanthropic or charitable institution;
- Plant nursery, retail of plants, grass, garden accessories, etc. (neighborhood-scale operation);
- 13. Sale of aquarium fish, pet animals, foods and accessories;
- 14. Fire and security station;
- 15. Office (consultancy, legal, accountancy, brokerage, custom brokerage, funeral, sales, etc.) provided that there is no actual display, sale, transfer or lending of the office commodities in the premise;
- 16. Transport and ticketing office, travel agency (with minimum business area of thirty Square Meters (30 Sq. M.);
- 17. General retail store (not shopping center)
 E.g. bookstore, school and office supply, photo shop, flower shop, drug store, souvenir shop, RTWs, cellphone shop & accessories;
- 18. Retail of bicycle and accessories;
- 19. Party needs (balloons, favors, decorations, toys, etc.);





20 Food markets and shops

E.g. bakery, bake shop, wine store, water refilling station, mini-grocery, convenient store, frozen meat;

21. Personal services shops

E.g. beauty parlor, barber shop, spa (provided it shall not exceed two rooms), dressmaking, tailoring shops (provided that machines are limited to four {4} units), laundry and steam/dry cleaning outlets (except industrial in nature), embroidery with two (2) unit machines;

- 22. Parks, garden, playgrounds, sports-related/recreational center/establishments
 - E.g. play court, swimming pool, community gymnasium, entertainment and amusement centers;
- 23. Food stalls and eateries;
- 24. Restaurant, canteen or food-serving establishment;
- 25. Short-term special education/training (e.g. personality development, dancing schools, schools for self-defense, driving schools, speech clinics, computer/internet centers);
- Storeroom (but use only as an ancillary for the efficient conduct of the business)
- 27. Filling station/service station provided that the location should be at least two hundred Meters (200 M.) away from institutions such as school, church, hospital, etc. and with approved Special Use Permit;
- Petroleum dealer/fuel hauler office (provided that there is a legitimate parking space in a C3-MXD Zone);
- 29. Manpower agency (with minimum area of one hundred Square Meters (100 Sq. M.) as per DOLE);
- 30. Messengerial service, janitorial service;
- 31. Installation services (telecommunication, CCTV, electrical, n.e.c.);
- 32. Security and talent agency;
- 33.Bank, finance, insurance, remittance center, pawnshop, bayad center, money exchange service and other financial institutions;
- 34. Radio and television station, media service without antennae;
- 35. Printing Activity: Photocopy, typing and desktop printing only;
- 36. Gaming and internet café provided that the location is at least two hundred Meters (200 M.) away from the institutions such as school, church, hospital;
- 37. Repair of optical instruments and equipment and cameras;
- 38. Repair of clocks and watches;
- 39. Manufacture of insignia, badges and similar emblems except metal;
- 40. Carwash, auto-detailing and vulcanizing shop with a minimum business space consideration of thirty Square Meters (30 Sq. M.) and frontage width not less than five Square Meters (5 Sq. M.) (extension of business activity on sidewalk and city road is ground for the revocation of zoning permit);
- 41. Single parking slot for taxi, PUJ, small van, mini-school bus for single unit provided that there is a legitimate parking space and not obstructing on city roads and sidewalk;
- Scientific, cultural and academic centers and research facilities except nuclear, radio-active, chemical and biological warfare facilities;
- 43. Rooftop monopole type antenna cell sites and wall mounted, subject to submission of Height Clearance Permit from Civil Aviation Authority of the Philippines, Radiofrequency Radiation Evaluation Clearance from the Department of Health (DOH) and license to operate from the National Telecommunications Commission (NTC) and Special Use Permit (SUP);
- 44. Property Management assessment will be based on the size of the business area;
- 45. Place of religious worship;



46. Accessory uses such as:

- a health center/clinic/day care center;
- b. club house/gym/sports/recreation facility;
- c. utility installation for use of zone/lot occupants;
- d. guardhouse;
- e. office/school support service; and
- g. servants quarters.

Service Area: Barangay to Zone-wide

The following is the Land Use Intensity Control ratings that shall be observed in the R-3/MXD Zone:

LAND USE	Maximum PLO	Maximum FAR
Residential/Mixed Use High Density Residential/Mixed Use (R3MXD)	0.6	4

PLO - Percentage of Land Occupancy

FAR - Floor Area Ratio

(*Provided*, that no application for Zoning prior to building construction below a minimum lot size of thirty-six Square Meters (36 Sq. M.), and a minimum floor area for single family dwelling of twenty Square Meters (20 Sq. M.) will be accepted and processed.

SEC. 13. <u>Use Regulations in Medium Intensity Commercial/Mixed Use Zone (C-2/MXD)</u>. A C-2/MXD Zone shall be used primarily for medium intensity mixed use and commercial developments for quasitrade, business activities and service industries. Enumerated below are the allowable uses:

- All allowable uses in R-3/MXD Zone provided that in case of a residential building it shall have commercial footprints;
- Transportation terminals/garage for bus and trucks not more than three, two trucks not greater than three (3) units (extension of business activity on sidewalk and city road is ground for the revocation of business permit);
- Freight forwarding, trucking, logistics services, hauling not greater than three (3) units (provided that there is a legitimate parking space and not obstructing on city roads and sidewalk);
- Appliance and furniture store, upholstering jobs;
- Computer store, parts and service center;
- 6. Rental of tents, tables and chairs, mobile sound systems;
- Retail of motorcycle, parts and showroom;
- 8. Retail of battery, tires, car parts, car dealer and service center;
- Repair shops e.g. house appliance, bicycles, motorcycles, cars, home furnishing;
- Retail of LPG with a maximum of twenty (20) units of LPG tanks at any given time;
- Radiator shops, welding shops, fabrication of steel windows/gate grills, electroplating shops (not more than fifty Square Meters (50 Sq. M.);
- Machinery display shop/center (except fabrication);
- Machine shop service operation (repairing/rebuilding, or custom job orders not greater than fifty Square Meters (50 Sq. M.);



- 14. Carwash, auto-detailing car air-con repair, emission testing center should have a minimum business space consideration of fifty Square Meters (50 Sq. M.) and frontage width not less than ten Square Meters (10 Sq. M.)(extension of business activity on sidewalk and city road is ground for the revocation of business permit);
- 15. Medium scale junkshop, scrap dealer and seller of used bottles with maximum business area of twenty Square Meters (20 Sq. M.) (extension of business activity on sidewalk and city road is ground for the revocation of business permit);
- 16. Parking lots and garage facilities not more than ten (10) units;
- 17. Firing range (should be bulletproofed and soundproofed);
- Billiard at least two hundred Meters (200 M.) away from the institutions such as school, churches, hospital, etc.;
- Lotto outlets, e-games, bingo bonanza, off-track betting stations, e-casino with approved franchise from the City Council;
- Business Process Outsourcing (BPO)/Information Communication Technology (ICT) activities such as call center, legal and medical transcription, etc.;
- 21. Printing Activities provided not exceeding fifty Square Meters (50 Sq. M.): Tarpaulin, t-shirt printing (both screen& heat press), heat transfer printing Signboard and streamer painting and silk screening Wedding invitation and laser printing jobs Photo engraving services, blueprinting;
- 22. Publishing without printing;
- 23. Construction and building supplies such as gravel and sand, lumber/hardware, plumbing and electrical supply, tiles, ceramic clay, paint stores, landscape supply/contractors without bulk handling(extension of business activity on sidewalk and city road is ground for the revocation of business permit);
- Other stores/shops conducting wholesaling activity (with store room not bigger than fifty Square Meters (50 Sq. M.);
- 25. Manufacture of ice, ice blocks, cubes, tubes, crush except dry ice;
- Manufacture of signs and advertising displays (except printed);
- Blacksmith on neighborhood scale;
- 28. Catering services;
- Chicharon factory;
- Lechon or whole pig roasting within an enclosed structure;
- Repacking of food products e.g. fruits, vegetables, sugar and spices, other related products;
- 32. Wholesale of soft drink, beer and other beverages provided that there is a legitimate parking space(extension of business activity on sidewalk and city road is ground for the revocation of zoning permit);
- 33. Funeral establishments and funeral services with or without embalming facilities provided that the radial distance is least two hundred Meters (200 M.) away from the institutions such as school, churches, hospital, etc. with approved Special Use Permit;
- 34. Cultural/educational center;
- 35. General/Specialized hospital, medical center,
- 38. Supermarket, shopping center/department store; and
- 39. Day & night club, disco/dance hall, videoke/karaokebar, concert hall, live bands, comedy bar, live shows and theaters must be soundproofed and should be two hundred Meters (200 M.) away from any institutions such as school, churches, hospital, etc.

Service Area: District to City wide

The following is the Land Use Intensity Control ratings that shall be observed in the C- 2/MXD Zone:

LAND USE	Maximum PLO	Maximum FAR
Commercial/Mixed Use Medium Intensity Commercial/Mixed Use C2/MXD	0.8	6

PLO - Percentage of Land Occupancy

FAR - Floor Area Ratio

SEC. 14. <u>Use Regulations in High Intensity Commercial/Mixed Use Zone (C-3/MXD).</u> A C-3/MXD Zone shall be used primarily for high intensity mixed use and commercial developments for trade, business activities and service industries. The service area covers a metropolitan to national scale of operations. Enumerated below are the allowable uses:

- All uses in C-2/MXD Zone provided that in case of a residential building it shall have commercial footprints;
- 2. Parking lots and garage facilities more than ten (10) units;
- 3. Manufacture of wood furniture including upholstered;
- 4. Manufacture of rattan furniture including upholstered;
- Manufacture of box beds and mattresses;
- Large-scale commercial warehousing activity (strictly located at District I); and
- 7. Other commercial activities and those elsewhere classified.

Service Area: Metropolis to Nationwide

The following is the Land Use Intensity Control ratings that shall be observed in the C- 3/MXD Zone:

LAND USE	Maximum PLO	Maximum FAR
Commercial/Mixed Use	0.8	7
High Intensity Commercial/Mixed Use C3/MXD		1

PLO - Percentage of Land Occupancy

FAR – Floor Area Ratio

SEC. 15. <u>Use Regulations in Light Industrial Zone (I-1).</u> An I-1 zone shall be used for non-pollutive/non-hazardous and non-pollutive/hazardous manufacturing/ processing establishments. Enumerated below are the allowable uses:

- a. Non-Pollutive/Non-Hazardous Industries
- LPG Refilling stations provided it had secured Environmental Compliance Certificate (ECC) from EMB-DENR and Pollution Control Clearance;
- Commissary;
- Drying fish;
- Biscuit Factory manufacture of biscuits, cookies, crackers and other similar dried bakery products;



- 5. Doughnut and hopia factory;
- Large-scale manufacturing of bakery products and those not elsewhere classified (n.e.c.);
- 7. Manufacture of macaroni, spaghetti and vermicelli and other noodles;
- 8. Life vests factory;
- Manufacture of luggage, handbags, wallets and small leather goods;
- Manufacture of miscellaneous products of leather, leather substitute and those n.e.c.;
- 11. Manufacture of shoes except rubber, plastic and wood;
- 12. Manufacture of slipper and sandal except rubber and plastic;
- 13. Printing, publishing and allied industries exceeding fifty Square Meters (50 Sq. M.): Large quantities printing such as offset, gravure, letterpress, lithographic, minerva printing (for books, receipts, posters, etc.) and other large quantities printing activity;
- Manufacture or assembly of typewriters, cash registers, weighing, duplicating and accounting machines;
- Manufacture or assembly of electronic data processing machinery and accessories;
- 16. Renovation and repair of office machinery;
- Manufacture or assembly of miscellaneous office machines and those n.e.c.;
- 18. Manufacture of rowboats, bancas, sailboats;
- 19. Manufacture of animal drawn vehicles;
- 20. Manufacture of children vehicles and baby carriages;
- Manufacture of laboratory and scientific instruments, barometers, chemical balance, etc.;
- Manufacture of measuring and controlling equipment, plumb bomb, rain gauge, taxi meter, thermometer, etc.;
- Manufacture or assembly of surgical, medical, dental equipment and medical furniture;
- 24. Quick freezing and cold packaging for fish and other seafood;
- 25. Quick freezing and cold packaging for fruits and vegetables;
- 26. Popcorn/rice factory;
- Manufacture of medical/surgical supplies: adhesive tapes, antiseptic dressing, sanitary napkins, surgical gauge, etc.;
- 28. Manufacture of orthopedic and prosthetic appliances (abdominal supporter, ankle supports, arch support, artificial limb, kneecap supporters, etc.);
- Manufacture of photographic equipment and accessories;
- Manufacture or assembly of optical instruments;
- 31. Manufacture of eyeglasses and spectacles;
- 32. Manufacture of optical lenses;
- 33. Manufacture of watches and clocks;
- 34. Manufacture of pianos;
- 35. Manufacture of string instruments;
- 36. Manufacture of wind and percussion instruments;
- Manufacture or assembly of electronic organs;
- Manufacture of sporting gloves and mitts;
- Manufacture of sporting balls (not of rubber or plastic);
- Manufacture of gym and playground equipment;
- 41 Manufacture of sporting tables (billiards, ping-pong, pool);
- 42. Manufacture of other sporting and athletic goods, and those n.e.c.,
- Manufacture of toys and dolls except rubber and mold plastics;
- 44. Manufacture of pens, pencils and other office and artist materials;
- 45 Manufacture of umbrellas and canes;
- 46. Manufacture of buttons except plastic;
- 47 Manufacture of brooms, brushes and fans;
- 48 Manufacture of needles, pens, fasteners and zippers;





- 49. Manufacture of insignia, badges and similar emblems (except metal);
- 50. Manufacture of signs and advertising displays;
- 51. Small-scale manufacture of ice cream;
- 52. Manufacture of jewelry; and
- 53. Manufacture of concrete hollow blocks and other concrete products.

b. Non-Pollutive/Hazardous Industries

- Manufacture of house furnishing;
- 2. Textile bag factories;
- 3. Canvas bags and other canvas products factory;
- Jute bag factory;
- Manufacture of miscellaneous textile goods, embroideries and weaving apparel;
- 6. Manufacture of fiber batting, padding and upholstery filling except coir;
- Men's and boy's garment factory;
- 8. Women's and girl's and ladies' garments factory;
- Manufacture of hats, gloves, handkerchief, neckwear and related clothing accessories;
- Manufacture of raincoats and waterproof outer garments except jackets;
- Manufacture of miscellaneous wearing apparel except footwear and those n.e.c.;
- 12. Manufacture of miscellaneous fabricated mill work and those n.e.c.;
- 13. Manufacture of wooden and can containers;
- 14. Sawali, nipa and split cane factory;
- 15. Manufacture of bamboo, rattan and other cane baskets and wares;
- 16. Manufacture of cork products;
- 17. Manufacture of wooden shoes, shoe lace and other similar products;
- 18. Manufacture of miscellaneous wood products and those n.e.c.;
- Manufacture of miscellaneous furniture and fixture except primarily of metals and those n.e.c.;
- Manufacture of paper stationery, envelopes and related articles; and
- Repacking of industrial products e.g. paints, varnishes and other related products.
- Large-scale/industrial warehousing activity shall be confined within the light intensity industrial zone
- d. Private-initiated Residential Projects for industrial components
- e Accessory Uses:
- 1 Clinic/health center/gym;
- Canteen/food serving establishment,
- Retail store (outlet store-type);
- Utility installation for zone/lot occupants;
- 5. Transportation terminal/garage e.g parking structure, waiting shed; and
- Guardhouse





ARTICLE X. MITIGATING DEVICES

SEC. 61. Procedures for Granting Variances and Exceptions. —
The procedure for the granting of exception and/or variance is as follows:

(2) Upon filing of application, a visible project sign, (indicating the name and nature of the proposed project, and having an architect's/artist's perspective view of the same) shall be posted on the project site.

(4) A written Affidavit of No Objection to the project/sand/or business establishment/s by the owner/s of the adjacent properties may be required from the applicant for submission to the Manila Zoning Board. Any issues, concerns or objections to the project/business establishment may be considered by the Manila Zoning Board if based on reasonable, valid and just grounds.

ARTICLE XI ADMINISTRATION & ENFORCEMENT

SEC. 63. Zoning Permit (Locational Clearance). – All Special Use Permit applications with conforming uses, regardless of new or renewal status, shall be endorsed by the City Planning and Development Officer to the Sangguniang Panlungsod through its Committee on Housing, Urban Development and Resettlement.

Special Use Permit as provided for under amended Section 52 hereof shall only be issued by the City Planning and Development Officer only upon the issuance of the City Council Resolution approving the subject application as forwarded by the Sangguniang Panlungsod.

In cases of non-conforming uses with Zoning Appeal application for variances and/or exceptions, Zoning Permit and/or Special Use Permit shall only be issued by the City Planning and Development Officer only upon the issuance of the City Council Resolution approving the subject application, which shall be issued by the Sangguniang Panlungsod only upon the recommendation of the Manila Zoning Board via a Board Resolution coursed through the Committee on Housing, Urban Development and Resettlement of the City Council.

SEC. 69. A. <u>Business Permit/ Building Permit</u>. – No business and building permit shall be issued by the Bureau of Permits and Local Building Officer, respectively without a valid zoning permit (locational clearance) in accordance with this Ordinance.

Should there be change or addition on the activity, change in business address, or expansion of the area subject to the Locational Clearance, the owner/developer shall apply for a new Locational Clearance.

B. Occupancy Permit - No Occupancy Permit shall be issued by the Local Building Official without Certification from the City Planning and Development Office (CPDO) that the building has complied with the conditions stated in the Locational Clearance.

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SEC.78. Manila Zoning Board. - The Local Zoning Board as created is hereby renamed Manila Board for Zoning Appeals (MBZA) or for brevity shall be referred herein as the Manila Zoning Board which shall have functions, responsibilities and composition as provided for by the City Ordinance No.8119 and other relevant Ordinances amending its certain provisions.

- SEC. 3. Implementing Rules and Regulations. The City Planning and Development Office of Manila, in consultation with the relevant stakeholders shall formulate the Implementing Rules and Regulations (IRR) of this Ordinance subject to approval of the City Council.
- SEC. 4. Separability Clause. If for any reason/s any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provision hereof, which are not affected thereby, shall continue to be in full force and effect.
 - SEC. 5. Effectivity Clause. This Ordinance shall take effect upon its approval.

Ordinance was finally enacted by the City Council of Manila on July 6, 2020.

PRESIDED BY:

ERNESTO C. ISIP/JR. President Pro-Tempore and Acting Presiding Officer

City Council, Manila

ATTESTED:

JOSHUE R. SANTAGO, MPMG

City Government Assistant Department Head III Assistant Secretary to the City Council

APPROVED BY HIS HONOR, THE MAYOR, ON

JUL 1 5 2020

FRANCISCO "/Isko Mereno" DOMAGOSO

ATTESTED:

BERNARDITO

City Government Demartment Head III

(Secretary to the Mayor)

RNF jhb/acl/rmd/kjm/jmt/jrp