

MALACAÑANG
M a n i l a

PRESIDENTIAL DECREE No. 1185

FIRE CODE OF THE PHILIPPINES

WHEREAS, death and injury to persons and loss and damage to property by fire have reached alarming proportion that the economic and social gains of the society are being continually undermined;

WHEREAS, in order to effect a meaningful reduction of the alarming fire losses, there is a need to develop national consciousness and involvement of all persons in the prevention and suppression of fires;

WHEREAS, fire prevention and suppression require the adoption of uniform fire safety standards, the incorporation of fire safety construction and provision of protective and safety devices in buildings and structures;

WHEREAS, there is an urgent need for an agency primarily responsible for the implementation and coordination of the activities of all sectors of society on fire safety, prevention and suppression;

WHEREAS, in order to effectively implement all efforts to minimize the occurrence of fires and their destructive effects, full financial, equipment and personnel support by the government and the private sector is necessary;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree as part of the law of the land the following:

Section 1. Title. This Decree and the Rules and Regulations for its implementation shall be known as the "Fire Code of the Philippines" and shall hereinafter be referred to as the "Fire Code".

Section 2. Declaration Of Policies. The following are declared policies of the State:

(a) The government, with the cooperation of the private sector, shall develop and promulgate sets of standards and regulations taking into consideration the latest development in fire technology suitable to Philippine conditions;

(b) Fire prevention and fire safety shall be given equal, if not greater emphasis as the suppression or extinguishment of fires. Fire prevention education shall be undertaken continuously involving all sectors of the community;

(c) The Fire Service of the Integrated National Police shall endeavor to respond to all fires before they reach critical and conflagration stages. Towards this end, the organization, administration and operation of the Fire Service shall be improved and developed, its personnel and equipment augmented and effective fire alarm systems set up; and

(d) The Fire Service shall be professionalized. For this purpose, educational institutions shall endeavor to include in their curricula, courses on fire technology and fire protection engineering.

Section 3. Definition Of Terms. As used in this Fire Code, the following words and phrases shall mean 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 use of a building for him.

BLASTING AGENT Any material or mixture consisting of a fuel and oxidizer used to set off explosives.

CELLULOSE NITRATE OR NITRO CELLULOSE A highly combustible and explosive compound produced by the reaction of nitric acid with a cellulose material.

CELLULOSE NITRATE PLASTIC (PYROXYLIN) Any plastic substance, materials or compound having cellulose nitrate (nitro cellulose) as base.

COMBUSTIBLE, FLAMMABLE OR 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 commonly used 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 materials attached to and extending below the bottom chord of the roof trusses, to divide the underside of the roof into separate compartments so that heat and smoke will be directed upwards to a roof vent.

CRYOGENIC Descriptive of any material which by its nature or as a result of its reaction with other elements produces a rapid drop in temperature of the immediate surroundings.

DAMPER A normally open device installed inside an air duct system which automatically closes to restrict the passage of smoke or fire.

DISTILLATION The process of first raising the temperature in separate the more volatile from the less volatile parts and then cooling and condensing the resulting vapor so as to produce a nearly purified substance.

DUCT SYSTEM A continuous passageway for the transmission of air.

DUST A finely powdered substance which, when mixed with air in the proper proportion and ignited will cause an explosion.

ELECTRICAL ARC An extremely hot luminous bridge formed by passage of an electric 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 partially burned, 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 light of 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 to warn the occupants of the building or fire fighting elements of the presence or danger of fire to enable them to undertake immediate action to save life and property and to suppress the fire.

FIRE DOOR A fire resistive door prescribed for openings in fire separation walls or partitions.

FIRE HAZARD Any condition or act which increases or may cause an increase in the probability of the occurrence of fire, or which may obstruct, delay, hinder or interfere with fire fighting operations and the safeguarding of life and property.

FIRE LANE The portion of a roadway or publicway that should be kept opened and unobstructed at all times for the expedient operation of fire fighting units.

FIRE PROTECTIVE AND FIRE SAFETY DEVICE Any device intended for the protection of buildings or persons to include but not limited to built-in protection system such as sprinklers and other automatic extinguishing system, detectors for heat, smoke and combustion products and other warning system components, personal protective equipment such as fire blankets, helmets, fire suits, gloves and other garments that may be put on or 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 and incorporated into a building or structure in order to minimize danger to life from fire, smoke, fumes or panic before the building is evacuated. These features are also designed to achieve, among others, safe and rapid evacuation of people through means of egress sealed from smoke or fire, the confinement of fire or smoke in the room or floor of origin and delay their spread to other parts of the building by means of smoke sealed and fire resistant doors, walls and floors. It shall also mean to include the treatment of buildings components or contents with flame retardant chemicals.

FLASH POINT The minimum temperature at which any material gives off vapor in sufficient concentration to form an ignitable mixture with air.

FORCING A process where a piece of metal is heated prior to changing its shape or dimensions.

FULMINATE A kind of stable explosive compound which explodes by percussion.

HAZARDOUS OPERATION/PROCESS Any act of manufacturing, fabrication, conversion, etc., that uses or produces materials which are likely to cause fires or explosions.

HORIZONTAL EXIT Passageway from one building to another or through or around a wall in approximately the same floor level.

HOSE BOX A box or cabinet where fire hoses, valves and other equipment are stored and arranged for fire fighting.

HOSE REEL A cylindrical device turning on an axis around which a fire hose is wound and connected.

HYPERGOLIC FUEL A rocket or liquid propellant which consist of combinations of fuels and oxidizers which ignite spontaneously on contact with each other.

INDUSTRIAL BAKING AND DRYING The industrial process of subjecting materials to heat for the purpose of removing solvents or moisture from the same, and/or to fuse certain chemical salts to form a uniform glazing the surface of materials being treated.

JUMPER A piece of metal or an electrical conductor used to bypass a safety device in an electrical system.

OCCUPANCY The purpose for which a building or portion thereof is used or intended to be used.

OCCUPANT Any person actually occupying and using a building or portions thereof by virtue of a lease contract with the owner or administrator or by permission or sufferance of the latter.

ORGANIC PEROXIDE A strong oxidizing organic compound which releases oxygen readily. It causes fire when in contact with combustible materials especially under conditions of high temperature.

OVERLOADING The use of one or more electrical appliances or devices which draw or consume electrical current beyond the designed capacity of the existing electrical system.

OWNER The person who holds the legal right of possession or title to a building or real property.

OXIDIZING MATERIAL A material that readily yields oxygen in quantities sufficient to stimulate or support combustion.

PRESSURIZED OR FORCED DRAFT BURNING EQUIPMENT Type or burner where the fuel is subjected to pressure prior to discharge into the combustion chamber and/or which includes fans or other provisions for the introduction of air at above normal atmosphere pressure into the same combustion chamber.

PUBLIC ASSEMBLY BUILDING Any building or structure where fifty (50) or more people congregate, gather, or assemble for any purpose.

PUBLIC WAY Any street, alley or other strip of land unobstructed from the ground to the sky, deeded, dedicated or otherwise permanently appropriated for public use.

PYROPHORIC Descriptive of any substance that ignites spontaneously when exposed to air.

REFINING A process where impurities and/or deleterious materials are removed from a mixture in order to produce a pure element of compound. It shall also refer to partial distillation and electrolysis.

SELF-CLOSING DOORS Automatic closing doors that are designed to confine smoke and heat and delay the spread of fire.

SMELTING Melting or fusing of metallic ores or compounds so as to separate impurities from pure metals.

SPRINKLER SYSTEM An integrated network of hydraulically designed piping installed in a building, structure or area with outlets arranged in a systematic pattern which automatically discharges water when activated by heat or combustion products from a fire.

STANDPIPE SYSTEM A system of vertical pipes in a building to which fire hoses can be attached on each floor, including a system by which water is made available to the outlets as needed.

VESTIBULE A passage hall or antechamber between the outer doors and the interior parts of a house or building.

VERTICAL SHAFT An enclosed vertical space of passage that extends from floor to floor, 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 and all private and public buildings, facilities or structures erected or constructed before and after its effectivity.

Section 5. *Grace Period.* The owner, administrator or occupant of buildings or structures existing at the time of the effectivity of the Fire Code is given two (2) years to comply with the provisions thereof on fire safety constructions and on protective and warning systems. However, the Director General of the Integrated National Police may prescribe a shorter period depending upon the degree of hazard to be recorded and the cost and extent of the work to be done.

Section 6. *Responsibility for the Enforcement of this Code.* The Fire Service, under the direct supervision and control of the Director General of the Integrated National Police, hereinafter referred to as the "Director General" shall be responsible for the enforcement of this Code, as well as pertinent provisions of other laws pertaining to fire protection or fire safety. With the approval of the Secretary of National Defense, the Director General is hereby authorized to:

- (a) Issue implementing rules and regulations, and prescribe administrative penalties therefore;
- (b) Reorganize the Fire Service of the Integrated National Police as may be necessary and appropriate;
- (c) Enter into long term agreement, either through public biddings or negotiations to include advance payments therefor, for the acquisition of fire prevention, fire protection and fire fighting equipment, supplies and materials and related technical services necessary for the Fire Service; and

(d) Enter into Memoranda of Agreement with other departments, bureaus, agencies, offices and corporations of the government, as well as private institutions, in order to define areas of corporation and coordination and delineate responsibility on fire prevention education, fire safety, fire prevention, fire suppression and other matters of common concern.

Section 7. *Technical Staff.* The Director General shall constitute a technical staff of highly qualified persons who are knowledgeable on fire prevention, fire safety, and fire suppression. They may be drawn not only from the organic members of the Integrated National Police and other government offices and agencies, but also from other sources. In the latter case, they will either be appointed into the service or hired as consultants in accordance with law. The technical staff shall study, review and evaluate latest developments and standards on fire technology; prepare plans/programs on fire safety, prevention and suppression and evaluate implementation thereof; develop programs on the professionalization of the fire service; coordinate with appropriate government and private institutions for the offering of college courses on fire technology and fire protection engineering; propose amendments to the Fire Code; advise the Director General on any matter brought to his attention; and perform such other functions as directed on any matter brought to his attention and perform such other functions as directed by higher authorities.

Section 8. *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 Director General or his duly authorized representative as prerequisite to the grants of permits and/or licenses by local governments and other government agencies concerned, for the:

(1) Use or occupancy of buildings, structures, facilities or their premises including the installation or fire protection and fire safety equipment, and electrical system in any building structure or facility;

(2) Storage, handling and/or use of explosives or of combustible, flammable, toxic and other hazardous materials;

b. Safety Measures for Hazardous Materials Fire safety measures shall be required for the manufacture, 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, ammonium nitrate, or any amount of highly toxic, pyrophoric, hypergolic, or cryogenic materials or 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 spontaneous combustion.

c. Safety measures for hazardous operation/processes Fire Safety measures shall be required 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 of buildings, structures and their premises or facilities, except such other buildings or structures as may be exempted in the rules and regulations to be promulgated under Section 6 hereof, shall incorporate and provide therein fire safety construction, protective and warning system, and shall develop and implement fire safety programs, 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 areas from other occupancies in the same building;
- (4) Provisions for confining the fire at its source such as fire resistive floors and walls extending up to the next floor slab or roof, curtain boards and other fire containing or stopping components;
- (5) Termination of all exits in an area affording safe passage to a public way or safe dispersal area;
- (6) Stairway, vertical shafts, horizontal exits and other means of egress sealed from smoke 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 air-conditioning ducts;

(10) Roof vents for use by fire fighters; and

(11) Properly marked and lighted exits with provision for emergency lights to adequately illuminate exit ways in case of power failure.

Section 9. *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 safety purposes, 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 any kind, or tolerating or allowing said violations;

(b) Constructing gates, entrances and walkways to buildings components and yards which obstruct 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 duly organized 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 provide safe 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 fighting except 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 appropriate safety measures;

(l) Removing, destroying, tampering or obliterating any authorized mark, seal, sign or tag posted or required by the Fire Service for fire safety in any building, structure or processing equipment; and

(m) Use of jumpers or tampering with electrical wiring or overloading the electrical system beyond its designated capacity or such other practices that would tend to undermine the fire safety features of the electrical system.

Section 10. *Abatement of Fire Hazard.* Fire hazards shall be abated immediately. For this purpose, the Director General or his duly authorized representative 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 in said order, the occupancy permit or permit to operate shall be canceled. Any building or structure declared as a firetrap or is causing clear and present fire danger to adjoining establishments and habitations shall be declared a public nuisance, as defined in the Civil Code of the Philippines. If the assessed value of the building or structure is not more than twenty thousand (P20,000.00) pesos, the owner, administrator or occupant thereof shall abate the hazard within thirty (30) days or if the assessed value is more than twenty thousand (P20,000.00) pesos, within sixty (60) days from receipt of the order declaring said building or structure a public nuisance; otherwise, the Director General or his duly authorized representative shall forthwith cause its summary abatement. Summary abatement as used herein shall mean all corrective measures undertaken to abate hazards which shall include but not limited to remodeling, repairing, strengthening, reconstructing, removal and demolition, either partial or total, of the building or structure. The expenses incurred by the government for such summary abatement shall be borne by the owner, administrator or occupant. These expenses shall constitute a prior lien upon such property.

Section 11. *Enforcement of The Lien.* If the owner, administrator or occupant fails to reimburse the government of the expenses incurred in the summary abatement within ninety (90) days from the completion of such abatement, the building or structure shall be sold at public auction in accordance with existing laws and rules. No property subject of lien under Section 10 hereof, may be sold at a price lower 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 12. *Penalties.*

(a) ADMINISTRATIVE FINE Any person who violates any provision of the Fire Code or any of the rules and regulations promulgated under Section 6 hereof shall be penalized by an administrative fine of not exceeding twelve thousand (P12,000.00) pesos or in the proper case, by stoppage of operations or by closure of such buildings, structures and their premises or facilities which do not comply with the requirements or by both such

administrative fine and closure/stoppage of operation to be imposed by the Director General, Provided, That the payment of the fine, stoppage of operations and/or closure of such buildings, structures, and their premises or facilities shall not absolve the violator from correcting the deficiency or abating the fire hazard. The decision of the Director General, under this subsection, may be appealed to the Secretary of National Defense, within fifteen (15) days from the date of receipt of the order imposing the administrative fine, stopping the operations and/or closure. The decision of the Secretary of National Defense shall be final and executory.

(b) PUNITIVE In case of willful failure to correct the deficiency or abate the fire hazard as provided in the preceding subsection, the violator shall, upon conviction, be punished by imprisonment of not less than six (6) months nor more than six (6) years, or by a fine of not more than twenty thousand (P20,000.00) pesos or both such fine and imprisonment; Provided, however, that in case of a corporation, firm, partnership or association, the fine and/or imprisonment shall be imposed upon its officials responsible for such violation, and in case the guilty party is an alien, in addition to the penalties herein prescribed, he shall immediately be deported; Provided, finally, that were the violation is attended by loss of life and/or damage to property, the violator shall be proceeded against under the applicable provisions of the Revised Penal Code.

Section 13. *Appropriation and Sources of Income.*

(a) To support the manpower, infrastructure and equipment needs of the Fire Service of the Integrated National Police, the sum of one hundred million (P100,000,000.00) pesos is hereby appropriated. Thereafter, the same of such amount as may be necessary to attain the objectives of the Fire Code shall be appropriated and included in the annual appropriation of the Integrated National Police for the next ten (10) years.

(b) To partially provide for the funding of the Fire Service the following taxes and fees which shall 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 as provided for in Section 8 (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 building permit, and the balance, after final inspection and prior to the issuance of the use and 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 on structures used as single family dwellings;

(4) Two per centum (2%) of all premiums, excluding re-insurance premiums for the sale 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 fire fighting equipment, appliances or devices, including hazard detection and warning systems; and

(6) Two per centum (2%) of the service fees received from fire, earthquake, and explosion hazard preinsurance surveys and post loss service of insurance adjustment companies doing business in the Philippines directly through agents.

Section 14. *Collection of Taxes, Fees and Fines.* All taxes, fees and fines provided in Section 13 hereof, shall be collected by the City or Municipal Treasurer concerned for remittance to the National Treasury.

Section 15. *Separability Clause.* If any provision of this Code or the application of such provisions to any person or circumstance is declared unconstitutional, the remainder of the Code or the application of such provision to other persons or circumstances shall not be affected by such declaration.

Section 16. *Repealing Clause.* Provisions of Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines, as amended and Presidential Decree No. 1096, otherwise known as the National Building Code and other laws, decrees, orders or regulations in conflict or inconsistent with the provisions of this Fire Code are hereby repealed or modified accordingly.

Section 17. *Effectivity.* This Fire Code and its Rules and Regulations shall take effect thirty (30) days after their publication in newspapers of general circulation.

Done in the City of Manila, this 26th day of August, in the year of Our Lord, nineteen hundred and seventy-seven.

Important. Please secure a copy of the Implementing Rules and Regulations (IRR) of this law from authorized sources only e.g. from the Department of Interior and Local Government (DILG), the United Architects of the Philippines (UAP) or from Your school library. Otherwise, please browse the web for possible downloadable copies of the same.