

Title: The People of the Philippines vs. Juan F. Fajardo, et al.

Facts:

Juan F. Fajardo, during his term as mayor of Baao, Camarines Sur, proposed Ordinance No. 7, Series of 1950, which established the need for a municipal permit for the construction or repair of buildings and set penalties for violations. Several years later, Fajardo and his son-in-law, Pedro Babilonia, sought a permit to build near their gasoline station but were denied because the proposed construction would obstruct the public plaza's view. Despite the rejection, they proceeded with the construction, leading to their conviction by the Justice of the Peace Court in Baao. They appealed to the Court of First Instance, which affirmed the conviction. Consequently, they raised the matter to the Court of Appeals, challenging the ordinance's constitutionality. The case was then elevated to the Supreme Court due to the constitutional challenge posed by the accused.

Issues:

1. Whether Ordinance No. 7 grants the mayor unregulated discretion to issue or deny building permits.
2. Whether the ordinance is reasonable or oppressive, thereby exceeding the boundaries of police power.

Court's Decision:

The Supreme Court found Ordinance No. 7 to be invalid, holding that it conferred upon the mayor undefined and unlimited power to grant or deny building permits, which is inherently unreasonable and an improper delegation of legislative power. The Court further stated that the ordinance was unjustly oppressive as it deprived the appellants of the beneficial use of their property without just compensation, which amounts to confiscation and violates the due process clause of the Constitution.

Doctrine:

- Delegation of legislative power must have clear standards to guide the authority to whom such power is delegated; absolute discretion denotes an invalid delegation.
- Police power does not permit the permanent deprivation of the beneficial use of property without just compensation.

Class Notes:

1. Ordinance requiring permits must provide clear standards and conditions for issuance.
2. Arbitrary and unlimited discretion granted to public officials in the application of an

ordinance is invalid.

3. Police power cannot extend to the effective confiscation of property without due process and just compensation.

4. Violation of the due process clause occurs when government action does not adhere to fairness or reasonableness as required by law.

5. Invalid exercise of police power occurs when regulation permanently prohibits all beneficial use of property without just compensation.

Historical Background:

The case occurred during a period when post-war Philippine municipalities sought to regulate urban and rural development, including the aesthetics of neighborhoods. The Court's ruling aimed to balance the municipal government's authority to create such regulations for public welfare with the constitutional protections of private property rights. It highlights the necessity of setting clear and reasonable limitations on the exercise of police power in local governance to prevent the unconstitutional taking of property.