



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE EIGHTH CITY COUNCIL HELD AT THE SANGGUNIANG PANLUNGSOD SESSION HALL, CABID AN, EAST DISTRICT, SORSOGON CITY ON SEPTEMBER 6, 2022.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor

WEST DISTRICT

Hon. Peter Joseph J. Ravanilla
Hon. Nestor J. Baldon – **Temporary Presiding Officer**
Hon. Bryan J. Pingul
Hon. Ma. Teresa D. Perdigon

EAST DISTRICT

Hon. Maria Theresa S. Gonzalez
Hon. Lester R. Lubiano
Hon. Mark Jayson D. Jamisola
Hon. Angelu Magda P. Ravanilla

BACON DISTRICT

Hon. Jo Abegail C. Dioneda
Hon. Reynaldo C. Taladtad
Hon. Glenn P. Olbes
Hon. Danilo A. Deladia

EX-OFFICIO MEMBERS

Hon. Bessie C. Diaz

ABSENT:

Hon. Renalene Mae J. Duka – on official business

Resolution No. 214, Series of 2022

(Author: Hon. Mark Eric C. Dioneda)

RESOLUTION ENACTING AN ORDINANCE AUTHORIZING ANY INTERESTED REGISTERED FARMER OR ANY ACCREDITED CIVIL SOCIETY ORGANIZATION IN THE CITY OF SORSOGON TO CULTIVATE ANY AVAILABLE CITY-OWNED AGRICULTURAL FARM LOT AND THEREBY AUTHORIZING HON. MA. ESTER E. HAMOR, CITY MAYOR, SORSOGON CITY THROUGH THE OFFICE OF THE CITY AGRICULTURIST TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO THAT EFFECT

WHEREAS, it is the policy of the City Government of Sorsogon that all land within its jurisdiction shall be utilized to support food sufficiency in all local communities;

WHEREAS, in relation thereto, it is therefore necessary to establish communal or community-based livelihood system through cultivation of crops and plants suitable to the land and raising of livestock or farm animals as determined by the Office of the City Agriculturist, thus allowing the use of all available vacant city-owned agricultural lots;

WHEREAS, for this purpose, any vacant city-owned agricultural farm lot should be allowed to be cultivated by any interested registered farmers or any accredited civil society

organizations without prejudice to the ownership and possession thereof by the city government of Sorsogon;

WHEREAS, this measure envisions to lead in promoting the development of a robust agriculture sector in the local communities that meets the challenges of food security and safety, poverty, climate change and environmental sustainability and in response to the aftermath of Covid 19 Pandemic;

WHEREAS, every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom; as well as powers necessary, appropriate or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, improve public morals, enhance economic prosperity and social justice, maintain peace and order and preserve the comfort and convenience of their inhabitants;

NOW, THEREFORE, on motion of **Hon. Mark Eric C. Dioneda**, duly seconded by **Hon. Ma. Teresa D. Perdigon**, resolve, as it is hereby resolved to enact an ordinance authorizing any interested registered farmer or any accredited civil society organization in the City of Sorsogon to cultivate any available city-owned agricultural farm lot and thereby authorizing Hon. Ma. Ester E. Hamor, City Mayor, Sorsogon City through the Office of the City Agriculturist to enter into a Memorandum of Understanding to that effect.

City Ordinance No. 007, Series of 2022

AN ORDINANCE AUTHORIZING ANY INTERESTED REGISTERED FARMER OR ANY ACCREDITED CIVIL SOCIETY ORGANIZATION IN THE CITY OF SORSOGON TO CULTIVATE ANY AVAILABLE CITY-OWNED AGRICULTURAL FARM LOT AND THEREBY AUTHORIZING HON. MA. ESTER E. HAMOR, CITY MAYOR, SORSOGON CITY THROUGH THE OFFICE OF THE CITY AGRICULTURIST TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO THAT EFFECT

BE IT ORDAINED by the Sangguniang Panlungsod in session that:

SECTION 1 **TITLE**

This ordinance shall be known as the **“Sorsogon City Agriculture and Food Sustainability Ordinance of 2022”**

SECTION 2 **SCOPE/COVERAGE**

This ordinance shall cover the establishment of the Agriculture and Food Sustainability Program of the city government of Sorsogon, wherein city-owned agricultural land will be allowed and authorized for the cultivation of crops suitable for the purpose and/or introduction of poultry projects or raising livestock/farm animals by interested registered farmers or accredited association of the agriculture sector.

Cultivation shall be limited to farming or gardening of certain crops or plants or combinations thereof, the City Agriculture Office may recommend for the purpose. Similarly, poultry projects shall, for purposes of this ordinance, shall be limited to raising of livestock or farm animals such as but not limited to pig, cow, carabao, chickens, goat, pugo, or combinations

thereof or combinations of farming and poultry projects, the City Agriculture Office may recommend for the purpose.

SECTION 3 **OBJECTIVES**

This ordinance shall have the following objectives, to wit:

1. The use of city owned agricultural and farms lots to support food sufficiency for the entire community.
2. Establishment of self-reliant supplementary economic benefits for the industrious people of the community.
3. Promote the development of a robust agriculture sector in the local communities that meets the challenges of food security and safety, poverty, climate change and environmental sustainability and in response to the aftermath of Covid 19 Pandemic;
4. Poverty Alleviation through food sufficiency and livelihood/economic opportunities in the community.

SECTION 4 **NO USUFRUCT AND TENANCY CLAUSE**

Ownership and possession of the local government unit of Sorsogon City shall in no case be adversely affected. Provisions under the Civil Code of the Philippines on Usufruct affecting ownership and possession thereof shall not apply.

The city government and the beneficiaries hereof shall have no tenancy agreement or relationship thereof, thus, Tenancy Laws and related administrative issuances for the purpose shall have no application to the program.

SECTION 5 **RECIPIENT'S APPLICATIONS**

Interested registered farmer or registered farmer's organization by the Office of the City Agriculturist, or any accredited civil society organization may apply before the City Agriculture Office. Applicants shall through a letter manifest his/her/their intention to cultivate the land in accordance with the recommendatory report of the City Agriculture Office.

Individual applicant/s may or may not be a resident of the barangay where the city-owned farm/agricultural lot is situated. The application may be granted to non-residents of the barangay only in the absence of resident applicants thereof.

SECTION 6 **VALIDITY OF THE MEMORANDUM OF UNDERSTANDING**

The Memorandum of Understanding (MOU) shall be valid within the term as predetermined by the City Agriculture Office dependent on the nature of the cultivation or poultry project, but in no case shall exceed more than three (3) years and renewable thereafter, after proper and due evaluation by the Office of the City Agriculturist.

SECTION 7 **TERMS OF ENGAGEMENT**

The recipients shall be required to observe the following terms and agreement as provided for in the MOU, to wit:

1. Observe cleanliness and proper hygiene in the area;
2. Introduce no improvements of any kind thereat, except his/her temporary non-concrete shelter for his/her visits in the site;

3. He may plant trees in his expense but he/she is not entitled to reimbursement or indemnification thereof by the city government;
4. Not to cultivate crops or plants or engage in poultry projects other than what the City Agriculture Office prescribed.

SECTION 8 PRO FORMA MOU

All contracts entered into by and between the City Government of Sorsogon and the beneficiaries in consonance with this ordinance shall be guided with the following terms and agreement through and by way of Memorandum of Understanding (MOU) as herein prescribed for ready reference, to wit:

MEMORANDUM OF UNDERSTANDING

KNOW ALL MEN BY THESE PRESENTS:

This agreement entered into by and between:

The **LGU-SORSOGON CITY** represented by the _____ (the City Mayor) _____, in his/her capacity as the City Mayor thereof, with office address at City Hall Compound, Barangay Cabid-an, East District, Sorsogon City, herein after referred to as the **FIRST PARTY**;
AND

(**NAME OF THE RECIPIENT/S**), recipient/s of the program dubbed as Sorsogon City Agriculture and Food Sustainability under City Ordinance No. ____, Series of 2022, with residence and postal address at Barangay _____, _____ District, Sorsogon City, herein after referred to as the **SECOND PARTY**;

WITNESSETH

WHEREAS, the City Government of Sorsogon City has introduced the Sorsogon City Agriculture and Food Sustainability Program under City Ordinance No. ____, Series of 2022;

WHEREAS, the program is a system that has the following objectives, to wit:

1. The use of city owned agricultural and farms lots to support food sufficiency for the entire community.
2. Establishment of self-reliant supplementary economic benefits to the industrious people of the community.
3. Promote the development of a robust agriculture sector in the local communities that meets the challenges of food security and safety, poverty, climate change and environmental sustainability and in response to the aftermath of Covid 19 Pandemic;
4. Poverty Alleviation through food sufficiency and livelihood/economic opportunities in the community.

WHEREAS, the MOU covers certain portion of the property of the City Government of Sorsogon that is actually used for the herein program with an area of _____ Square Meters, of the _____ Square Meter total land area of TCT NO. _____ under TAX DECLARATION NO. _____;

WHEREAS, ownership and possession of the city government over the subject land shall in no case be adversely affected, thus, provisions under the Civil Code of the Philippines on Usufruct affecting ownership and possession thereof are not applicable;

WHEREAS, the City Government of Sorsogon City and the beneficiaries have no tenancy agreement or relationship thereof, thus, Tenancy Laws and other related administrative issuances for the purpose have no application to the program;

WHEREAS, this Memorandum of Understanding and with the unanimous consent of all parties herein, hereby establish rules that will regulate the Sorsogon City Agriculture and Food Sustainability Program under City Ordinance No. ____, Series of 2022, as herein entered into:

That the **FIRST PARTY** shall:

1. Allow and authorize the cultivation of crops suitable for the purpose and/or introduction of poultry projects or raising livestock/farm animals by interested registered farmers or accredited association of the agriculture sector to the aforesaid subject city owned farm/agricultural land;
2. Provide soil analysis and viability study for the land and/or applied for and take supervision on the program;
3. Provide seeds, seedlings and other available materials for cultivation of land and/or poultry products.

That the **SECOND PARTY** shall:

1. Observe proper cleanliness and hygiene in the area;
2. Introduce no improvements of any kind thereat, except his/her temporary non-concrete shelter for his/her visits in the site;
3. He may plant trees in his expense but he/she is not entitled to reimbursement or indemnification thereof by the private lot owner and/or of the city government;
4. Not to cultivate crops or plants or engage in poultry projects other than what the City Agriculture Office prescribed;

IN WITNESS WHEREOF, the parties hereto have signed this Memorandum of Agreement (MOA), this ____ day of _____, 20 ____, at Sorsogon City, Philippines.

FIRST PARTY

SECOND PARTY

SIGNED IN THE PRESENCE OF:

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
SORSOGON CITY) S.S.

BEFORE ME, the undersigned Notary Public for and in the City of Sorsogon, personally appeared the following:

NAME	VALID ID NUMBER	DATE/PLACE OF ISSUE
_____	_____	_____
_____	_____	_____
_____	_____	_____

Who are known to me and to me known to be the same persons who executed the foregoing instrument and they shall subscribe that they executed the same as an act of their free will and deed and the principal they represent.

IN TESTIMONY WHEREOF, I have hereunto affixed my signature and notary seal this ____ day of _____ 20 ____ at Sorsogon City, Philippines.

Doc. No. _____;
Page NO. _____;
Book No. _____;
Series of 20 ____

SECTION 9 **REPEALING CLAUSE**

All ordinances, resolutions, rules, and regulations, or any part(s) thereof which are inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

SECTION 10 **SEPARABILITY CLAUSE**

If any reason or reasons, any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provision hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 11 **EFFECTIVITY**

This ordinance shall take effect immediately upon its approval by the Sangguniang Panlungsod and after compliance with the law on public dissemination and of publication.

DATE APPROVED : **September 6, 2022**

I hereby certify to the correctness of the foregoing resolution and ordinance.


ROVAN E. DOMASIAN
Secretary to the Sangguniang Panlungsod

ATTESTED:


NESTOR J. BALDON
City Councilor/ Temporary Presiding Officer

APPROVED:


MA. ESTER E. HAMOR
City Mayor