



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 NOVEMBER 22, 2022.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor / Presiding Officer

WEST DISTRICT

Hon. Peter Joseph J. Ravanilla
Hon. Nestor J. Baldon
Hon. Bryan J. Pingul
Hon. Ma. Teresa D. Perdigon

EAST DISTRICT

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

BACON DISTRICT

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

EX-OFFICIO MEMBERS

Hon. Bessie C. Diaz

ABSENT:

Hon. Reynaldo C. Taladtad – on sick leave
Hon. Lester R. Lubiano – on official business
Hon. Renalene Mae J. Duka – on official business

Resolution No. 449, Series of 2022

(Author: Hon. Maria Theresa S. Gonzalez)

RESOLUTION ENACTING AN ORDINANCE INSTITUTIONALIZING THE PROGRAMS, PROJECTS AND ACTIVITIES FOR THE URBAN POOR AND THEREBY CREATING THE SORSOGON CITY URBAN DEVELOPMENT AND HOUSING BOARD, DEFINING ITS FUNCTIONS AND RESPONSIBILITIES

WHEREAS, it shall be the policy of the city government of Sorsogon to undertake, in cooperation with the private sector, a comprehensive and continuing Urban Development and Housing Program;

WHEREAS, the city government shall provide programs, projects and activities designed to address, directly or indirectly, the right to, or need for, access to land, employment, housing livelihood, and basic services of the urban poor;

WHEREAS, it shall be policy of the city government to undertake, in active cooperation or partnership with concerned government agencies, private entities and the urban poor sector,

a comprehensive and continuing urban development program that shall uplift the social and economic conditions of the urban poor sector and for the rational use and development of urban land;

WHEREAS, the city government shall likewise undertake a continuing inventory and identification of lands for socialized housing and as resettlement areas for immediate and future needs of the underprivileged and homeless in the urban areas, taking into consideration the degree of availability of basic services and facilities, their accessibility and proximity to job sites and other economic opportunities, and the actual member of beneficiaries thereof;

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. Maria Theresa S. Gonzalez**, duly seconded by **Hon. Jo Abegail C. Dioneda**, resolved as it is hereby resolve to enact an ordinance institutionalizing the programs, projects and activities for the urban poor and thereby creating the Sorsogon City Urban Development and Housing Board, defining its functions and responsibilities.

City Ordinance No. 016, Series of 2022

AN ORDINANCE INSTITUTIONALIZING THE PROGRAMS, PROJECTS AND ACTIVITIES FOR THE URBAN POOR AND THEREBY CREATING THE SORSOGON CITY URBAN DEVELOPMENT AND HOUSING BOARD, DEFINING ITS FUNCTIONS AND RESPONSIBILITIES

BE IT ORDAINED by the Sangguniang Panlungsod in session, that:

CHAPTER I PRELIMINARY PROVISIONS

SECTION 1 TITLE

This ordinance shall be known as the **“Sorsogon City Urban Development and Housing Regulations Ordinance of 2022”**.

SECTION 2 SCOPE

This ordinance shall apply to all public and private programs, projects and activities designed to address, or bound to adversely affect, directly or indirectly, the right to, or need for, access to land, employment, housing livelihood, and basic services of the urban poor as herein determined. This ordinance shall likewise cover the creation of the Sorsogon City Urban Development and Housing Board, defining its functions and responsibilities for the effective and efficient implementation of the programs, projects and activities for the urban poor.

SECTION 3 DECLARATION OF PRINCIPLES AND POLICIES

It shall be the policy of the city government of Sorsogon to undertake, in cooperation with the private sector, a comprehensive and continuing Urban Development and Housing Program in Implementation of Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992".

1. Real right, land use and urban development shall at all times serve and yield to the demands of a healthy environment and a balance ecology.
2. By any government action, the ascendancy of the interest of the city, in general, and the welfare of the affected community, in particular, shall accord due respect and concern for the rights and needs of the individuals.
3. The urban poor sector is indispensable partner, and principal beneficiary of, urban development.
4. Where irreconcilable individual or sectoral interests are involved, the city government shall uphold, espouse and advance the welfare of the urban poor sector and those who are more underprivileged or disadvantage by virtue of their social or economic status.
5. Rational and rural economic development is essential to the equitable and sustainable growth of the city.

It shall be policy of the city government to undertake, in active cooperation or partnership with concerned government agencies, private entities and the urban poor sector, a comprehensive and continuing urban development program, hereinafter referred to as the Program, which shall:

- a. Uplift the social and economic conditions of the urban poor sector.
- b. Provide for the rational use and development of urban land in order to bring about the following:
 1. Equitable utilization and disposition of residential lands, with particular attention to the needs and requirements of the urban poor sector and not merely on the basis of market force.
 2. Optimization of the use and productivity of land and urban resources.
 3. Development of urban areas conducive to commercial and industrial activities which can generate more economic opportunities for the people, without the unjust displacement of occupant urban poor families.
 4. Reduction in urban dysfunction, particularly those that adversely affect public health and safety and the environment.
 5. Access to land, housing, employment and basic services by the urban poor sector.
- c. Workable policies to regulate and direct urban development, growth expansion towards a dispersed urban net and a more balance urban-rural interdependence, and a healthy environment.
- d. Recognize the need to preserve and protect prime agricultural lands and areas suitable for development into ecology or tree parks.
- e. Encourage wider and more effective people's participation in the urban planning and development process.

SECTION 4 DEFINITION OF TERMS

As used in this ordinance:

1. **Board-** Sorsogon City Urban Development and Housing Board
2. **SCUPHDO-** Sorsogon City Urban Poor and Housing Development Office
3. **Committee-** Sorsogon City PNR-SLHP Local Housing Committee

4. **Urban poor** shall refer to a Filipino Family that has been residing in Sorsogon City for at least Five (5) years and with a family head, who, unless otherwise required by the exigencies of his or her profession or occupation, a registered voter of the City as of the immediately preceding local election, and whose gross family income does not exceed Fifteen Thousand Pesos (P 15,000.00) monthly and does not own any parcel of land of whatever classification anywhere within the city.
5. **Head of the family** shall refer to a natural person who supports and maintains in his or her household one or more dependents.
6. **Dependent** shall refer to the spouse, legitimate or not, an ancestor, a legitimate, illegitimate or adopted child, or a relative within the fourth civil degree of consanguinity or affinity, who is below twenty one (21) years of age or over twenty one (21) years of age but is not regularly employed or otherwise permanently incapable of self-support due to age, illness and/or physical or mental incapacity, living with a head of a family and depending upon him or her for support.
7. **Family income** shall refer to the total regular wage, salary, income, compensation and/or benefits derived by the head of the family and his or her dependents from the employment, business or enterprise, lease of property, or services rendered, within or outside the city.
8. **Affordable cost** shall refer to the most reasonable price of land and shelter based on the needs and financial capability of urban poor beneficiaries and appropriate financing schemes.
9. **Blighted areas** shall refer to the areas where the structures are dilapidated, obsolete and unsanitary, tending to depreciate the value of the land and to prevent normal development and use of the area.
10. **Urban poor community** shall refer to ten (10) or more urban poor heads of families occupying an area of more than 800 square meters, for residential purposes.
11. **Consultation** shall refer to the constitutionally mandated process whereby the public on their own or through people's organizations, is provided an opportunity to be heard and to participate in the decision-making process on matter involving the protection and promotion of its legitimate collective interests, which shall include appropriate documentation and feedback mechanisms.
12. **Idle lands** shall refer to non-agricultural lands which are uninhabited by the owner and have not been developed or devoted for any useful purpose, or appear unutilized or without improvements for a period of three (3) years.
13. **Improvements** shall refer to all types of buildings and residential units in actual use, walls, fences, structures, or constructions of all kinds of a fixed character or which are adhered to the soil but shall not include trees, plants, and growing fruits, and other fixtures that are mere superimposed on the land, and the value of which shall not be less than fifty percent (50%) of the assessed value of the property.
14. **Joint venture** shall refer to the commitment or agreement by two or more persons, natural or juridical, to carry out a specific or single business enterprise for their mutual benefit, for which purpose they combine their funds, land resources, facilities and services.
15. **Land assembly or consolidation** shall refer to the acquisition of lots of varying ownership through purchase or expropriation for the purpose of planned and rational development and socialized housing programs without individual property boundary restrictions.
16. **Land banking** shall refer to the acquisition of land at vale based on existing use in advance of actual need to promote planned development and socialized housing programs.
17. **Swapping** shall refer to the process of land acquisition by exchanging lands for another piece of land of equal value, or based on the agreement of the local government and the private landowner.
18. **On-site development** shall refer to the process of upgrading and rehabilitation of blighted and slum urban areas with a view of minimizing displacement of dwellers in said areas, and with provisions of basic services.

19. **Professional squatters** shall refer to individuals or groups who occupy lands without the express consent of the landowner and who have sufficient income for legitimate housing. The term shall also apply to persons who have previously been awarded home lots or housing units by the government but who sold, leased or transferred the same to settle illegally in the same place or in another urban area and non-bonafide occupants and intruders of lands reserved for socialized housing. The term shall not apply to individuals or groups who simply rent land and housing from the professional squatters or squatting syndicate.
20. **Resettlement areas** shall refer to areas identified by the local government unit which shall be used for the relocation of the urban poor.
21. **Security of tenure** shall refer to the degree of protection afforded to qualified program beneficiaries against infringement or unjust, unreasonable and arbitrary eviction or disposition, by virtue of the right of ownership, lease agreement, usufruct and other contractual arrangements.
22. **Small property owners** shall refer to those whose only real property in the city consists of residential lands not exceeding an aggregate area of eight hundred (800) square meters.
23. **Socialized housing** shall refer to the housing programs and projects covering house and lot or home lot only undertaken by the government or the private sector for the urban poor which shall include sites and services development, long term financing, minimal terms on interest payments, and such other benefits in accordance with the provisions of this ordinance.
24. **Squatting syndicates** shall refer to group of persons engaged in the business of squatter housing for profit or gain.

CHAPTER II THE URBAN DEVELOPMENT AND HOUSING BOARD

SECTION 5 CREATION OF THE BOARD

There is hereby created for the City of Sorsogon an Urban Development and Housing Board composed of the following members:

From the government sector:

1. The Chairperson the Sanggunian Panlungsod, Committee on Laws, Justice and Human Rights.
2. The Chairperson Sanggunian Panlungsod, Committee on Social Services.
3. The Chairperson Sanggunian Panlungsod, Committee on Land Use, Urban Planning and Housing.
4. The Chairperson Sanggunian Panlungsod, Committee on Urban Poor.
5. The Head of the Sorsogon City Urban Poor and Housing Development Office (SCUPHDO)
6. The Head of Office or his representative, City Engineer's Office.
7. The Head of Office, City Assessor's Office.
8. The Head of Office, City Treasurer's Office.
9. The Head of Office, City Social Welfare and Development Office
10. The Head of Office, City Planning and Development Office.
11. The City Legal Officer
12. President of the Liga ng mga Barangay or any of its members duly designated.

From the Private Sector:

1. Three (3) representatives of urban poor organization in Sorsogon City.

2. Three (3) representatives of non-government organizations and people's organizations or Civil Society Organizations (CSOs) engaged in community organizing and other activities for the development of urban poor communities in Sorsogon City.
3. The members of the Board, who shall be appointed by the City Mayor for a term of not more than three (3) years, shall choose chairperson from among themselves and promulgate their own internal rules of procedure. They shall not receive salaries or other forms of compensation.

SECTION 6 POWERS AND RESPONSIBILITIES

The Board shall exercise the following powers, functions and responsibilities:

1. To represent the city government with the Office of the Sorsogon City Urban Poor and Housing Development Office (SCUPHDO) and to coordinate with the Department of Human Settlements and Urban Development (DHSUD), the National Housing Authority (NHA), and the Presidential Commission for the Urban Poor (PCUP) in formulating a Urban Development and Housing Framework.
2. In coordination with the Sorsogon City Urban Poor and Housing Development Office, undertake a review and rationalization of existing city land use plans, housing programs, and all other projects and activities of the city government and the private sector which may substantially affect land use patterns, transportation and public utilities, infrastructure, environment and population movements.
3. To recommend to the city government, through the Sorsogon City Urban Poor and Housing Development Office, a continuing inventory and identification of lands for socialized housing and as resettlement areas for immediate and future needs of the underprivileged and homeless in the urban areas, taking into consideration the degree of availability of basic services and facilities, their accessibility and proximity to job sites and other economic opportunities, and the actual member of beneficiaries.
4. To recommend to the city government, through the Sorsogon City Urban Poor and Housing Development Office, the expropriation of idle lands in the urban and urbanizable areas and the alternative schemes for the disposition of the same and other inventories or identified lands to beneficiaries.
5. In coordination with the Sorsogon City Urban Poor and Housing Development Office, design a system for the registration of qualified program beneficiaries.
6. In coordination with the Sorsogon City Urban Poor and Housing Development Office, design a system that will provide opportunities for adequate consultation with the private sector involved in socialized housing and other urban development projects, as well as for program beneficiaries to be heard and to participate in the decision making process over matters involving the protection and promotion of their legitimate collective interests which shall include appropriate documentation and feedback mechanisms.
7. In coordination with the Sorsogon City Urban Poor and Housing Development Office, adopt measures to identify and effectively curtail the nefarious and illegal activities of professional squatters and squatting syndicates.
8. In coordination with the Sorsogon City Urban Poor and Housing Development Office, adopt guidelines for the lawful and humane relocation and resettlement of persons living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, waterways, and in other public places such as sidewalks, roads, parks and playgrounds; provided, that relocation and resettlement sites shall be afforded basic services and facilities and access to employment and livelihood opportunities sufficient to meet the basic needs of the affected families.
9. In coordination with the Sorsogon City Urban Poor and Housing Development Office, promote the production and use of indigenous, alternative, and low-cost construction materials and technologies for socialized housing, and to devise a set of mechanism

including incentives to the private sector so that a viable transport system shall evolve and develop in urban areas.

10. To plan and promulgate urban activities for the conservation and protection of vital unique and sensitive ecosystem, scenic landscapes, cultural sites and other similar resource areas.
11. In coordination with the Sorsogon City Urban Poor and Housing Development Office, immediately develop and implement comprehensive housing and development programs for all lands and areas already identified by the city government as suitable for socialized housing.
12. To act as the city's arm in the implementation of all other pertinent provisions of Republic Act No. 7279.
13. To coordinate and cooperate with any and all national and city government agencies, offices and bodies in the exercise of all the foregoing powers, functions and responsibilities.

CHAPTER III PROGRAM, PROJECTS AND ACTIVITIES

SECTION 7 ON-SITE DEVELOPMENT

When found more practicable and advantageous to the urban poor beneficiaries, the city government through the Sorsogon City Urban Poor and Housing Development Office and the Board, shall give priority to on-site development of existing urban poor communities and areas identified as blighted and/or suited for socialized housing, to include such activities as community organizing, land acquisition and disposition and/or provision for basic infrastructure and services.

SECTION 8 ON-SITE DEVELOPMENT QUALIFICATION

To qualify for on-site development when not identified as blighted or suitable for socialized housing, the area:

- a. Must be occupied by ten (10) or more heads of families, regardless of the measurement of the actual and total areas occupied.
- b. Must preferably be a titled property, not subject to ownership dispute and free from liens and encumbrances.
- c. Must be classified as residential land.
- d. Must preferably have an access to roads.
- e. Must have an organized community willing to participate and abide by the terms and conditions of the program.

Occupants of the area who are not qualified beneficiaries shall not be entitled to avail of the benefits of the program.

SECTION 9 OFF-SITE DEVELOPMENT

Only when on-site development of an area identified as blighted and/or suitable for socialized housing or an existing urban poor community is found not practicable and advantageous to the beneficiaries, or when by law eviction of the occupants of said areas are made imminent, may relocation and resettlement of said occupants be resorted to under the program. Off-site development may likewise be undertaken by way of anticipating the future need for relocation and resettlement of qualified program beneficiaries.

In all instances, Off-site Development shall include such activities as identification, acquisition, and disposition of new housing sites and home lots, physical development, screening and selection of qualified beneficiaries, and the provision of basic services.

SECTION 10 OFF- SITE QUALIFICATION

Areas for relocation and resettlement shall be:

- a. Accessible and proximate to job sites and other economic activities.
- b. Classified as residential.
- c. Safe and habitable, and not identified as danger zones or risk prone areas.
- d. Acceptable to target beneficiaries, residents of adjoining communities, and the barangay council.

SECTION 11 OFF-SITE DEVELOPMENT BENEFICIARY QUALIFICATION

Applicants for home lots in Off-Site Development areas shall possess all the following qualifications, to wit:

- a. Must be a member of an urban poor.
- b. Must be a bona fide member of an accredited urban poor organization.
- c. Must have the capacity to pay the amortizations and/or development costs, when appropriate.
- d. Must not have been previously awarded a home lot under this program or any other government project.
- e. Must not have been previously availed of a housing loan from the Social Security System (SSS) and/or the Government Service Insurance System (GSIS).

SECTION 12 PRIORITIZATION OF BENEFICIARIES

Application for home lots in Off-Site Development areas shall be processed and granted in one of the following order of priority:

- a. Applicant covered by court orders for eviction and demolition.
- b. Applicants affected by infrastructure projects of the city.
- c. Applicants occupying danger zones or risk prone areas such as “esteros”, railroad tracks, garbage dumps, river banks, waterways, and other public places such as sidewalks, roads, parks, and playgrounds and including coastal areas, applicants covered by pending cases of eviction.
- d. Applicants with due compromise agreements with landowners.
- e. Applicants who wish to vacate their present places of abode.

Unless otherwise determined by the Urban Development and Housing Board, an application fee of Ten Pesos (P 10.00) shall be charged to defray the cost of forms, which amount shall accrue to the Trust Fund for Socialized Housing and Resettlement.

SECTION 13 CAPABILITY BUILDING

The City Government of Sorsogon shall encourage and extend financial assistance to non-government organizations (NGOs) to initiate, support and participate building programs for urban poor communities, which shall include activities relative to the social preparation of program beneficiaries such as but not land surveys, research and legal assistance, relocation and resettlement expense assistance, and land disputes mediation and conciliation roles.

CHAPTER IV
MODES OF LAND ACQUISITION

SECTION 14 **MODES**

The modes of acquiring lands for purposes of this ordinance shall include, among others, community mortgage, land swapping, land assembly or consolidation, land banking, donation and joint ventures agreement, negotiated purchase and expropriation.

The Urban Development and Housing Board, through the Sorsogon City Urban Poor and Housing Development Office shall recommend to the Sangguniang Panlungsod the appropriate mode of land acquisition and the terms and conditions thereof based on the particular circumstances of each case upon prior consultation with the potential qualified beneficiaries.

SECTION 15 **EXPROPRIATION**

All idle or abandoned lands shall be expropriated and shall be disposed of or utilized by the city government for such purposes that conform with its land use plans.

Expropriation of residential lands occupied by urban poor communities may also be undertaken for purposes of subdividing and reselling the same cost to the occupants and other qualified beneficiaries on the following conditions:

- a. That the area is occupied by at least ten (10) heads of families who are qualified and registered beneficiaries.
- b. That the property is more than Eight Hundred (800) square meters, in area.
- c. That the occupants from themselves organized into an urban poor organization, and able to raise the amount equivalent to fifteen (15) percent of the assessed value of the property for purposes of taxation and deposit the same with the city government as equity in the acquisition of the property; Provided, that whenever appropriate and necessary the Trust Fund for Socialized Housing may be tapped for this purpose.

SECTION 16 **EXEMPTION**

Properties of small property owners shall be exempted from expropriation, unless the same or portions thereof are necessary for the infrastructure projects of the city government.

SECTION 17 **DISPOSITION OF LANDS**

The City Government of Sorsogon, through the Sorsogon City Urban Poor and Housing Development Office and upon recommendation of the Board, shall formulate and make available alternative schemes for the disposition of lands to the beneficiaries of the program, which shall not be limited to those involving the transfer of ownership in fee simple, lease with option to purchase, usufruct, and such other variations as may be deemed just and expedient in carrying out the principles and policies enunciated in this ordinance.

The urban poor federation or accredited non-government organizations and people's organizations or Civil Society Organizations represented in the Urban Development and Housing Board and the Sorsogon City Urban Poor and Housing Development Office, shall have the sole collective authority and responsibility of determining the beneficiaries of the Program.

Consistent with this provision, a scheme for public rental housing may be adopted and implemented.

CHAPTER V PROHIBITIONS

SECTION 18 CONVEYANCES AND ENCUMBRANCES

No home lot acquired through On-site or Off-site Development projects or expropriation proceedings, including the rights thereto or the improvements thereon, shall be sold, donated, assigned, conveyed, leased, encumbered or mortgage by the beneficiary within a period of ten (10) years from full payment thereof, except to the city government or to other qualified beneficiaries as approved by the city government through the Urban Development and Housing Board and Sorsogon City Urban Poor and Housing Development Office, and under such terms and conditions as the latter may determine in accordance with the guidelines and policies set for the purpose.

Any such sale, donation, transfer, conveyance, assignment, lease, mortgage or encumbrance in violation of this provision shall be null and void. The beneficiary shall ipso facto lose his or her right to the land, forfeit in favor of the city government the amortizations paid thereon, and he or she and the buyer or transferee of the property or any right thereto shall forever be barred from availing any and all benefits under this ordinance or amendments thereto. The buyer or transferee of the land or any right thereto shall suffer the penalties of imprisonment of not less than six (6) months but not more than one (1) year or a fine of not less than Three Thousand pesos (P 3,000.00) but not more than Five Thousand Pesos (P 5,000.00) or both such imprisonment and fine, at the discretion of the court.

The City Government of Sorsogon through the Sorsogon City Urban Poor and Housing Development Office or the urban poor organization concerned may initiate any investigation and/or action on the unlawful or unauthorized transfer or encumbrances of land acquired through the program.

In the event that the property is surrendered or the beneficiary dies before full ownership of the land is vested in him or her, his or her nearest kin who is qualified beneficiary shall be subrogated to his or her rights upon assumption of the outstanding obligations. In case of failure of said nearest kin to assume such obligation, ownership over the land shall revert to the city government for disposition in favor of any qualified beneficiary who shall reimburse the surrenderee, or his or her kin the amortizations and assume the outstanding obligations.

The acquisition of land under the program may, at the option of the beneficiaries, be required or be covered by adequate mortgage redemption insurance to protect the heirs of the beneficiaries in case of death before full payment of the land is made.

SECTION 19 ANNOTATION OF PROHIBITION

All deeds of sales or conveyances of lands acquired by the beneficiaries under this ordinance shall contain the prohibition of the immediately preceding provision, which prohibition shall likewise be annotated in the title to the property upon due issuance thereof to the beneficiaries.

SECTION 20 NEW ILLEGAL STRUCTURES

It shall be unlawful for any person to construct any structure on railroad tracks, garbage dumps, riverbanks, waterways and in other public places such as sidewalks, roads, parks and playgrounds.

After the effectivity of this ordinance, all barangays shall prevent the construction of any kind of illegal dwelling units or structures within their respective territorial jurisdictions. The Punong Barangay concerned who allows, abets or otherwise tolerates the construction of such structure shall be prosecuted under the provisions of R.A 7279.

The existence of said illegal structure shall be prima facie evidence that the Punong Barangay concerned has abetted, allowed and/or tolerated their construction.

SECTION 21 PROFESSIONAL SQUATTERS

The Board and the Sorsogon City Urban Poor and Housing Development Office, shall recommend to the Sangguniang Panlungsod to adopt measures to identify and effectively curtail the nefarious and illegal activities of professional squatters and squatting syndicates in the city of Sorsogon.

Any person or group identified as such shall be evicted and their dwelling structures demolished in accordance with existing laws and shall be forever disqualified to avail of the benefits under this ordinance. Such person or group, and any public official who tolerates or abets their illegal acts, shall be prosecuted under the provisions of R.A 7279.

CHAPTER VI BASIC SERVICES

SECTION 22 BASIC SERVICES

Socialized housing or resettlement areas shall be provided by the city government or the National Housing Authority in cooperation with the private developers and concerned agencies with the following basic services and facilities:

- a. Accessible and adequate potable water.
- b. Power and electricity.
- c. Schools, sewerage facilities and an efficient and adequate solid waste disposal system.
- d. Access to primary roads and transportation facilities.

The provision of other basic services and facilities such as health, education, communications, security, recreation, relief and welfare shall be planned and shall be given priority for implementation by the city government and concerned agencies in cooperation with the private sector and the beneficiaries themselves.

The City Government of Sorsogon, in coordination with the concerned national agencies, shall ensure that these basic services are provided at the most cost-efficient rates, and shall set a mechanism to coordinate operationally the thrusts, objectives and activities of the other government agencies concerned with providing basic services to housing projects.

SECTION 23 LIVELIHOOD COMPONENT

To the extent feasible, socialized housing and resettlement projects shall be located near areas where employment opportunities are accessible. The City Government of Sorsogon, in

dealing with the development of livelihood programs and grant of livelihood loans shall give priority to the beneficiaries of the program.

Twenty (20) percent of the annual budget for the implementation of the program shall be reserved and devoted to the livelihood component thereof.

SECTION 24 PARTICIPATION OF BENEFICIARIES

The City Government of Sorsogon, in cooperation with concerned government agencies, shall provide the program beneficiaries or their duly designated representatives an opportunity to be heard and to participate in the decision-making process over matters involving the protection and promotion of their legitimate collective interests which shall include appropriate documentation and feedback mechanisms. They shall also be encouraged to organize themselves and undertake self-help cooperative housing and other livelihood activities. They shall assist the City Government of Sorsogon in preventing the incursion of professional squatters of the squatting syndicates.

In instances when the affected beneficiaries have failed to organize themselves or form an alliance within a reasonable period prior to the implementation of the programs or projects affecting them, consultations between the implementing agencies and the affected beneficiaries shall be conducted with the assistance of the Presidential Commission on Urban Poor (PCUP) and the concerned NGO or CSO.

SECTION 25 CONSULTATION WITH PRIVATE SECTOR

Opportunities for adequate consultation shall be accorded to the private sector involved in socialized housing pursuant to this ordinance.

CHAPTER VII RELATED STRATEGIES

SECTION 26 PROMOTIONS OF INDIGENOUS HOUSING MATERIALS AND TECHNOLOGIES

The City Government of Sorsogon, in cooperation with the National Housing Authority (NHA), Technology and Livelihood Resource Center (TLRC), and other concerned agencies, shall promote the production and use of indigenous, alternative and low-cost construction materials and technologies for socialized housing.

SECTION 27 TRANSPORT SYSTEM

The City Government of Sorsogon, through the Sorsogon City Urban Poor and Housing Development Office, in coordination with the Department of Transportation and Communication (DOTC), Department of Budget and Management (DBM), Department of Trade and Industry (DTI), Department of Finance (DOF), Department of Public Works and Highways (DPWH), Home Guaranty Corporation (HGC) and other concerned government agencies, shall devise a set of mechanisms including incentives to the private sector so that a viable transport system shall evolve and developing the urban areas. It shall also formulate standards designed to attain these objectives, to wit:

- a. Smooth flow of traffic.
- b. Safety and convenience of travel.
- c. Minimum use of land space.

- d. Adequate and efficient transport service to the people and goods at the minimum cost.

SECTION 28 ECOLOGICAL BALANCE

The City Government of Sorsogon shall coordinate with the DENR in taking measures that will plan and regulate urban activities for the conservation and protection of vital, unique and sensitive ecosystems, scenic landscapes, cultural sites and other similar resource areas.

To make the implementation of this function more effective, active participation of the citizenry in environment rehabilitation and in decision-making process shall be promoted and encouraged. The city government shall recommend to the DENR the immediate closure of factories, mines, transport companies that are found to be causing massive pollution.

SECTION 29 URBAN-RURAL INTERDEPENDENCE

To minimize rural to urban migration and pursue urban decentralization, the city government shall coordinate with NEDA and other government agencies in the formulation of development programs that will stimulate economic growth and promote socio-economic development in its adjoining municipalities.

**CHAPTER VIII
SOCIALIZED HOUSING**

SECTION 30 SOCIALIZED HOUSING PROJECTS

Subject to availability of funds and financial partners from the private sector, the city government shall endeavor to implement socialized housing projects and/or housing assistance programs to qualified beneficiaries, in addition to land acquisition and distribution.

Subdivision projects required to develop an area for socialized housing equivalent to at least twenty (20) percent of the total subdivision area or total subdivision cost under the R.A 7279 shall establish such socialized housing project within the city.

SECTION 31 INCENTIVE FOR PRIVATE PARTICIPATION

Property owners who voluntarily provide free resettlement sites to illegal occupants of their lands shall be entitles to a real property tax credit equivalent to the assessed value of the resettlement site for purposes of taxation.

Property owners who voluntarily sell their lands to the city government or the urban poor communities of such lands under the program shall be entitled to:

- a. A five (5) percent reduction in the real property tax due on their commercial lands for a period of ten (10) years.
- b. A ten (10) percent reduction in the real property tax due on their residential lands for a period of ten (10) years.
- c. A twenty (20) percent reduction in the real property tax due on their agricultural lands for a period of ten (10) years.

Provided, that all subsequent voluntary sales by the landowner under these provisions shall entitle him or her only to an additional reduction in real property taxes due equivalent to fifty (50) percent of the rates provided herein.

CHAPTER IX
SORSOGON CITY PHILIPPINE NATIONAL RAILWAYS-SOUTH LONG HAUL PROJECT (PNR-SLHP)
LOCAL HOUSING COMMITTEE

SECTION 32 CREATION

Relevant to the Philippine National Railways-South Long Haul Project (PNR-SLHP), Project for brevity, there is hereby created the Sorsogon City PNR-SLHP Local Housing Committee.

SECTION 33 COMPOSITION

The Sorsogon City PNR-SLHP Local Housing Committee, which shall hereinafter be referred to as the "Committee" shall be composed of the following:

Chairperson: City Mayor

Co-Chairpersons: Head of the Sorsogon City Urban Poor and Housing Development Office
Head of the Board

Members:

Chairperson, Sangguniang Committee on Land Use, Urban Planning and Housing

Chairperson, Sangguniang Committee on Urban Poor

City Planning and Development Coordinator

City Engineer

City Legal Officer

A representative from the Presidential Commission for the Urban Poor

A representative of a duly accredited Civil Society Organization and operating in the city.

Provided, that a CSO which is already represented in the local Development Council may be concurrently represented in the Committee

SECTION 34 POWERS AND FUNCTIONS

As the sole clearing house for eviction and demolition activities concerning informal settlers in the Philippine National Railways-South Long Haul Project, the Committee shall exercise the following powers and functions:

1. Monitor all evictions and demolitions, whether voluntary, extra-judicial, summary, or court ordered.
2. Require the proponent of eviction and demolition, i.e., national government department, agency, institution or local government, or its duly authorized representative, to first secure from the Board the Checklist, Guidelines and Eviction and Demolition Compliance Certificate prior to the actual implementation thereof and, thereafter, to submit to the Board the completed Checklist, attested to under oath by the proponent and indicating that:
 - a. Adequate consultations with the affected families were undertaken.
 - b. Adequate resettlement site and relocation facilities are made available.
 - c. The provision of Section 3, paragraph 1 of the implementing Rules and Regulations of Section 28 of the Republic Act. No. 7279 (Pre-relocation) have been complied with.

SECTION 35 APPLICATION FOR AN EVICTION AND DEMOLITION COMPLIANCE CERTIFICATE

Every proponent of an extrajudicial eviction and demolition, whether administrative or summary, shall, prior to actual eviction and demolition, secure a Compliance Certificate from the Board through the Committee. The process of applying for the said certificate shall be as follows:

In the case of an administrative eviction and demolition involving the underprivileged and homeless, the proponent, through the Committee, shall obtain from the Board or to the Sorsogon City Urban Poor and Housing Development Office, the proper application form for certificate of compliance and submit the same together with the required documents as listed in the appropriate checklist at least fifteen (15) working days prior to the actual conduct of eviction and demolition.

In the case of a summary eviction and demolition, the proponent, through the committee, shall likewise obtain an application for certificate of compliance. Provided, that the said application shall be submitted at least seven (7) working days prior to the conduct of the same, pursuant to the rules on summary demolitions. However, in the event that affected persons are found to be among those subject to administrative eviction or demolition, the Board or the Sorsogon City Urban Poor and Housing Development Office shall immediately inform the proponent and require application for certificate of compliance.

In the case of a voluntary eviction and demolition, the proponent shall obtain from the Board or the Sorsogon City Urban Poor and Housing Development Office, the proper application for certificate of compliance and submit the same together with the required documents as listed in the appropriate checklist at least fifteen working (15) days prior to the actual conduct of eviction and demolition.

If the application is sufficient in form and substance, the Board or the Sorsogon City Urban Poor and Housing Development Office, upon verification approves the application, issues the proper certificate of compliance and notifies the proponent.

The certification shall indicate the name of the proponent, the purpose and location of the area applied for eviction and demolition, a statement of compliance to the pertinent rules covering the eviction or demolition applied for, an authorization or approval for the rendering of police assistance, validity period, the date of issuance, and the authorized signature.

If the application is incomplete in form and substance, the Board or the Sorsogon City Urban Poor and Housing Development Office shall inform the proponent that the latter has to comply with the deficiency within ten (10) working days from notification.

In the event that the deficiency is not complied with within the periods mentioned herein, the proponents shall be required to re-apply for a new compliance certificate.

In case where the Board or the Sorsogon City Urban Poor and Housing Development Office issues a certification or the proponent has already complied with the deficient requirements for application and thus acquired a certification, the eviction and demolition will proceed as a matter of course.

Provisions prescribed herein shall also apply to all cases of eviction and demolition activities concerning informal settlers not related to the Philippine National Railways-South Long Haul Project.

SECTION 36 AUTHORIZED POLICE ASSISTANCE

A proponent of an eviction and demolition may be provided with the duly authorized police assistance only upon prior compliance with the statutory requirements under Section 27,

28 and 30 of the Republic Act No. 7279 and their implementing rules and regulations, checklist and compliance certificate requirements, or with the written notice requirement when applicable, as certified or authorized by the Board or by the Sorsogon City Urban Poor and Housing Development Office.

In the case of a court-ordered demolition, police assistance shall only be allowed under the following circumstances:

In pursuance of any court order specifying police action or assistance.

In any case or event where voluntary eviction and dismantling of structures are agreed upon, in writing, by the concerned parties, and approved by the Board or by the Sorsogon City Urban Poor and Housing Development Office.

In the case of a local infrastructure project where police assistance is approved, in writing, by the duly authorized official of the Board or of the Sorsogon City Urban Poor and Housing Development Office.

In the case of National Infrastructure projects, Provided, however that the duly authorized official of the Board or of the Sorsogon City Urban Poor and Housing Development Office has approved the same in writing.

In any other case of eviction and demolition where police assistance is necessary to preserve peace and order. Provided, however, that the duly authorized official of the Board or by the Sorsogon City Urban Poor and Housing Development Office has approved the same in writing.

For purposes of the above, a written request by the sheriff for police assistance in the implementation of a court order or writ with certified copies of the said order or writ annexed therein shall suffice for the police to render assistance without further need of obtaining the approval of the Board or of the Sorsogon City Urban Poor and Housing Development Office. In lieu of the approval of the Board, the concerned PNP office shall merely inform the Board or the Sorsogon City Urban Poor and Housing Development Office in writing of the date of eviction and demolition at least three (3) days prior to the actual conduct of the same. The written notice shall contain copies of the sheriff's request for police assistance, the order or writ to be implemented and other pertinent documents.

In any of the circumstances specified above, the members of the PNP tapped to provide police assistance must be in proper uniform and in appropriate cases, carry with them the necessary documents supporting the provision of police action or assistance.

The provision of the above notwithstanding, the request for police assistance shall still be subject to the pertinent guidelines and regulation of the Philippine National Police.

Further, provisions prescribed herein shall also apply to all cases of eviction and demolition activities concerning informal settlers not related to the Philippine National Railways-South Long Haul Project.

SECTION 37 OVERSIGHT

The Committee in coordination with the Board and/or the Sorsogon City Urban Poor and Housing Development Office and with other government agencies including the proponent, oversee the conduct of eviction and demolition in accordance with Section 27, 28 and 30 of RA 7279 and their implementing rules and regulation.

In the case of an extra-judicial eviction and demolition, as defined in the implementing guidelines of Executive Order No. 152, S 2002, the compliance certificate applications shall constitute inputs for data-banking activities and serve as advance notice to ensure the presence of the Committee, the Board and/or the Sorsogon City Urban Poor and Housing Development Officer or its representative during the conduct of an eviction and demolition.

In the case of a court-ordered eviction and demolition, the Committee in coordination with the Board or the Sorsogon City Urban Poor and Housing Development Office shall establish the appropriate schemes to monitor the same in coordination with the pertinent government agencies.

In monitoring the actual conduct of a demolition, the Committee has to observe the conduct of an actual eviction and demolition and prepares a detailed report on the compliance or non-compliance of said activity to Section 27, 28 and 30 of RA 7279 and their IRR and shall be submitted to the Board or to the Sorsogon City Urban Poor and Housing Development Office, immediately thereafter.

Provisions prescribed herein shall also apply to all cases of eviction and demolition activities concerning informal settlers not related to the Philippine National Railways-South Long Haul Project.

SECTION 38 MEETING AND QUORUM

The Committee shall meet at least once a month or as often as may be deemed necessary. The presence of the chairman and the majority of the members of the Board shall constitute a quorum to transact official business.

SECTION 39 EXECUTIVE COMMITTEE

The Committee shall create a three-member Executive Committee (ExeCom) from among its members to represent it and act in its behalf when it is not in session. The Mayor or his duly designated representative shall head the Execom.

SECTION 40 SECRETARIAT

The Committee shall appoint at least two (2) staff that will act as secretariat of the Committee.

SECTION 41 COOPERATION OF CONCERNED AGENCIES

The Committee shall coordinate with all concerned government agencies, such as Department of Interior and Local Government (DILG), Philippine National Police (PNP), Department of Social Welfare and Development (DSWD), Department of Public Works and Highways (DPWH), Department of Health (DOH), Department of Human Settlements and Urban Development(DHSUD), the National Housing Authority (NHA), and the Presidential Commission for the Urban Poor (PCUP) to ensure the effective and efficient implementation of these provisions.

SECTION 42 SUBMISSION OF PERIODIC REPORTS

The Committee shall submit quarterly reports to the Board, Sorsogon City Urban Poor and Housing Development Office, Department of the Interior and Local Government, through the DILG Regional Office, relative to the status of compliance with the provisions of this chapter and the pertinent provisions of laws governing eviction, demolition and relocation activities.

**CHAPTER X
APPROPRIATION AND FUNDING**

SECTION 43 TRUST FUND

There is hereby appropriated for the implementation of this ordinance the amount equivalent to ten (10) percent of annual budget of the city government.

This appropriation shall be from year to year without need of further express legislation, unless and until expressly discounted by ordinance.

The Sangguniang Panlungsod, may however further appropriate, and the City Mayor may likewise further use his or her Economic Development fund, for additional funds necessary for the implementation of this ordinance.

Any unexpected portion of the annual appropriation shall accrue to the Trust Fund for Social Housing and Resettlement.

SECTION 44 OTHER SOURCES OF FUNDS

Funds for the program and for the implementation of this ordinance shall likewise come from the following sources:

- a. Proceeds of sale of city-owned properties acquired for On-site and Off-side Developments.
- b. Loans, grants, bequests and donations, whether local or foreign.
- c. Flotation of bonds, subject to guidelines to be set by the law.
- d. Proceeds from the social housing tax and idle land tax.
- e. Twenty (20) percent of the proceeds of the sale of the city government properties.

**CHAPTER XI
PENAL AND FINAL PROVISIONS**

SECTION 45 PENALTIES

Failure to comply with the statutory requirements or any act of misrepresentation or fraud in connection with any information contained in any verification report or any application for certificate of compliance or in securing the same, shall subject the government officials or employees responsible for such omission, misrepresentation or fraud to:

Disciplinary action under Book 1, Title Two, Chapter 4 of the Local Government Code.
Prosecution under the penalty clause of Republic Act. No 7279.

Any person who violates any provision of this ordinance shall suffer the penalties of imprisonment of not less than six (6) months but not more than one (1) year or a fine of not less than Three Thousand pesos (P 3,000.00) but not more than Five Thousand Pesos (P 5,000.00) or both such imprisonment and fine, at the discretion of the court.

SECTION 46 REPEALING CLAUSE

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

SECTION 47 SEPARABILITY CLAUSE

If for 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 48 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 : November 22, 2022

I HEREBY CERTIFY to the correctness of the foregoing resolution and ordinance.


ROVAN E. DOMASIAN
Secretary to the Sangguniang Panlungsod

ATTESTED:


MARK ERIC C. DIONEDA
City Vice Mayor / Presiding Officer

APPROVED:


MA. ESTER E. HAMOR
City Mayor