

*EXCERPTS* from the minutes of the regular session of the Sangguniang Bayan of Camaligan, Camarines Sur held at its session hall on February 20, 2008

PRESENT:	Nathaniel F. Capucao	- Municipal Vice Mayor/Presiding Officer
	Marissa F. Trinidad	- Municipal Councilor/Member
	Diano SJ. Ibardaloza, Jr.	- -do-
	Eduardo C. Loriaga	- -do-
	Shiela SJ. Aguid	- -do-
	Gaudencio A. Rabina	- -do-
	Benedicto B. Jacob	- -do-
ABSENT:	Emmanuel K. Moll	- Municipal Councilor/Member
	Rodelio L. Punzalan	- ABC President/Ex-Officio Member
	James Bob M. Sambo	- SK Fed. President/Ex-Officio Member

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### **MUNICIPAL ORDINANCE # 006-008**

Series of 2008

***AN ORDINANCE*** PROVIDING FOR A COMPREHENSIVE AND CONTINUING DEVELOPMENT AND HOUSING PROGRAM FOR THE URBAN POOR SECTOR IN THE MUNICIPALITY OF CAMALIGAN, CAMARINES SUR

***WHEREAS***, it is the policy of the local government to provide an efficient system in the delivery of social welfare services which will correspond to the rapid growth in population and the demands of urbanization;

***WHEREAS***, section 17 of RA 7160 mandates local government units to initiate pro-poor projects specifically addressing man's basic needs;

***WHEREAS***, the local government recognizes the need of a decent and secured shelter for a number of its populace;

***WHEREAS***, with the springing of several homeowners association and urban poor organizers, there is a strong need to formulate policies which shall hold parties responsible and liable for whatever the results of their action relative thereto, and likewise designate the duties and responsibilities of all concerned groups, offices, agencies and individuals in all scope of urban poor housing projects.

***WHEREFORE***, on motion by Councilor Eduardo C. Loriaga, unanimously seconded by all the members present:-

***BE IT ORDAINED*** by the Sangguniang Bayan of Camaligan, Camarines Sur, that:-

#### **ARTICLE 1 – TITLE AND SCOPE**

***SECTION 1. TITLE*** – This Ordinance shall be known as “**The Urban Poor Housing and Development Ordinance**”.

***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 sector in the municipality of Camaligan, Camarines Sur.

## ARTICLE II – DEFINITION OF TERMS

**SECTION 3. DEFINITION** – As used in this Ordinance the following shall be construed as:-

- 1) **Urban Poor** – shall refer to families who are Filipino Citizen, registered voters and residents of the municipality for at least three years prior to the availment of any benefits of the program, whose combined gross family income does not exceed seven thousand pesos (Php 7,000.00), and who are part of any of the following:-
  - a) Those who do not own any parcel of land of whatever classification anywhere in the country;
  - b) Those who own small property at rural areas outside the locality but decided to settle in the municipality for good;
  - c) Those who own a small property, having an area of less than 200 sqm, but has more than five (5) dependents;
  - d) Those whose combined income is above the poverty limit but not more than Php 15,000.00 and does not own a property anywhere in the country;
  - e) Those who have not availed or have not benefited from any socialized housing program sponsored by any government entity and/or NGO's.
- 2) **Head of the Family** – shall refer to a natural person who supports and maintains in his or her household one or more dependents;
- 3) **Dependent** – shall refer to the spouse, legitimate or not, an ancestor, a legitimate, illegitimate, or adopted child, or a relative within the fourth degree of consanguinity or affinity, who is below 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 the family and depending upon him or her for support;
- 4) **Family Income** – shall refer to the total regular wage, salary, income, compensation and/or benefits by the head of the family and his or her dependents from employment, business or enterprise, lease of property, or services rendered, within or outside the municipality;
- 5) **Affordable Cost** – shall refer to the most reasonable price of goods, land and shelter based on the needs and financial capability of urban poor beneficiaries and appropriate financing scheme;
- 6) **Blighted Lands** – 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;
- 7) **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;
- 8) **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 matters involving the protection and promotion of its legitimate interests, which shall include appropriate documentation and feedback mechanisms;
- 9) **Idle lands** – 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;

- 10) **Improvements** – refer to all types of buildings and residential units in actual use, walls, fences, and structures or construction of all kinds of a fixed character or which are adhered to the soil but shall not include trees, plants, and other fixtures which 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;
- 11) **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, resources, facilities and services;
- 12) **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;
- 13) **Land Banking** – shall refer to the acquisition of land at values based on existing use in advance of actual need to promote planned development and socialized housing programs;
- 14) **Swapping** – shall refer to the process of land acquisition by exchanging land for another piece of land of equal value, or based on the agreement of the local government and the private landowner;
- 15) **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;
- 16) **Professional Squatters** – shall refer to the individual or groups who occupy lands without the expressed consent of the land owner and 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 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 professional squatters or squatting syndicates;
- 17) **Resettlement Area** – shall refer to the area identified by the Local Government Unit which shall be used for the relocation of the urban poor;
- 18) **Security of Tenure** – shall refer to the degree of protection afforded to qualified program beneficiaries against infringements, or unjust, unreasonable and arbitrary eviction or disposition, by virtue of the right of ownership, lease agreement, usufruct and other contractual arrangements;
- 19) **Small Property Owners** – shall refer to those whose only real property in the municipality consists of residential lands not exceeding an aggregate area of two hundred (200) square meters;
- 20) **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;
- 21) **Squatting Syndicates** – shall refer to groups of persons engaged in the business of squatter housing for profit or gain;

- 22) **RA 7279** – an act providing for a comprehensive and continuing urban development and housing program, establish the mechanism for its implementation, and for other purposes;
- 23) **Urban Poor Association** – an accredited group of qualified urban poor in the locality organized under existing local and national laws for a common objective.

### **ARTICLE III – DECLARATION OF PRINCIPLES AND POLICIES**

**SECTION 4.** Real rights, land use and urban development shall at all times serve and yield to the demands of a healthy environment and a balanced ecology. By any government action, the ascendancy of the interest of the municipality, in general, and the welfare of the affected community, in particular, shall accord due respect and concern for the rights and needs of individuals.

**SECTION 5.** The urban poor sector is an indispensable partner and principal beneficiary of urban development. Where irreconcilable individual or sectoral interests are involved, the municipal government shall uphold, espouse, and advance the welfare of the urban poor and those who are the more underprivileged or disadvantaged by virtue of their economic status.

**SECTION 6.** Regional and provincial economic development is essential to the equitable and sustainable growth of the municipality.

**SECTION 7.** It shall be the policy of the municipal 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:-
  - b.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 forces;
  - b.2) Optimization of the use and productivity of land and urban resources;
  - b.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;
  - b.4) Reduction in urban dysfunction, particularly those that adversely affect public health and safety and the environment; and,
  - b.5) Access to land, housing employment and basic services by the urban poor sector;
- c. Adopt workable policies to regulate and direct urban development, growth and expansion towards a dispersed urban net and a more balanced 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; and,
- e. Encourage wider and more effective people's participation in the urban planning and development process;

### **ARTICLE IV – THE URBAN DEVELOPMENT AND HOUSING BOARD**

**SECTION 8. CREATION AND COMPOSITION** – There is hereby created an Urban Development and Housing Board composed of the following members:-

- a. The Chairperson or any member of the Sanggunian Committee on Urban Poor;

- b. The Chairperson or any member of the Sanggunian Committee on Laws and Rules;
- c. The Liga ng mga Barangay President;
- d. The Head of the Municipal Social Welfare and Development Office;
- e. The Head of the Municipal Engineer's Office;
- f. The head of the Municipal Assessor's Office;
- g. The Head of the Municipal Treasurer's Office;
- h. The Head of the Municipal Planning and Development Office;
- i. Three (3) representatives from the different Accredited Urban Poor Associations;

The members of the Board shall be appointed by the Municipal Mayor for a term of not more than three (3) years, provided that only representatives from Urban Poor Associations and Non-Government Organizations with no previous convictions and no pending cases of crimes involving moral turpitude and recommended by the Sangguniang Bayan through a resolution may be appointed. The board shall choose a chairperson from among themselves and promulgate its own internal rules or procedure. The members of the board shall not receive salaries or other forms of compensation.

The Municipal Mayor shall, upon recommendation of the board, terminate the appointment of any member on any just or valid cause.

**SECTION 9. POWERS AND RESPONSIBILITIES** – The board shall exercise the following powers, functions, and responsibilities:-

- a. To represent the Municipal Government and to coordinate with the Housing and Land Use Regulatory Board and the Housing and Urban Development Coordinating Council in formulating a National Urban Development and Housing Framework, as mandated by Republic Act 7279;
- b. To undertake a review and rationalization of municipal land use plans, housing programs and all other projects and activities of the municipal government and the private sector which may substantially affect land use patterns, transportation and public utilities, infrastructure, environment and population;
- c. To recommend to the municipal government a continuing inventory and identification of lands for socialized housing and as resettlement areas for the immediate and future needs of the urban poor, 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 number of beneficiaries;
- d. To draft, approve and recommend to the Municipal Government the terms, conditions, and other stipulations of contracts with landowners, beneficiaries, developers and other parties relative to the implementation of the program;
- e. To recommend to the Municipal Government the expropriation of idle lands in urban and urbanizable areas and the alternative schemes for the disposition of the same and other inventories or identified lands to beneficiaries;
- f. To design a system for the registration of qualified program beneficiaries;
- g. To design a system that will provide opportunities for adequate consultation with the private sectors 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;

- h. To adopt measures that will effectively identify and curtail any illegal activities of professional squatters and squatting syndicates;
- i. To adopt guidelines for the lawful and humane relocation and resettlement of persons living in dangerous areas such as but not limited to, esteros, garbage dumps, riverbanks and waterways, sidewalks, roads, parks and playgrounds;
- j. To promote the production and use of indigenous, alternative, and low-cost construction materials and technologies for socialized housing, and to develop a set of mechanism including incentives to the private sector so that a viable transport system shall evolve and develop in urban areas;
- k. To plan and regulate urban activities for the conservation and protection of the ecosystem, scenic landscapes, cultural sites and other similar resource areas;
- l. To act as the LGU's arm in the implementation and monitoring of all pertinent provisions of RA 7279 and this Ordinance;

#### **ARTICLE V – THE PROGRAM**

**SECTION 10. ON SITE DEVELOPMENT** – When found more practicable and advantageous to the urban poor beneficiaries, the LGU, through the Urban Development and Housing 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 provisions for basic infrastructure and services.

**SECTION 11. SITE 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 the 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 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 as herein defined shall not be entitled to avail of the benefits of the program.

**SECTION 12. 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 of 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 homelots, physical development, screening and selection of qualified beneficiaries, and provision of basic services.

**SECTION 13. SITE QUALIFICATION** – Areas for relocation and resettlement shall be:-

- a. Accessible and proximate to job sites and other economic activities;

- b. Classified as residential land;
- 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 14. BENEFICIARY QUALIFICATIONS** – Applicants for homelots in Off-site development areas shall possess all of the following qualifications:-

- a. Must be an urban poor as herein defined;
- b. Must be a bona fide member of an accredited urban poor organization;
- c. Must be a registered potential socialized housing beneficiary under applicable laws and ordinances;
- d. Must have the capacity to pay the amortizations and/or developments costs, when appropriate;
- e. Must not have been previously awarded a homelot under this program or any other government projects;
- f. Must not have been previously availed of a housing loan from the Social Security System (SSS), the Government Service Insurance System (GSIS), and the Home Development and Mutual Fund (HDMF).

**SECTION 15. PRIORITIZATION OF BENEFICIARIES.** – Applications for homelots in Off-site development areas shall be processed and granted in the following order of priority:-

- a. Applicants covered by court orders for eviction and demolition;
- b. Applicants affected by infrastructure projects of the government;
- c. Applicants occupying danger zones or risk prone areas;
- d. Applicants covered by pending cases for eviction;
- e. Applicants with due compromise agreements with landowners;
- f. Applicants who wish to vacate their places of abode;

Unless otherwise determined by the Urban Development and Housing Board, an application fee of One Hundred Pesos (Php 100.00) shall be charged, which amount shall accrue to the Trust Fund for Socialized Housing.

**SECTION 16. CAPABILITY BUILDING.** – The LGU shall encourage and extend financial assistance to Non-Government organizations (NGO's) to initiate, support and participate in the capability building programs for urban poor communities, which shall include activities relative to the social preparation of program beneficiaries such as but not limited to community organizing, leadership trainings, and values orientation seminars.

**SECTION 17. AUXILIARY SERVICES.** – The LGU shall at all times extend such auxiliary services as land surveys, research and legal assistance, relocation and resettlement expense assistance, and land disputes mediation or conciliation roles.

#### **ARTICLE VI – MODES OF LAND ACQUISITION**

**SECTION 18. 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, joint venture agreement, negotiated purchase, and expropriation.

The Urban Development and Housing Board shall recommend to the Sangguniang Bayan 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 19. EXPROPRIATION.** – All idle and abandoned land shall be expropriated and shall be disposed of or utilized by the LGU for such purposes that conform to its land use plan.

Expropriation of residential lands occupied by urban poor communities may also be undertaken for purposes of subdividing and reselling the same at 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 the families who are qualified and registered beneficiaries;
- b. That the property is more than eight hundred square meters (800 sqm.) in area;
- c. That the occupants form themselves into an urban poor organization, and are able to raise the amount equivalent to fifteen percent (15%) of the assessed value of the property for purposes of taxation and deposit the same with the Municipal Government in 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 20. EXEMPTION** – properties of small property owners shall be exempt from expropriation, unless the same or portions thereof are necessary for the infrastructure project of the government.

**SECTION 21. DISPOSITION OF LANDS** – The LGU, upon recommendation of the Urban Development and Housing 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 enunciated in this ordinance.

The largest urban poor federation or organizations and non-government organizations represented in the Urban Poor Development and Housing Board 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.

## **ARTICLE VII – PROHIBITIONS**

**SECTION 22. CONVEYANCES AND ENCUMBRANCES** – No homelot 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 mortgaged by the beneficiary within a period of ten (10) years from full payment thereof, except to the Municipal Government or to other qualified beneficiaries as approved by the Municipal Government through the Urban Development and Housing Board 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 lose his/her right to the land, forfeit in favor of the Municipal Government the amortizations paid thereon, and he/she and the buyer or transferees of the property or any right thereto shall forever be barred from availing any and all benefits under this ordinance or the amendments thereto. The buyer or transferees of the land or any right thereto shall suffer the penalties of imprisonment of not less than three (3) but not more

than six (6) months or a fine of not less than Php 2,000.00 but not more than Php 5,000.00, or both such imprisonment and fine, at the discretion of the court.

The LGU or the Urban Poor Organization concerned any initiate any investigation and/or action on the unlawful or unauthorized transfer of land acquired through the program.

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

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

**SECTION 23. ANNOTATION OF PROHIBITION** – All deeds of sale or conveyance of lands acquired by the beneficiaries under this ordinance shall contain the prohibition of the immediately preceding provision, which provision shall likewise be annotated in the title to the property upon due issuance thereof to the beneficiaries.

**SECTION 24. NEW ILLEGAL STRUCTURES** – It shall be unlawful for any person to construct any structure on garbage dumps, riverbanks, waterways, and 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 jurisdiction. The Punong Barangay who allows, tolerates the construction of such illegal structures shall be prosecuted under the provisions of RA 7279.

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

**SECTION 25. PROFESSIONAL SQUATTERS** – The Urban Development and Housing Board and the LGU shall adopt measures to identify and effectively curtail the nefarious and illegal activities of professional squatters and squatting syndicates as herein defined.

Any person or group identified as such shall be evicted and their dwelling structures demolished in accordance with existing laws, and shall forever be 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 RA 7279.

## **ARTICLE IX – BASIC SERVICES**

**SECTION 26. BASIC SERVICES** – Socialized housing or resettlement areas shall be provided by the Municipal 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 and an efficient power distribution system;
- c. Schools, Drainage and solid waste disposal systems;
- 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 LGU and other concerned agencies, in cooperation with the private sector and the beneficiaries themselves.

The LGU, 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 other government agencies concerned with providing basic services to housing projects.

**SECTION 27. LIVELIHOOD COMPONENT** – To the extent feasible, socialized housing and resettlement projects shall be located near areas where employment opportunities are accessible. The LGU, in dealing with the development of livelihood programs and grant of loans shall give priority to the beneficiaries of the program.

**SECTION 28. PARTICIPATION OF BENEFICIARIES** – The LGU, in cooperation with concerned government agencies, shall afford the program beneficiaries 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 and other livelihood activities. They shall assist the LGU in preventing the incursion of professional squatters and squatting syndicates into their community.

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 project affecting them, consultations between the implementing agency and the affected beneficiaries shall be conducted.

**SECTION 29. CONSULTATION WITH PRIVATE SECTOR** – Opportunities for adequate consultation shall be accorded to the private sector involved in socialized housing pursuant to this ordinance.

## **ARTICLE X – RELATED STRATEGIES**

**SECTION 30. PROMOTION OF INDIGENOUS HOUSING MATERIALS AND TECHNOLOGIES** – The LGU, in cooperation with the National Housing Authority (NHA), Technology and Livelihood Resources 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 31. TRANSPORT SYSTEM** – The LGU, in cooperation with other concerned agencies, shall devise a set of mechanisms including incentives to the private sector so that, viable transport facilities shall evolve in areas developed by the Program. It shall also formulate standards which shall ensure smooth flow of traffic, safety and convenience of travel, optimum use of land space, minimum damage to the physical environment, and, adequate and efficient transport service for the people and goods at a minimum cost.

**SECTION 32. ECOLOGICAL BALANCE** – The LGU shall coordinate with the DENR in taking measures that will plan and regulate urban activities for the conservation and protection of the ecosystem, scenic landscapes, cultural sites and other similar resource areas.

To make this function more effective, involvement of the citizenry in the environmental rehabilitation shall be promoted and encouraged.

**SECTION 33. URBAN-RURAL INTERDEPENDENCE** – To minimize rural to urban migration and pursue urban decentralization, coordination with the NEDA and the

Metro Naga Development Council (MNDC), and other concerned agencies shall regularly be done by the LGU to formulate projects which will stimulate socio-economic growth in all barangays under its jurisdiction.

## **ARTICLE XI – SOCIALIZED HOUSING**

**SECTION 34. SOCIALIZED HOUSING PROJECTS** – Subject to the availability of funds and financial partners from the private sector, the LGU shall endeavor to implement socialized housing projects and/or housing assistance programs to qualified beneficiaries, in addition to land acquisition and distribution.

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

**SECTION 35. INCENTIVES FOR PRIVATE PARTICIPATION** – Subject to the approval of the Provincial Government of Camarines Sur, property owners who voluntarily provide free resettlement sites to illegal occupants of their lands may be entitled to a real property tax credit equivalent to the assessed value of their resettlement site for purposes of taxation, to be assessed as follows:-

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

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

## **ARTICLE XII – APPROPRIATION AND FUNDING**

**SECTION 36. APPROPRIATIONS** – The Sangguniang Bayan may appropriate and the Municipal Mayor may likewise use a portion of the Economic Development Fund for funds necessary for the implementation of this ordinance.

The present LGU manpower, to be designated by the Local Chief Executive, shall be utilized to run this program;

**SECTION 37. OTHER SOURCES OF FUNDS** – Funds for the implementation of this ordinance shall likewise come from the following sources:-

- a) The trust fund for socialized housing and resettlement;
- b) Proceed of sale of municipal-owned properties acquired for on-site or off-site development;
- c) Loans, grants, bequests and donations, whether local or foreign;

## **ARTICLE XIII – FINAL PROVISION**

**SECTION 38. SEPARABILITY CLAUSE** – Should any portion(s) of the provisions hereof be declared unconstitutional, the others not so declared shall remain in full force and effect.

**SECTION 39. REPEALING CLAUSE** – All other provisions of existing ordinances, resolutions, executive issuances which are found inconsistent with this ordinance are hereby repealed, amended, or modified accordingly.

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**SECTION 40. EFFECTIVITY** – This ordinance shall take effect immediately upon its approval

**ENACTED:** February 20, 2008

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**WE HEREBY CERTIFY** to the correctness and truthfulness of the foregoing.

**JOY MARIE I. SAN BUENAVENTURA**  
*Sangguniang Bayan Secretary*

**MARISSA F. TRINIDAD**  
*Municipal Councilor*

**DIANO S.J. IBARDALOZA, JR.**  
*Municipal Councilor*

**EDUARDO C. LORIAGA**  
*Municipal Councilor*

**EMMANUEL K. MOLL**  
*Municipal Councilor*

**SHIELA SJ. AGUID**  
*Municipal Councilor*

**GAUDENCIO A. RABINA**  
*Municipal Councilor*

**BENEDICTO B. JACOB**  
*Municipal Councilor*

**RODELIO DL. PUNZALAN**  
*ABC President*

**JAMES BOB M. SAMBO**  
*SKF President*

Attested by:

**NATHANIEL F. CAPUCAO**  
*Municipal Vice-Mayor and Presiding Officer*

Approved:

**ROLANDO C. EDUARDO**  
*Municipal Mayor*