

Republic of the Philippines
Province of Davao del Norte
CITY OF TAGUM

BEFORE THE 4TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE 62ND REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON SEPTEMBER 22, 2008 AT THE SP SESSION HALL.

PRESENT:

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. MARIA LINA F. BAURA,	Member
Hon. ROBERT L. SO,	Member
Hon. DE CARLO L. UY,	Member
Hon. RAYMOND JOEY D. MILLAN,	Member
Hon. VICENTE C. ELIOT, SR.,	Member
Hon. JOEDEL T. CAASI,	Member
Hon. ALAN D. ZULUETA,	Member
Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member
Hon. REYNALDO T. SALVE,	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. ALFREDO R. PAGDILAO,	Member (ABC Representative)
Hon. CYRIL LEONARD L. MURING,	Member (SKF Representative)

CITY ORDINANCE NO. 302, S-2008

AN ORDINANCE DEFERRING FOR FIVE (5) YEARS THE ISSUANCE OF ACCREDITATIONS AND APPROVAL OF DEVELOPMENT PLANS TO URBAN POOR ASSOCIATIONS IN THE CITY OF TAGUM AND PROVIDING EXEMPTIONS HEREOF.

SECTION I. STATEMENT OF POLICY. It is the policy of the City Government of Tagum to provide a decent shelter to the homeless constituents of the City of Tagum with access to the basic services and necessities such as electricity, water, road, and drainage facilities.

SECTION II. DEFINITION OF TERMS. As used in this Ordinance, the following terms are defined, to wit:

- a) Accreditation – the grant of authority or approval after meeting specific requirements.
- b) Community Mortgage Program (CMP) – is a mortgage financing program of the National Home Mortgage Finance Corporation which assists legally organized associations of underprivileged and homeless citizens to purchase and develop a track of land under the concept of community ownership.
- c) Defer – to hold in abeyance.
- d) Development Plan (DP) – detailed engineering plan consisting of the site development plan showing all the proposals on roads, easements or right-of-way and roadway width, alignment, gradient and similar data for alleys, if any, lot and block numbers, site data such as number of residential and saleable lots, typical lot size, parks and playgrounds and open spaces duly signed by licensed professional architect or civil engineer or a geodetic engineer and an environments planner as co-signatory.
- e) Occupancy – the act or fact of taking or having possession to acquire ownership.
- f) Occupancy rate – the percentage of occupied home lot area over the number of home lots already sold out in a certain community association.
- g) Preliminary Approval and Locational Clearance (PALC) – a schematic plan of a proposed project showing the layout of streets, lots, parks and playgrounds and other features in relation to existing condition duly signed by a license professional architect or civil engineer or a geodetic engineer and an environments planner as co-signatory.
- h) Urban Poor Association – refers to an organization or group of underprivileged and homeless individuals occupying a common territory, established for purposes of mutual help and protection, created and duly registered under the existing laws of the Philippines.

SECTION III. OBJECTIVE. This Ordinance shall have the following objectives:

- a) To extend assistance for the development and/or improvement of existing Urban Poor Communities particularly those that are still under-utilized and blighted by providing responsive basic facilities and services such as access roads, drainage, water system, power and electricity, solid waste disposal system, and other facilities indispensable in the community particularly those that would affect public health, safety and ecology.
- b) To attain high occupancy rate for these existing Urban Poor Communities.

SECTION IV. PURPOSE AND INTENT. Its purpose and intent is to uplift the conditions of the existing urban Poor Communities by making available to them basic facilities and services. Per actual assessment by the City Planning and Development Office, most of these communities experience difficulty in obtaining the essential basic services and facilities. From the more or less thirty (30) existing urban poor housing projects, the roads and drainage systems are either underdeveloped or partially developed. Similar condition is being experienced with their power and water systems. Most of the subdivisions are only partially energized and water sources are mostly from deep well or dumoy. Because of this immediate concern, there is a need to develop and maintain the housing sites for the comfort, convenience and satisfaction of the inhabitants.

SECTION V. COVERAGE AND EXEMPTIONS. The deferment shall cover all new applications of Urban Poor Associations organized for the purpose of acquiring a socialized housing project within the territorial jurisdiction of the City of Tagum.

The following existing Urban Poor Associations shall be exempt from the coverage of this Ordinance, subject to the conditions set in Section VI herein:

1. Barangay Magugpo East Urban Poor Homeowners Association
2. Curvada-Magdum Homeowners Association
3. Immaculada Concepcion Urban Poor Homeowners Association
4. Malinawon Urban Poor Homeowners Association
5. San Antonio Homeowners Association
6. San Jose Homeowners Association
7. San Rafael Homeowners Association
8. Tagum CEBOLE Homeowners Association, Inc.
9. Velasco Urban Poor Homeowners Association – Phase 1
10. Velasco Urban Poor Homeowners Association – Phase 2

SECTION VI. APPLICABILITY CLAUSE. There shall be no issuances of accreditation and approval of development plans and other related documents to Urban Poor Associations in the City of Tagum for a period of five (5) years upon approval of this ordinance.

Provided, however, this deferment ordinance will be subject to conditions stated herein, viz:

1. Those community associations listed under Section V hereof which are still on the process of complying the necessary permits will be given a maximum period of one (1) year from the enactment of this law, otherwise they will be covered by this Ordinance.
2. Those community associations who have approved PALC & DP but with a low occupancy rate, will be subjected to verification process to be conducted by the City Planning and Development Office to enforce the provision that was stated under the LEASE PURCHASE AGREEMENT.
3. Upon ninety-five (95%) percent actual occupancy rate of those subdivisions, this ordinance will be lifted and new applications will be accepted.

SECTION VII. MONITORING AND ANNUAL REPORT. There will be a monitoring and evaluation on the status of the existing Urban Poor Communities to assess its development and the Task Force on Housing and Resettlement shall submit a detailed annual report with respect to its implementation.

SECTION VIII. SEPARABILITY CLAUSE. If, for any reason, any provision of this ordinance is declared invalid, the remaining provisions not affected by such declaration shall continue to be in force and effect.

SECTION IX. REPEALING CLAUSE. All ordinances and administrative regulations or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION XI. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon approval.

CARRIED AND APPROVED.

ENACTED AND PASSED this 22nd day of September, 2008.

I HEREBY CERTIFY to the correctness of the foregoing.

(Sgd) **REY A. BUHION**
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**

(Sgd) **ALLAN L. RELLON, MPA**
City Vice Mayor
(Presiding Officer)

APPROVED:

(Sgd) **REY T. UY**
City Mayor

Oct. 13, 2008
(Date)

fname: CO30208
*fm****