



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 722-0304

ORDINANCE NO. 22-13 S. 2023

AN ORDINANCE DEFINING POLICIES FOR THE PROHIBITION OF ILLEGAL AND/OR INFORMAL SETTLEMENTS IN BATANGAS CITY, SUPPORTING RELOCATION AND INTEGRATION OF INFORMAL AND/OR ILLEGAL SETTLERS, PROVIDING FUNDS THEREOF, AND FOR OTHER PURPOSES

SPONSOR: COUN. NESTOR E. DIMACUHA

WHEREAS, the City Government of Batangas is mindful of the existence of illegal and/or informal settlements in danger areas, public places, government projects and properties in the City of Batangas which is detrimental to the settlers themselves, the public in general, and the over-all welfare of the City;

WHEREAS, it is the policy of the City Government of Batangas to safeguard the interest of legitimate landowners, title holders, business establishments, as well as the inhabitants and citizens of the City against illegal and/or informal settlers;

WHEREAS, the City Government of Batangas shall pursue an intensive and unrelenting campaign against illegal and/or informal settlements through an integrated system of monitoring, planning, implementation, and enforcement of pertinent city ordinances and national laws to eradicate illegal and/or informal settlements, the relocation and integration of such illegal and/or informal settlers to the community through a socialized housing project, and or similar activities;

WHEREAS, the City Government of Batangas shall engage the assistance and participation of Civil Society Organization (CSO) and Non-Governmental Organizations, and other similar groups for the establishment and realization of socialized housing project, and/or similar activities;

NOW THEREFORE, be it **ORDAINED** as it is hereby **ORDAINED** by the Sangguniang Panlungsod of Batangas City in session duly assembled the following:

SECTION 1. TITLE. This Ordinance shall be known and cited as the "ANTI-ILLEGAL AND/OR INFORMAL SETTLEMENT ORDINANCE IN BATANGAS CITY";

SECTION 2. DECLARATION OF POLICY. It shall be the policy of the City of Batangas to curtail any and all illegal and/or informal settlements in all danger areas, public places, and government projects in the City of Batangas, to discourage the same, to evict and demolish such settlements, and to provide relocation and integration to the community of the illegal and/or informal settlers through a socialized housing project or similar activities;



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SECTION 3. AUTHORITY. This Ordinance is enacted pursuant to Section 458 (2)(vi) and Section 391 (18) of the Local Government Code of 1991; Section 27 of Republic Act No. 7279 (Urban Development and Housing Act of 1992); Executive Order 129 S. 1993 (Establishing an Institutional Mechanism to Curtail the Activities of Professional Squatting Syndicates and Professional Squatters and Intensifying the Drive Against Them); and Department of the Interior and Local Government (DILG) Memorandum Circular No. 2012-04; and other related laws;

SECTION 4. DEFINITION OF TERMS. As used in this Ordinance, the following terms shall be defined as follows:

4.1 **Illegal/Informal Settlement** - refers to any form of housing, shelter or settlement developed without abiding to specific and relevant rules, standards and falls outside government control and regulation;

4.2 **Illegal/Informal Settler** - refers to one who settles on the land of another without title or right or without the owner's consent;

4.3 **Socialized housing** - refers to housing programs and projects covering houses and lots or home lots only undertaken by the government for the underprivileged and homeless citizens which shall include sites and services development, long-term financing, liberalized terms on interest payments, and such other benefits in accordance with the provisions of this Ordinance;

SECTION 5. PROHIBITED ACTS. It shall be unlawful for any person or group of persons who:

5.1. Have previously been granted or awarded with lands or home lots, or housing units by the government whether local or national, but who sold, leased or transferred the same to settle illegally or in another urban area, and non-bona fide occupants and intruders of lands reserved for socialized housing;

5.2. Construct and/or builds any structure in public land or land owned by the City without the necessary permit;

5.3. Construct and/or builds any structure in a privately owned lot without the express consent/approval of the registered owner;

5.4. With the use of force, intimidation or threat, stealth or strategy, or taking advantage of the absence or tolerance of the registered owner, occupies or possesses the property without the consent or will of the owner;



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5.5. Impedes and or obstructs the proposed, on-going, and future developmental projects of the City due to illegal and/or informal settlements within the project site/s;

SECTION 6. PENALTIES. For the purpose of this Ordinance, any and all violation of this Ordinance shall be meted out with the following fines and penalties:

6.1. For violation of Section 5 thereof, the impossible penalty shall be a fine of not less than Five Thousand Pesos (Php 5,000.00) or not more than one (1) year imprisonment, or both, at the discretion of the court; and

6.2. For Barangay Officials who directly or indirectly permit illegal and/or informal settlements, abet and/or otherwise tolerate the construction of any structure in violation of the preceding section within their territorial or administrative jurisdiction shall be meted with administrative sanctions as provided for in the Administrative Code of 1987, Republic Act No. 6713 otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees, Republic Act No. 3019 of the Anti-Graft and Corrupt Practices Act, Republic Act No. 7279 of the Urban Development and Housing Act of 1992, after the observance of substantive and procedural due process provided by law.

SECTION 7. CREATION OF BATANGAS CITY HOUSING AFFAIRS. The Batangas City Housing Affairs (BCHA) shall be composed of the following:

Chairman	:	City Mayor,
Members	:	Chief of Police, PNP Batangas City;
		City Legal Officer;
		City Social Welfare and Development Officer;
		City Engineer;
		City Environment and Natural Resources Officer;
		City Planning and Development Coordinator;
		City Disaster Risk and Reduction Management Officer;
		City Assessor;
		City Prosecutor;
		City Registry of Deeds;
		Chairperson, Sanggunian Committee on Housing and Urban Development or its equivalent;
		Representative from any accredited Civil Service Organization;
		Representative from any SEC Registered non-Governmental organizations (NGO) operating in the City; and
		Representative from the private sector who shall be chosen by the abovementioned members.



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7.1. The BCHA shall appoint at least three (3) staff from any of the abovementioned offices who shall act as its Secretariat.

7.2. If the Head of Office is not available, an employee who holds a next-in-rank position who is deemed the most competent and qualified, or any of the authorized representative of the head as designate shall automatically be a member of the Committee.

SECTION 8. POWERS AND FUNCTIONS. The Batangas City Housing Affairs (BCHA) shall have the following powers and functions:

8.1. Prescribe and promulgate rules and regulations, necessary to prohibit and/or eradicate illegal and/or informal settlements in Batangas City, provide mechanisms for the relocation and integration of illegal and/or informal settlers through a socialized housing project and/or similar activities, and to engage the participation and/or support of private, civil service, and non-governmental organizations in such project/s;

8.2. Adopt the necessary measures to identify and effectively curtail any activities related to illegal and/or informal settlements in the danger areas, public places, and government projects of the City;

8.3. Monitor and initiate all evictions and demolitions whether voluntary, extrajudicially, summary or court-ordered related to illegal and/or informal settlements in the danger areas, public places, and government projects of the City in relation to Section 28 of the UDHA (RA No. 7279) and its implementing rules and regulations;

8.4. Conduct consultations with families and all settlers affected;

8.5. Propose, provide, and implement socialized housing project and/or similar activities to relocate and integrate within a community the settlers and affected families;

8.6. Promulgate rules, guidance, and regulations in the selection of beneficiaries of the socialized housing programs, qualifications and disqualifications thereof, manner of selection, awarding, and maintenance of the program during the whole stay of the beneficiary/awardee;

8.7. Promulgate rules, guidance, and regulations in the initiation of a Community Mortgage Program in relation to the socialized housing project if necessary;



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8.8. Ensure the promotion and integration of the use of indigenous, alternative, and low-cost construction materials and technologies for socialized housing in coordination with HUDCC, NHA, the Technology Livelihood Resource Center (TLRC), Department of Science and Technology (DOST) and other organizations;

8.9. Propose and endorse possible expropriation of private properties for socialized housing project; and

8.10. Ensure compliance of all projects and activities as contained in this Ordinance with the Batangas City Local Shelter Plan; and

8.11. Prepare, submit, and make periodic reports relative to the status of all projects and activities as contained in this Ordinance.

SECTION 9. APPROPRIATION. The City shall appropriate at least one percent (1%) of its annual Internal Revenue Allotment (IRA) for the implementation of the project and activities as contained in this Ordinance.

SECTION 10. COOPERATION AND CONCERNED AGENCIES. The Batangas City Housing Affairs (BCHA) shall coordinate with all concerned agencies such as the 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 Settlement and Urban Development (DHSUD), Presidential Commission for the Urban Poor (PCUP), and other governmental and non-governmental agencies to ensure the effective and efficient implementation of this Ordinance.

SECTION 11. IMPLEMENTING RULES. The City Mayor may promulgate and issue Implementing Rules and Regulations for the efficient and effective implementation of the provision of this Ordinance. The non-issuance of the rules and regulations shall not in any manner forestall the effectivity and implementation of this Ordinance.

SECTION 12. REPEALING CLAUSE. Any ordinance, executive order and other rules and regulations, or parts thereof, in conflict with or inconsistent with the provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 13. SEPARABILITY CLAUSE. If any provision of this Ordinance is declared invalid or unconstitutional, all other provisions hereof not affected thereby shall continue to remain in full force or effect.



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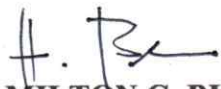
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SECTION 14. EFFECTIVITY. This Ordinance shall take effect immediately upon approval of the City Mayor and after fifteen (15) days of publication in a local newspaper of general circulation within premises of Batangas City.

ENACTED, this 6th day of June, 2023.


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


HAMILTON G. BLANCO
Acting Presiding Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: JUN 16 2023

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON JUNE 6, 2023 AT THE SAMPAGUITA FARM,
SAMPAGA, BATANGAS CITY**

PRESENT:

Hon. Hamilton G. Blanco,	Acting Presiding Officer
Hon. Karlos Emmanjuel A. Buted,	Councilor
Hon. Andrea Loise F. Macaraig,	"
Hon. Nestor E. Dimacuha,	"
Hon. Oliver Z. Macatangay,	"
Hon. Armando C. Lazarte,	"
Hon. Nelson J. Chavez,	"
Hon. Jose Jonash Luis F. Tolentino,	"
Hon. Zester Carlo M. Hernandez,	"
Hon. Isidra "Ched" M. Atienza,	"
Hon. Lorenzo A. Gamboa, Jr.,	"
Hon. Marjorie A. Manalo,	(SK-Rep.)
Hon. Alyssa Renee A. Cruz (O.B.)	Presiding Officer
Hon. Michael C. Villena,	Councilor
Hon. Angelito Dondon A. Dimacuha,	(ABC-Rep.)

"On motion of Councilor Nestor Dimacuha seconded by Councilor Atienza, the following Resolution was Adopted:

RESOLUTION NO. 22-243 S. 2023

**APPROVING THE "ANTI-ILLEGAL AND/OR INFORMAL SETTLEMENT
ORDINANCE IN BATANGAS CITY"**


RESOLVED, to approve the Ordinance entitled: "An Ordinance Defining Policies for the Prohibition of Illegal and /or Informal Settlements in Batangas City, Supporting Relocation and Integration of Informal and/or Illegal Settlers, Providing Funds Thereof, and for Other Purposes", exempting from the Three Reading Rule.

UNANIMOUSLY APPROVED. "

Continuation of Resolution No. 22-243 S. 2023

**APPROVING THE "ANTI-ILLEGAL AND/OR INFORMAL SETTLEMENT
ORDINANCE IN BATANGAS CITY"**

I hereby certify that the foregoing Resolution No. 22-243 S. 2023 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on June 6, 2023.


LUNINGNING A. AQUINO
Board Secretary III

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary

ATTESTED:


HAMILTON G. BLANCO
Acting Presiding Officer

ODT/laa/ystingchuy...