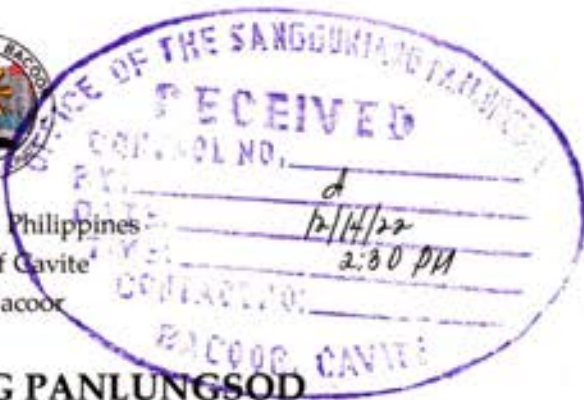




Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Peace & Order and Public Safety Committee on Barangay Affairs Committee on Public Works and Highways		AN ORDINANCE REQUIRING THE INSTALLATION OF FLOOD LEVEL MARKERS AND EMERGENCY SIRENS IN ALL BARANGAYS IN THE CITY OF BACOR, CAVITE AS PART OF AN EARLY WARNING SYSTEM DURING CALAMITIES AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.	PCO-2022-046	
V E N U E	SP Session Hall 2 nd floor, Bacoor Government Center		D A T E / T I M E	December 7, 2022/ 9:30 AM

**COMMITTEE REPORT
No. POPS-005-S-2022**

Acting on the referral, a public hearing was conducted last December 7, 2022 regarding the above-mentioned subject with the following attendees. (See attached attendance sheet)

Thus, the committee respectfully reports that:

1. Flood early warning is a system of data collection and analysis, undertaken to provide timely information on future or ongoing events to produce an appropriate response with the aim to reduce losses or damage.
2. The purpose of early warning system is mitigating the risk produced by disasters, but these risks are compounded by the socio-economic vulnerability of the population exposed to the hazards. In this context, early warning systems must be inclusive and sensitive to the different sources of vulnerability.



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

3. Early warning devices like flood level markers and emergency sirens shall be installed, placed, and/or pre-positioned in strategic locations in all Barangays in the City.
4. The design/type of early warning devices will come from the Engineering Department and the BDRRMO.
5. Since all the Barangays in the City of Bacoor have disaster preparedness fund, they will use the said fund to acquire the early warning devices and with the help of the City Government.
6. The BDRRMO shall submit the draft implementing rules and regulations of this Ordinance to the City Mayor for his approval.

RECOMMENDATION:

In view of the foregoing, the Committee respectfully recommends for the **APPROVAL** of the above-mentioned proposed city ordinance.

WE HEREBY CERTIFY that the contents of the foregoing report are true and correct.

Signed this 12th day of December, 2022 at the City of Bacoor, Cavite.

COMMITTEE ON PEACE & ORDER AND PUBLIC SAFETY



COUN. ALEJANDRO F. GUTIERREZ

Chairman



COUN. REYNALDO PALABRICA

Vice-Chairman

Committee on Barangay Affairs



COUN. MICHAEL SOLIS

Member

Committee on Barangay Affairs



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD



COUN. ALDE JOSELITO PAGULAYAN

Member

COMMITTEE ON BARANGAY AFFAIRS



COUN. RAMON BAUTISTA

Chairman



COUN. ROGELIO NOLASCO

Member

Committee on Public Works and Highways

COMMITTEE ON PUBLIC WORKS AND HIGHWAYS



COUN. LEVY TELA

Chairman



COUN. ROBERTO ADVINCULA

Vice Chairman



Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Peace & Order and Public Safety Committee on Barangay Affairs Committee on Public Works and Highways		AN ORDINANCE REQUIRING THE INSTALLATION OF FLOOD LEVEL MARKERS AND EMERGENCY SIRENS IN ALL BARANGAYS IN THE CITY OF BACOOR, CAVITE AS PART OF AN EARLY WARNING SYSTEM DURING CALAMITIES AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.	PCO-2022-046	
VENUE	SP Session Hall 2 nd floor, Bacoor Government Center		TIME / DATE	December 7, 2022/ 9:30 AM

MINUTES OF PUBLIC HEARING No. POPS-005-S-2022

A public hearing was conducted last December 7, 2022 regarding the above-mentioned subject matter with the following attendees. (See attached attendance sheet)

Committee Chair Councilor Alejandro Gutierrez acknowledge all the attendees of the said public hearing. He gave the floor to the Vice Chairman of the Committee, Councilor Reynaldo Palabrica. The good Councilor discussed the importance and purpose of the proposed ordinance. According to him, all early warning system devices like flood level markers and emergency sirens will be installed in strategic locations in all Barangays of the City. He also added that since all Barangays have disaster preparedness fund, they will use this fund to acquire early warning devices with the help of the City Government. Councilor Palabrica also mentioned that critical areas must be identified to determine where to install the early warning devices. He also specified that the design of all the early warning devices will come from the Engineering Department and BDRRMO to make it uniform.



Republic of the Philippines
Province of Cavite
City of Bacoor

5th SANGGUNIANG PANLUNGSOD

Councilor Gutierrez asked all the Barangay Captains present during the hearing to submit the locations for flood markers installation to the Engineering Department, especially the flood prone areas.

Councilor Palabrica reiterated that as per the local Government Code the Sangguniang Panlungsod has the power to authorize the City Mayor to impose penalties that will be included in the IRR.

Having no other matters to be discussed, the hearing was adjourned at exactly 11:30am.

Prepared by:


Ma. Cristina A. Gorospe
Local Legislative Staff Assistant I

Attested by:


Councilor Alejandro F. Gutierrez
Chairman
Committee on Peace & Order and Public Safety





Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Peace & Order and Public Safety Committee on Barangay Affairs Committee on Public Works and Highways		AN ORDINANCE REQUIRING THE INSTALLATION OF FLOOD LEVEL MARKERS AND EMERGENCY SIRENS IN ALL BARANGAYS IN THE CITY OF BACOR, CAVITE AS PARTS OF AN EARLY WARNING SYSTEM DURING CALAMITIES AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.	PCO-2022-046	
VENUE	Sangguniang Panlungsod Session Hall		DATE/TIME	December 7, 2022/ 9:30 AM

ATTENDANCE OF HEARING

No. POPS-005-S-2022

Name	Contact Number	Signature
Coun. Alejandro Gutierrez		
Coun. Reynaldo Palabrica		
Coun. Michael Solis		
Coun. Alde Joselito Pagulayan		
Coun. Ramon Bautista		
Coun. Rogelio Nolasco		
Coun. Levy Tela		
Coun. Roberto Advincula		
ATTY. MARIUS SUMIRA		
Engr. JIMMY JUTERA		



Republic of the Philippines
Province of Cavite
City of Bacoor



5th SANGGUNIANG PANLUNGSOD

COMMITTEE/S		TITLE OF PROPOSED MEASURE	CONTROL NUMBER	
Committee on Peace & Order and Public Safety, Committee on Barangay Affairs and Committee on Public works and Highways		AN ORDINANCE REQUIRING THE INSTALLATION OF FLOOD MARKERS AND EMERGENCY SIRENS IN ALL BARANGAYS IN THE CITY OF BACOR, CAVITE AS PARTS OF AN EARLY WARNING SYSTEM DURING CALAMITIES AND PENALIZING ANY VIOLATION HEREOF.	PCO-2022-046	
VENUE	Sangguniang Panlungsod Session Hall		DATE/TIME	December 07, 2022/ 9:30 AM

NOTICE OF JOINT PUBLIC HEARING - RECEIVING COPY

No. POPS-005-S-2022

NAME	RECEIVED BY	DATE	SIGNATURE
Coun. Reynaldo D. Palabrica	Cathy Pullecer	12-01-2022	<i>[Signature]</i>
Coun. Alde Joselito Pagulayan	Queenie Aquino	12-01-2022	<i>[Signature]</i>
Coun. Michael Solis	Wang A.	12-01-22	<i>[Signature]</i>
Coun. Levy Tela	Heather Gordon	12-01-22	<i>[Signature]</i>
Coun. Rogelio Nolasco	Edram Nolasco	12-01-22	<i>[Signature]</i>
Coun. Roberto Advincula	Alexandra	12/1/22	<i>[Signature]</i>
Coun. Ramon Bautista	GERALD	12/1/2022	<i>[Signature]</i>
City Engineering Department	cecile	12/1/2022	<i>[Signature]</i>
City Legal Office	Levy	12/1/22	<i>[Signature]</i>
Liga ng mga Barangay	GERALD	12/01/2022	<i>[Signature]</i>



G.17.5 PCO 2022-046 - AN ORDINANCE REQUIRING THE INSTALLATION OF FLOOD LEVEL MARKERS AND EMERGENCY SIRENS IN ALL BARANGAYS IN THE CITY OF BACCOOR, CAVITE THAT WILL SIGNAL THE AUTOMATIC MANDATORY EVACUATION OF RESIDENTS DURING CALAMITIES AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

**PROPOSED CITY ORDINANCE NO. ____
Series of 2022**

AN ORDINANCE REQUIRING THE INSTALLATION OF FLOOD LEVEL MARKERS AND EMERGENCY SIRENS IN ALL BARANGAYS IN THE CITY OF BACCOOR, CAVITE AS PARTS OF AN EARLY WARNING SYSTEM DURING CALAMITIES AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Sponsored by

Hon. Reynaldo D. Palabrica

Co-Sponsored by

WHEREAS, Section 4 of Republic Act No. 10121 (the "*Philippine Disaster Risk Reduction and Management Act of 2010*") provides for the development of policies and plans and the implementation of actions and measures pertaining to all aspects of disaster risk reduction and management, including good governance, risk assessment and early warning, knowledge building and awareness raising, reducing underlying risk factors, and preparedness for effective response and early recovery

WHEREAS, Section 8 (b) (1) of Republic Act No. 10160 (the "*Charter of the City of Bacoor*") empowered the City Mayor to exercise those powers expressly granted to him by law, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for the efficient and effective governance of the City, and those which are essential to the promotion of the general welfare

WHEREAS, on 30 October 2022, severe tropical storm Paeng wreaked havoc on the City of Bacoor and inundated 69 of its 73 barangays. Reports received by the Sangguniang Panlungsod and by the City Mayor revealed that flood levels rose so quickly in the affected barangays that many city residents had no time evacuate or to bring their personal properties to safety. It was also reported that the quick reaction teams of some barangays found it hard to communicate with their fellow residents because of the inclement weather

WHEREAS, during the Post Disaster Needs Assessment meeting conducted by the City Mayor and by the members of the Sangguniang Panlungsod on 2 November 2022 it was proposed that flood level markers and emergency sirens be installed in every barangay in the City so that the citizenry can proactively protect themselves and their properties whenever a typhoon or other public emergency hits the City of Bacoor

[BACK](#)



WHEREAS, climate change is expected to magnify the impact of future weather related disturbances so it is the duty of every Filipino citizen to help the government, themselves, and their communities in responding to such emergencies. Installing measures that can quickly assist ordinary citizens to make prudent decisions regarding their own safety during calamities will indubitably save lives and private property.

NOW THEREFORE, be it **ORDAINED** by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite that:

Section 1. Title. This Ordinance shall be known as the "**Disaster Early Warning System (DEWS) Ordinance of Bacoor**".

Section 2. Scope. This Ordinance shall apply to all barangays in the City of Bacoor, Cavite.

Section 3. Definition of Terms. The following terms as used in this Ordinance shall be defined as

Section 4. Mandatory Installation of Early Warning Devices in All Barangays. It is hereby mandated that, within one year from the date of effectivity of this Ordinance, flood level markers, emergency sirens, and other early warning devices shall be installed, placed, and/or pre-positioned in strategic locations in all barangays in the City of Bacoor, Cavite.

Section 5. BDRRMO to Design Early Warning System. The place where the said flood level markers and emergency sirens shall be installed, the design/type of the early warning devices, and the manner by which the said devices and other similar devices can be made part of a disaster early warning system for the City of Bacoor should be utilized and maintained shall be the duty of the Bacoor Disaster Risk Reduction and Management Office in consultation with the members of the Liga ng mga Barangay, the City Engineering Office, the Bacoor City Police, the Bureau of Fire Protection, and the Bacoor Traffic Management Department.

Section 6. Use of Emergency Sirens to Warn Public. Within thirty (30) days from the date of effectivity of this Ordinance, the BDRRMO, in coordination with the Bacoor City Police, the Bureau of Fire Protection, and the Liga ng mga Barangay, shall design early warning signals using the emergency sirens mentioned in Section 5 that can be used by the public in preparing for any disaster that might affect the barangay where they are residing or where their livelihood/business is located.

Section 7. Prohibited Acts. The following acts shall be considered a violation of this Ordinance

[BACK](#)



7.1. Unauthorized removal of flood level markers, emergency sirens, and any other early warning device;

7.2. Unjustified refusal to allow the BDRRMO or any employee of the city government to install, repair, use or maintain flood level markers, emergency sirens, and other early warning devices;

7.3. Defacing, vandalizing, destroying, or covering up of any early warning device or the doing of any other act that diminishes the ability of the said devices to warn the public about the risks posed by an impending disaster; or

7.4. Any act similar or analogous to the any of the foregoing.

Section 8. Penalty. All adults who commits any of the prohibited acts mentioned in Section 7 of this Ordinance shall be required to pay a fine of P3,000.00 and shall be imprisoned for not less than six (6) months but not more than one (1) year upon conviction by a competent court of law. No child shall be punished by virtue of this Ordinance. Neither shall the parents or guardians of children who violated this Ordinance shall be penalized under this Ordinance. However, the parents of a child who defaced, vandalized, destroyed, or covered up any early warning device contemplated under this Ordinance shall be required to pay for the cost of repairing or replacing the said early warning device.

Section 9. No Contest Provision. Any person apprehended for violating this Ordinance who does not wish to contest the violation and is willing to pay voluntarily the fine mentioned above and the cost of repairing or replacing the early warning device defaced, vandalized, destroyed, or covered up prior to the filing of a formal complaint against him/her with the Office of the City Prosecutor, shall be allowed to pay the said fine and repair/replacement cost at the City Treasurer's Office to avoid being criminally and/or civilly prosecuted.

Section 10. Procedure in the Availment of the No Contest Provision. The following provisions shall be used before the "No Contest Provision" of this ordinance can be availed of

a. The violator shall be given five (5) working days from issuance of the Ordinance Violation Receipt (OVR) within which to pay the fine

a.1. The fine involved shall be the minimum imposable under the Ordinance violated.

a.2. Where the Ordinance violated imposed fines for the first, second and third offenses and the law enforcer has no way of determining how many times the offender have violated the ordinance – the fine for the second offense shall be imposed against the offender



a.3 If the violator already availed of the No Contest Provision three (3) times within one (1) calendar year, he/she can no longer avail of the same and the corresponding complaint for the violation of the Ordinance, with the maximum penalty imposed should be filed against the violator before the Office of the City Prosecutor.

b. A violator who avails of the No Contest Provision in this Ordinance must first secure an "Order of Payment" from the city government department/unit implementing the ordinance he/she violated before paying the fine at the City Treasurer's Office.

c. After payment of the fine, the violator shall present the Official Receipt to the city government department/unit implementing the ordinance he/she violated which shall then attach a Certified True Copy of the receipt to the documents of the case and the case shall be considered closed.

d. If after the lapse of five (5) days, the violator has failed to present the Official Receipt of the payment of the fine, the city government department/unit implementing the ordinance he/she violated shall have the case filed with the City Prosecutor's Office, attaching an Affidavit or Certification from the said department/unit that the violator failed or did not avail of the No Contest Provision.

Section 11. Community Service. A violator of this Ordinance who is unable to pay the required fine shall be allowed to render community service not exceeding 24 hours. The Head of the BDRRMO or the City Mayor shall determine the nature of the community service to be performed by the violator.

Section 12. Implementing Rules and Regulations. The BDRRMO with the assistance of the City Legal Services Office is mandated to formulate the implementing rules and regulations of this Ordinance in consultation with the following

- a. The City Administrator
- b. The Bacoor City Police
- c. The City Engineering Office
- d. The Liga ng mga Barangay
- e. The Bureau of Fire Prevention, and
- f. The Bacoor Traffic Management Department

The BDRRMO shall submit the draft implementing rules and regulations of this Ordinance to the City Mayor for his approval not later than sixty (60) days after the effectivity date of this Ordinance.

SECTION 13. Repealing Clause. All Ordinances, orders, and rules inconsistent with the provisions of this Ordinance are hereby modified or repealed accordingly.



SECTION 14. Separability Clause. Any provision of this Ordinance not declared void or unconstitutional by the proper court of law shall remain valid.

SECTION 15. Effectivity Clause. This Ordinance shall take effect immediately after it has been published once in a newspaper of general circulation in the City of Bacoor, Cavite.

ENACTED this ___th day of November 2022 by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was approved in accordance with law by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

Certified by

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by

HON. STRIKE B. REVILLA
City Mayor
Date of Approval: _____

[BACK](#)