



OFFICE OF THE SANGGUNIANG PANLUNGSOD

Office of the Sangguniang Panlungsod  
Received by: Janet Pring  
JUN 9 2024

COMMITTEE ON HEALTH AND SANITATION

COMMITTEE HEARING REPORT

CHS-PCO-2024-180

---

Subject: *An ordinance penalizing any individual engaged in the sale or distribution of fake medical products within the City of Bacoor, Cavite.*

---

The above-mentioned subject matter underwent first reading on April 01, 2024 during the 85<sup>th</sup> Regular Session of the Sangguniang Panlungsod. The said subject matter was referred by the Presiding Officer, Bacoor City Vice Mayor Hon. Rowena Bautista Mendiola to the Committee on Health and Sanitation.

The Committee on Health and Sanitation sent out invitations to the resource persons and conducted a committee hearing on April 25, 2024 at the Sangguniang Panlungsod at 1:00 p.m.

**FINDINGS:**

This ordinance was created when the pertussis outbreak became public knowledge and many residents of the City of Bacoor began hearing of medicines and medical devices being peddled on-line that will allegedly prevent one from contracting the said disease and other potentially lethal infections.

The said medical products upon closer inspection are not registered with the Food and Drug Administration (FDA) or the Department of Trade and Industry (DTI) and are considered fake.

Despite the existence of R.A. No. 8203 also known as the "Special Law on Counterfeit Drugs", the sale and distribution of fake drugs have continued within the City of Bacoor and elsewhere in the country.

The City Government of Bacoor has a duty to protect its constituents from these fake medical products and from criminals who prey on the fear of getting sick.



**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

**RECOMMENDATION:**


After a thorough review of all the circumstances and statements from the resource persons, the Committee respectfully recommends that the Sangguniang Panlungsod approve the above subject matter.

By the motion of Hon. Reynaldo C. Palabrica duly seconded by all the members of the Sangguniang Panlungsod, the above subject matter was **APPROVED** during its 89<sup>th</sup> Regular Session.

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

Signed this 06th day of May 2024 at the City of Bacoor, Cavite.

**Committee on Health and Sanitation**

  
\_\_\_\_\_  
**COUN. REYNALDO C. PALABRICA**  
Chairman

  
\_\_\_\_\_  
**COUN. LEVY TELA**  
Vice Chairman

  
\_\_\_\_\_  
**COUN. ALDE PAGULAYAN**  
Member

  
\_\_\_\_\_  
**COUN. CATHERINE SARINO EVARISTO**  
Member



OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE ON HEALTH AND SANITATION

MINUTES OF THE COMMITTEE HEARING

PCO-2024-180

---

Subject: *An ordinance penalizing any individual engaged in the sale or distribution of fake medical products within the City of Bacoor, Cavite.*

---

A committee hearing on the above-subject matter was conducted last April 25, 2024, 1:00 p.m. at the Sangguniang Panlungsod Session Hall presided by Committee Chairman Hon. Reynaldo C. Palabrica.

**MEMBERS OF THE COMMITTEE AND CITY COUNCILORS PRESENT:**

HON. LEVY TELA  
HON. ROGELIO NOLASCO  
HON. ALDE PAGULAYAN  
HON. ALEJANDRO GUTIERREZ  
HON. SIMPLICIO DOMINGUEZ  
HON. RANDY FRANCISCO

**RESOURCE PERSONS PRESENT:**

ATTY. JOSHUA FLORES	-	CITY LEGAL SERVICES REPRESENTATIVE
MR. HERNAN ALHAMBRA	-	BPLD REPRESENTATIVE
MR. VICTOR R. MOJICA	-	CITY HEALTH OFFICE REPRESENTATIVE

- The Presiding Officer, City Councilor Hon. Reynaldo Palabrica read the above-subject matter and the committee hearing was called to order.
- The Presiding Officer then proceeded with the introduction of the members of the Honorable Committee and City Councilors present in the committee hearing.
- The Presiding Officer asked the resource persons to introduce themselves before the Honorable Committee.





**OFFICE OF THE SANGGUNIANG PANLUNGSOD**

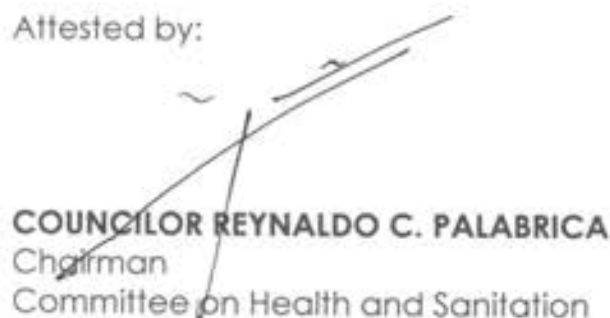
- The Presiding Officer asked the BLPD representative regarding his comments and suggestion on the proposed ordinance.
- Mr. Hernan Alhambra, BPLD representative replied that all pharmacies and drugstores must have business permits as one of the primary requirements as well license to operate from the FDA. Therefore, if specific pharmacies and drugstores does not have license to operate from FDA, the department does not give them permit to operate.
- The Presiding Officer asked the City Legal Service representative Atty. Joshua Flores regarding constitutional violation with regards to the proposed ordinance.
- Atty. Joshua Flores said that there is constitutional violation on the proposed ordinance.
- The Presiding Officer manifested that the ordinance is appropriately crafted by the proponent and will ensure the safety of the residents of Bacoor in terms of medical aspects.
- The Presiding Officer asked for additional comments/suggestions from the members of the Honorable Committee.
- There, being no matters to be discussed, the Presiding Officer moved for the adjournment of the committee hearing duly seconded by all the Councilors present.
- The committee hearing ended at 1:10 p.m.

Prepared by:



RONALDO M. VERONA  
Clerk

Attested by:



**COUNCILOR REYNALDO C. PALABRICA**  
Chairman  
Committee on Health and Sanitation



Republic of the Philippines  
PROVINCE OF CAVITE  
City of Bacoor

OFFICE OF THE SAGGUNIANG PANLUNGSOD

Committee on Health and Sanitation  
**NOTICE OF COMMITTEE HEARING**  
(PROOF OF RECEIPT)  
(April 25, 2024 1:00 PM)  
(SP Session Hall)

**Subject:** AN ORDINANCE PENALIZING ANY INDIVIDUAL ENGAGED IN THE SALE OR DISTRIBUTION OF FAKE MEDICAL PRODUCTS WITHIN THE CITY OF BACOOD, CAVITE.. (PCO No. 2024-180) dated (April 22, 2024)

NAME	OFFICE AFFILIATION	CONTACT NUMBER	SIGNATURE/DATE
HON. ALDE PAGULAYAN	SP	-	[Signature] 04/24/24
HON. LEVY TELA	SP	-	[Signature] 04/24/2024 11:50 AM
HON. CATHERINE EVARISTO	SP	-	[Signature] / 4-24-24
HON. ROGELIO NOLASCO	SP	-	[Signature] 4/24/24
HON. SIMPLICIO DOMINGUEZ	SP	-	[Signature] 4-24-24
Dr. IVY MARIE YRASTORZA CHO	CAHO	435-3420	[Signature] 4/24/24
Mr. CHRISTIAN GAWARAN BPLO	BPLO	Local 204	[Signature] 4/24/24



Republic of the Philippines  
PROVINCE OF CAVITE  
City of Bacoor

OFFICE OF THE SAGGUNIANG PANLUNGSOD

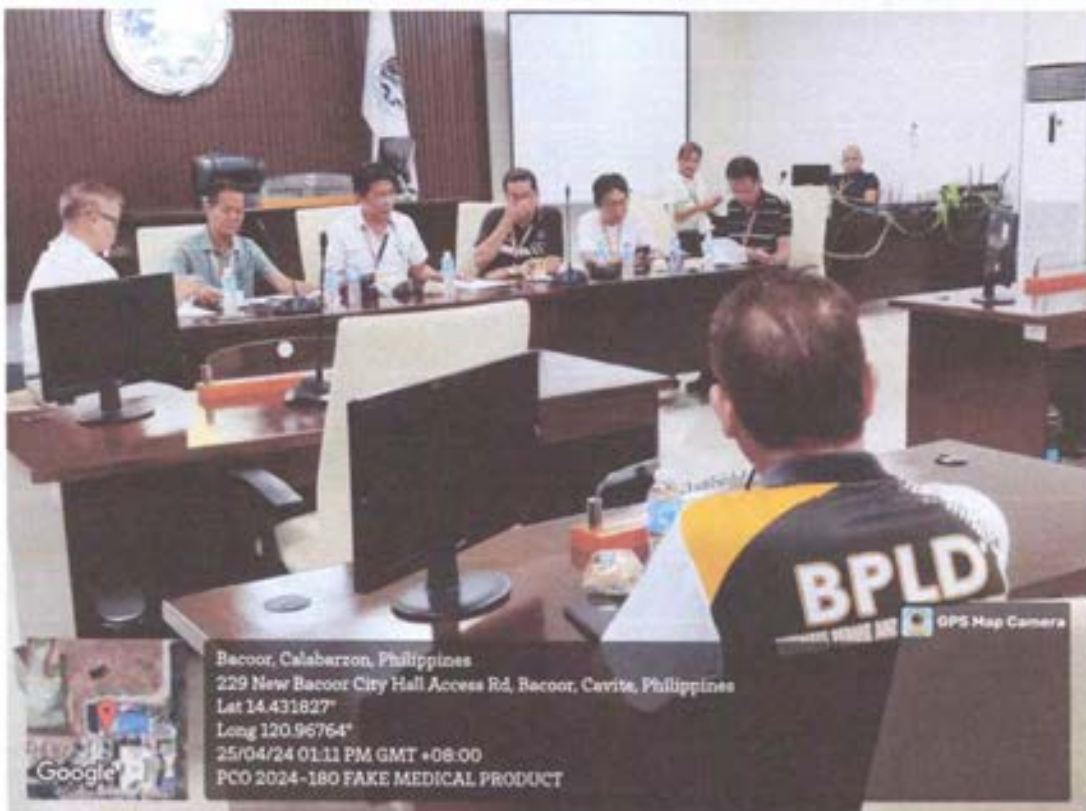
Committee on Health and Sanitation  
**ATTENDANCE OF COMMITTEE HEARING**  
(PROOF OF RECEIPT)  
(April 25, 2024 1:00 PM)  
(SP Session Hall)

**Subject:** AN ORDINANCE PENALIZING ANY INDIVIDUAL ENGAGED IN THE SALE OR DISTRIBUTION OF FAKE MEDICAL PRODUCTS WITHIN THE CITY OF BACOR, CAVITE.. (PCO No. 2024-180) dated (April 22, 2024)

NAME	OFFICE	CONTACT # Email Address	SIGNATURE/DATE
ALDE PAGULAYAN	SP		
ALEX GUTIERREZ	SP		
RADDY FRANCISCO	LIB		
HERNAN ALHAMBRA	BPLID		4/25/2024
ROGELIO BOLACCO	SP		4/25/2024
Atty. Joshua Flores	OCLS		4/25/24
LEYY TELA	SP		
VICTOR R. MDSICA	CHO	Davidchwech fe	



**PCO 2024-180** - AN ORDINANCE PENALIZING ANY INDIVIDUAL ENGAGED IN THE SALE OR DISTRIBUTION OF FAKE MEDICAL PRODUCTS WITHIN THE CITY OF BACOOR, CAVITE.



**PROPOSED CITY ORDINANCE NO. 2024-180**

**AN ORDINANCE PENALIZING ANY INDIVIDUAL ENGAGED IN THE SALE OR DISTRIBUTION OF FAKE MEDICAL PRODUCTS WITHIN THE CITY OF BACOR, CAVITE.**

Sponsored by:

**Hon. Reynaldo D. Palabrica**

Co-Sponsored by:

**WHEREAS**, Republic Act No. 8203 (the "Special Law on Counterfeit Drugs") have been in effect since September 1996 and aimed to curtail the sale of fake drugs.

**WHEREAS**, despite the existence of the said law, the sale and distribution of fake drugs have continued within the City of Bacor, Cavite and elsewhere in the country.

**WHEREAS**, when the pertussis outbreak became public knowledge, many residents of the City of Bacor began hearing of "medicines" and "medical devices" being peddled online that will allegedly prevent one from contracting the said disease and other potentially lethal afflictions.

**WHEREAS**, the said products, upon closer inspection are not registered with the Food and Drugs Administration (FDA) or the Department of Trade and Industry (DTI) and are considered fake.

**WHEREAS**, the City Government has a duty to protect Bacooreños from criminals who prey on the fear of getting sick.

**NOW THEREFORE**, be it ordained by the Sangguniang Panlungsod **THAT**:

**Section 1. Title.** This Ordinance shall be known as the "Anti-Counterfeit Drugs Ordinance of the City of Bacor".

**Section 2. Prohibited Acts.** The sale and distribution of fake drugs and other medical products shall be prohibited anywhere in the City of Bacor, Cavite.

**Section 2. Definition of Terms.** The following terms, as used in this Ordinance, shall be defined as:

2.1. **Sale** is the purchase of a fake drug or medical product for a fee or for any type of consideration.

2.2. **Distribution** is the sharing or supplying of fake drugs or medical products in any business establishment or residence with or without a fee or consideration.

2.3. **Fake or Counterfeit Drugs** are substances that have not been previously tested or certified as medicine by any government agency.

2.4. **Fake or Counterfeit Medical Products** are devices, gadgets, or contraptions without any proven therapeutic or diagnostic value and are not certified as a medical product by any government agency.

**Section 3. Penalty.** Any person convicted of violating this Ordinance shall be imprisoned for not less than 30 days but not more than ninety (90) days and shall be required to pay a fine of P5,000.00.



**Section 4. Implementing Guidelines.** The Office of the City Legal Service, after consulting with the City Health Office, shall submit the Implementing guidelines of this Ordinance for the review and approval of the City Mayor not later than sixty (60) days after the effectivity date hereof.

**Section 5. Automatic Review.** The Sangguniang Panlungsod shall review this Ordinance at least once each year to address any concern with regard its implementation.

**Section 6. Separability Clause.** In case any provision of this Ordinance is declared void or contrary to law, the remaining provisions hereof not affected by the said declaration shall remain valid.

**Section 7. Repeal Clause.** All ordinances inconsistent with this Ordinance are hereby repealed.

**Section 8. Effectivity.** This Ordinance shall become effective immediately after it has been published at least once in a newspaper of general circulation in the City of Bacoor, Cavite and after a copy thereof has been posted in at three (3) conspicuous places within the City.

**ENACTED** this \_\_ day of \_\_\_\_\_, 2024 at the City of Bacoor, Cavite by the Sangguniang Panlungsod of the said City.

*I hereby certify that the foregoing Ordinance was duly approved in accordance with law.*

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: \_\_\_\_\_



COMMITTEE ON HOUSING, LAND UTILIZATION  
AND URBAN DEVELOPMENT,  
COMMITTEE ON PEACE AND ORDER AND PUBLIC SAFETY, AND  
COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES

Office of the Sangguniang Panlungsod  
Received by: Janet  
Date: 5-11-2024

COMMITTEE HEARING REPORT  
NO. HLUUD 065 S-2024

---

Subject: **AN ORDINANCE PROHIBITING THE EXECUTION OF DEMOLITION ORDERS WITHOUT PRIOR CONSULTATION AND COORDINATION WITH THE HOUSING, URBAN DEVELOPMENT RESETTLEMENT DEPARTMENT (HUDRD) OF THE CITY OF BACOR, CAVITE REQUIRING THE BACOR CITY POLICE TO STRICTLY IMPLEMENT SECTION 28 OF THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992 AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF. (PCO 2024-161 dated 12 February 2024)**

---

This report addresses the prohibition of executing demolition orders without prior consultation and coordination with the Housing and Urban Development Resettlement Department (HUDRD). The proposed ordinance, referred to the committee by the Sangguniang Panlungsod Presiding Officer, Hon. Rowena Bautista-Mendiola, during the 78th Regular Session held on 12 February 2024. The committee is hereby reviewed and reported as follows:

The 1987 Constitution of the Philippines, Article XIII, Section 10: mandates that urban or rural poor dwellers shall not be evicted or their dwellings demolished except in accordance with law and in a just and humane manner. Adequate consultation with affected communities is required before resettlement.

Under Republic Act No. 7279, Section 28 Urban Development and Housing Act (UDHA) of 1992: stipulates the conditions under which eviction or demolition may be carried out, specifically:

- Occupation of danger areas or public places (e.g., esteros, railroad tracks, riverbanks),
- Implementation of government infrastructure projects with available funding.
- Execution of court orders for eviction and demolition.

Procedural Safeguards for Demolition under RA 7279:

- Notice Requirement: Affected persons or entities must be notified at least thirty (30) days prior to eviction or demolition.
- Consultation: Adequate consultations with designated representatives of affected families and communities.



- Presence of Officials: Local government officials or their representatives must be present during the eviction or demolition.
- Identification and Uniforms: Proper identification of demolition participants and uniforms for PNP members.
- Execution Timing: Demolition should occur during regular office hours and good weather conditions, barring consent from affected families.
- Equipment Restrictions: No use of heavy equipment except for permanent and concrete structures.
- Relocation and Assistance: Adequate relocation within forty-five (45) days from notice of final judgment, with financial assistance if relocation is not feasible within this period.

And in Section 29 of RA 7279: mandates local government units, in coordination with the National Housing Authority (NHA), to implement the relocation and resettlement of persons in danger areas within two (2) years of the Act's effectivity, ensuring the provision of basic services, facilities, and access to employment and livelihood opportunities.

The Commission on Human Rights Advisory (CHR) (IV) No. A2011-003: Emphasizes the right to adequate housing and humane treatment of informal settlers, supported by the Department of the Interior and Local Government (DILG) Memorandum Circular No. 2011-182.

#### **FINDINGS:**

The committee convened a hearing on the proposed ordinance on 30 May 2024. The primary focus of the deliberation was to enhance coordination and communication between government agencies and local government units to prevent issues encountered in previous demolition activities. The committee emphasized the necessity of adhering to establish protocols and laws, specifically the Urban Development Housing Act (UDHA), to ensure that informal settlers are adequately informed and provided with the necessary support.

The creation of a Local Inter-Agency Committee (LIAC) was proposed to facilitate improved coordination and communication in future projects. This measure aims to ensure a more structured and humane approach to demolition and resettlement processes.

Hereunder are the comments/suggestions made during the committee hearing:

#### Section 4, Prohibited Acts:

1. Remove "by police authorities" from Section 4.1.
2. Insert "of all" in Section 4.3 to read "Conducting of all eviction or demolition activities/operations without the presence of officials of the HUDRD or their representatives." Allow any relevant LGU unit/department to act as representatives.





3. Amend Section 4.5 to restrict demolition activities to between 8:00 a.m. to 3:00 p.m.

**RECOMMENDATION:**

Upon thorough evaluation, the council recommends the **APPROVAL** of the said ordinance, but it is subject to revising the draft proposed ordinance.

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

Signed this 30<sup>th</sup> day of May 2024 at the City of Bacoor, Cavite.

**Committee on Housing, Land Utilization and Urban Development**

\_\_\_\_\_  
**COUN. ALDE JOSELITO F. PAGULAYAN**  
Chairman

\_\_\_\_\_  
**COUN. ADRIELITO G. GAWARAN**  
Vice Chairman

\_\_\_\_\_  
**COUN. SIMPLICIO G. DOMINGUEZ**  
Member

\_\_\_\_\_  
**COUN. ALEJANDRO F. GUTIERREZ**  
Member



OFFICE OF THE SANGGUNIANG PANLUNGSOD

CGBCR-SPBac-F003.01  
04/05/2024

COMMITTEE ON HOUSING, LAND UTILIZATION  
AND URBAN DEVELOPMENT,  
COMMITTEE ON PEACE AND ORDER AND PUBLIC SAFETY, AND  
COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES

Office of the Sangguniang Panlungsod  
Received by: [Signature]  
Date: JUN 03 2024  
Time: 3:11 pm

JOINT COMMITTEE HEARING MINUTES  
NO. HLUUD 065 S-2024

---

Subject: **AN ORDINANCE PROHIBITING THE EXECUTION OF DEMOLITION ORDERS WITHOUT PRIOR CONSULTATION AND COORDINATION WITH THE HOUSING, URBAN DEVELOPMENT RESETTLEMENT DEPARTMENT (HUDRD) OF THE CITY OF BACOR, CAVITE REQUIRING THE BACOR CITY POLICE TO STRICTLY IMPLEMENT SECTION 28 OF THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992 AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF. (PCO 2024-161 dated 12 February 2024)**

---

**Committee Hearing Minutes Summary**

30 May 2024 / 09:00 a.m.

**Present:**

HON. ALDE JOSELITO F. PAGULAYAN	- Committee on Housing - Chairperson Committee on Peace and Order - Member
HON. ADRIELITO G. GAWARAN	- Committee on Housing - Vice Chairperson Committee on Rules - Member
HON. LEVY M. TELA	- Committee on Rules - Vice Chairperson

**Also Present:**

ENGR. PAOLO DOTIMAS	- DPWH Region IV-A
PLT.COL. JOHN PAOLO V. CARRACEDO	- Chief of Police Bacoor PNP
MR. WILSON DEXLER MENDOZA	- PNP
DENBERG A. CAYANAN	- Intern PNP
ANNIE V. NACIANCENO	- HUDRD
LIGAYA A. CAS	- HUDRD
ATTY. SALVE VALENCIANO	- City Legal Services

The joint committee hearing of the Committee on Housing, Land Utilization, and Urban Development, the Committee on Peace and Order and Public Safety, and the Committee on Rules and Privileges, Laws, and Ordinances was called to order on May 30, 2024, at 9:00 a.m. by lead committee chair Hon. Pagulayan. Present were Hon. Gawaran and Hon. Levy M. Tela, along with representatives from DPWH Region IV-A.



Bacoor PNP, Housing Urban Development, and Resettlement Department (HUDRD), and City Legal Services. The agenda was PCO 2024-161, an ordinance mandating prior consultation and coordination with the HUDRD before executing demolition orders, and requiring the Bacoor City Police to enforce Section 28 of the Urban Development and Housing Act of 1992, with penalties for non-compliance.

Plt.Col. Carracedo expressed concern about the inclusion of police authorities in eviction and demolition activities, recommending that police be excluded from Section 4.1 of the draft ordinance. He emphasized that the police role is limited to maintaining peace and order, not conducting demolitions. He also suggested amending **Section 4.3**, to read "Conducting **of all** eviction or demolition activities/operations without the presence of officials of the HUDRD or their representatives. Allow any relevant Local Government Unit (LGU) unit/department to act as representatives." Additionally, Ms. Nacienceno proposed restricting demolition activities to the hours between 8:00 a.m. and 3:00 p.m. as specified in **Section 4.5**.

Ms. Cas recommended the use of departmental IDs and uniforms to ensure clear identification for all involved agencies. While Hon. Gawaran emphasized the importance of formalizing the demolition process in order to distinguish between government and private demolitions and ensure compliance with court orders. The committee agreed to incorporate these suggestions into the ordinance and clarify these points in the implementing rules and regulations (IRR).


Further, the committee and representatives suggested the creation of a Local Inter-Agency Committee (LIAC) to facilitate improved coordination and communication for future projects. With no further comments, the committee adjourned the hearing.

Prepared By:



**PETER ADRIAN F. BORJA**  
*Local Legislative Staff I*

Attested By:



**COUN. ALDE JOSELITO F. PAGULAYAN**  
*Chairman*  
*Committee on Housing, Land Utilization*  
*and Urban Development*



**PROPOSED CITY ORDINANCE NO. 2024-161**

**Series of 2024**

**AN ORDINANCE PROHIBITING THE EXECUTION OF DEMOLITION ORDERS WITHOUT PRIOR CONSULTATION AND COORDINATION WITH THE HOUSING, URBAN DEVELOPMENT, AND RESETTLEMENT DEPARTMENT (HUDRD) OF THE CITY OF BACOR, CAVITE, REQUIRING THE BACOR CITY POLICE TO STRICTLY IMPLEMENT SECTION 28 OF THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992, AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.**

Sponsored by:

Hon. \_\_\_\_\_

**WHEREAS**, Section 10, Article XIII, of the 1987 Constitution provides that "urban or rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with law and in a just and humane manner. No resettlement of urban or rural dwellers shall be undertaken without adequate consultation with them and the communities where they are to be relocated."

**WHEREAS**, Section 28 of Republic Act No. 7279 (the "Urban Development and Housing Act of 1992") provides that:

**"SECTION 28. Eviction or demolition as a practice shall be discouraged.** Eviction or demolition, however, may be allowed under the following situations:

- (a) When persons or entities occupy danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds;
- (b) When government infrastructure projects with available funding are about to be implemented; or
- (c) When there is a court order for eviction and demolition.

In the execution of eviction or demolition orders involving underprivileged and homeless citizens, the following shall be mandatory:

- (1) Notice upon the affected persons or entities at least thirty (30) days prior to the date of eviction or demolition;
- (2) Adequate consultations on the matter of resettlement with the duly designated representatives of the families to be resettled and the affected communities in the areas where they are to be relocated;
- (3) Presence of local government officials or their representatives during eviction or demolition;
- (4) Proper identification of all persons taking part in the demolition;
- (5) Execution of eviction or demolition only during regular office hours from Mondays to Fridays and during good weather, unless the affected families consent otherwise;
- (6) No use of heavy equipment for demolition except for structures that are permanent and of concrete materials;

(7) Proper uniforms for members of the Philippine National Police who shall occupy the first line of law enforcement and observe proper disturbance control procedures; and

(8) Adequate relocation, whether temporary or permanent: *Provided, however,* That in cases of eviction and demolition pursuant to a court order involving underprivileged and homeless citizens, relocation shall be undertaken by the local government unit concerned and the National Housing Authority with the assistance of other government agencies within forty-five (45) days from service of notice of final judgment by the court, after which period the said order shall be executed: *Provided, further,* That should relocation not be possible within the said period, financial assistance in the amount equivalent to the prevailing minimum daily wage multiplied by sixty (60) days shall be extended to the affected families by the local government unit concerned.

This Department of the Interior and Local Government and the Housing and Urban Development Coordinating Council shall jointly promulgate the necessary rules and regulations to carry out the above provision." (Boldfacing supplied)

**WHEREAS**, Section 29 of RA 7279 further provides that "within two (2) years from the effectivity of this Act, the local government units, in coordination with the National Housing Authority, shall implement the relocation and resettlement of persons living in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and in other public places such as sidewalks, roads, parks, and playgrounds. The local government unit, in coordination with the National Housing Authority, shall provide relocation or resettlement sites with basic services and facilities and access to employment and livelihood opportunities sufficient to meet the basic needs of the affected families."

**WHEREAS**, the Commission on Human Rights issued Advisory CHR (IV) No. A2011-003 on the right to adequate housing and humane treatment of informal settlers which was supported by Department of Interior and Local Government (DILG) Memorandum Circular No. 2011-182.

**WHEREAS**, despite the aforementioned panoply of laws and government regulations on the eviction of informal settler families and the demolition of their dwellings, the Sangguniang Panlungsod learned that a number of private entities have conducted illegal demolition activities within the City of Bacoor, Cavite recently in violation of the said provisions of law and government regulations.

**WHEREAS**, the City Government believes that the right of every Bacooreño to be treated with respect and dignity – including the poor and dispossessed – should be upheld by all.

**WHEREAS**, by disallowing illegal demolition activities from occurring within its jurisdiction, the City Government will be able to comply with its duty to provide decent housing to informal settler families as provided by law.

**NOW THEREFORE**, be it ordained by the 5<sup>th</sup> Sangguniang Panlungsod of the City of Bacoor, Cavite that:

**SECTION 1. Title.** This Ordinance shall be known as the "**Illegal Demolitions Prohibition Ordinance of Bacoor**".

**SECTION 2. Statement of Policy.** It shall be the policy of the City Government to:

2.1. Strictly enforce the provisions of Section 28 and 29 of the Urban Development and Housing Act of 1992.

2.2. Give informal settler families access to decent housing while assisting landowners in the fruitful use of their real properties.

2.3. Uphold the human rights of the poor; and

2.4. Implement policies that will create an atmosphere of mutual respect and understanding between landowners and informal settler families, promote peace and order, and eradicate long standing social inequalities related to housing.

**SECTION 3. Definition of Terms.** As used in this Ordinance, the following terms shall be defined as:

3.1. **Demolition** is the dismantling of man-made structures.

3.2. **Eviction** is the removal of persons and their personal belongings from a structure which may or may be not subject of demolition.

3.3. **Forced or Illegal Eviction/Demolition** is the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of and access to appropriate forms of legal or other protection.

3.4. **Eviction or Demolition Orders** are lawful, written directives of a court of competent jurisdiction addressed to various persons in authority to cause the eviction and/or demolition of objects, persons, and/or communities.

**SECTION 4. Prohibited Act/s.** The following acts shall be prohibited:

4.1. Execution of eviction or demolition orders by court employees/personnel or by police authorities without notifying the affected persons or entities at least thirty (30) days prior to the date of eviction or demolition as mandated by law or relevant government regulations.

4.2. Execution of eviction or demolition orders without adequate consultations on the matter of resettlement with the duly designated representatives of the families to be resettled and the affected communities in the areas where they are to be relocated.

4.3. Conducting eviction or demolition activities/operation without the presence of officials of the Housing, Urban Development, and Resettlement Department or their representatives during the said eviction or demolition.

4.4. Failure of persons taking part in the demolition or eviction operation/s to wear proper identification during the said activity.

4.5. Execution of eviction or demolition beyond 5:00 p.m. from Mondays to Fridays, during bad weather, or a few days after a particular community have been victimized by a fire incident or a natural/man-made disaster such as earthquakes, typhoons, or acts of arson.

4.6. Use of heavy equipment for demolition except for structures that are permanent and of concrete materials.



4.7. Failure of members of the Philippine National Police or employees of the city government or the barangays of the City of Bacoor, Cavite to wear proper uniforms while they are participating in court ordered demolition or eviction activities.

4.8. Conducting eviction or demolition activities that are: (a) not sanctioned by a court of law, (b) not involving persons or entities that occupy danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways, and other public places such as sidewalks, roads, parks, and playgrounds, or (c) not related to a government infrastructure project with available funding that is about to be implemented; and

4.9. Forced or illegal eviction/demolition.

**SECTION 5. Implementing Body.** This Ordinance shall be implemented jointly by the HUDRD and by the Office of the City Legal Services in coordination with the officials of all barangays within the City of Bacoor, and personnel/officers of the Bacoor City Police.

**SECTION 6. Penalties.** A fine of Five Thousand Pesos (Php 5,000.00) and imprisonment of three (3) months but not more than nine (9) months shall be imposed against any person who shall violate this Ordinance upon conviction by a court of law.

**SECTION 7. Implementing Rules and Regulations.** The HUDRD and the OCLS are directed to submit, for the approval of the City Mayor, the draft of the Implementing Rules and Regulations of this Ordinance not later than sixty (60) working days from the date of effectivity hereof.

**SECTION 8. Repeal.** All ordinances, resolutions, and executive orders that are inconsistent with the provisions hereof are hereby repealed and shall be modified accordingly.

**SECTION 9. Effectivity.** This Ordinance shall take effect immediately after it has been approved by the Sangguniang Panlalawigan and after it has been published at least once in a newspaper of general circulation within the City of Bacoor, Cavite.

**ENACTED** this \_\_ day of \_\_\_\_\_ 2024 at the City of Bacoor, Cavite.

*I hereby certify that the foregoing Ordinance was approved in accordance with law.*

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: \_\_\_\_\_