



COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES

COMMITTEE REPORT CRPLO-PCO-2024-196

Office of the Sangguniang Panlungsod
Received by: Janet Pring
Date: 13 AUG 2024
Time: 9:20 AM

Subject: *An ordinance requiring the issuance of a temporary fencing permit for all types of fence or retaining walls using light, improvised, or recycled materials, providing procedures for the application and issuance of the said permit and providing penalties for violations hereof.*

(PCO-2024-196-Date referred: July 22, 2024)

The above-mentioned proposed ordinance underwent its first reading on July 22, 2024 during the 100th Regular Session of the Sangguniang Panlungsod. The said proposed ordinance was referred by the Presiding Officer, City Vice Mayor Hon. Rowena Bautista Mendiola to the Committee on Rules and Privileges, Laws and Ordinances.

The Committee on Rules and Privileges, Laws and Ordinances sent out invitations to the resource persons and conducted a hearing on August 09, 2024, 10:00 a.m. at the Session Hall of the Sangguniang Panlungsod.

FINDINGS:

Because of the abstruseness of Section 1106 of PD 1069, there has been a surge in the number of property owners in the City of Bacoor who have refused to apply for a fencing permit on the justification that the fence they are constructing are only temporary in nature as they use light, improvised, or recycled materials which are not covered by the said law. The afore-mentioned provision is wrong and dangerous and may bring potential danger to pedestrians who might get injured in case the said temporary fences collapsed due to fortuitous events.

Due to these reasons, the City Government of Bacoor must ordain a law that will clearly set guidelines and procedures on how to apply for temporary permits. The above-subject matter will prohibit the construction and/or installation of any temporary fence, retaining wall, or screening in the City of Bacoor, without





complying with the various provisions and implementing rules and regulations (IRR) of this proposed ordinance.

RECOMMENDATION:

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 103rd Regular Session.

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

Signed this 13th day of August 2024 at the City of Bacoor, Cavite.

Committee on Rules and Privileges, Laws and Ordinances



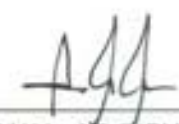
COUN. REYNALDO C. PALABRICA
Chairman



COUN. LEVY TELA
Vice Chairman



COUN. ALEJANDRO GUTIERREZ
Member



COUN. ADRIELITO GAWARAN
Member





COMMITTEE ON RULES AND PRIVILEGES, LAWS AND ORDINANCES

MINUTES OF THE COMMITTEE HEARING CRPLO-PCO-2024-196

Office of the Sangguniang Panlungsod
Received by: *[Signature]*
Date: *9 AUG 2024*
Time: *9:20 AM*

Subject: *An ordinance requiring the issuance of a temporary fencing permit for all types of fence or retaining walls using light, improvised, or recycled materials, providing procedures for the application and issuance of the said permit and providing penalties for violations hereof.*

(PCO-2024-196-Date referred: July 22, 2024)

A committee hearing on the above-subject matter was conducted last August 09, 2024, 10:00 a.m. at the Sangguniang Panlungsod Session Hall presided by the Committee Chairman, Hon. Reynaldo C. Palabrica.

MEMBERS OF THE COMMITTEE AND CITY COUNCILORS PRESENT:

HON. ADRIELITO GAWARAN
HON. ALEJANDRO GUTIERREZ
HON. SIMPLICIO DOMINGUEZ
HON. ALDE PAGULAYAN

RESOURCE PERSONS PRESENT:

ENGR. RAMESIS ALHAMBRA	-	OFFICE OF THE BUILDING OFFICIAL
RODULFO GAMAY	-	BHOACI
CYNTHIA ALIM	-	BHOACI
FLORDELINDA ROMERO	-	FOSCHAI
NENITA DE JESUS	-	MOLINO 6
PRISCILLA TORRE	-	MOLINO 6
NICOLE ANNE VILLARIN	-	LIGA NG MGA BARANGAY
KIESHA NICOLE IGNACIO	-	LIGA NG MGA BARANGAY

COUN. REYNALDO PALABRICA "The proposed ordinance requiring the issuance of a temporary fencing permit for all types of fence or retaining walls using light, improvised, or recycled materials, providing procedures for the application and





issuance of the said permit and providing penalties for violations hereof is now called to order."

COUN. REYNALDO PALABRICA "For the record in attendance to this hearing are the following honorable members of the City Council. First, the Councilor from District 1 Honorable Adriel Gawaran."

COUN. ADRIELITO GAWARAN "Magandang umaga po sa inyong lahat, mabuhay."

COUN. REYNALDO PALABRICA "Thank you. Next is the Councilor from District 1 Councilor General Honorable Alex Gutierrez."

COUN. ALEJANDRO GUTIERREZ "Maganadang umaga Mr. Chair, magandang umaga po sa inyong lahat."

COUN. REYNALDO PALABRICA "Magandang umaga, mabuhay. Next is the Councilor from District 2 the Honorable Simplicio Dominguez."

COUN. SIMPLICIO DOMINGUEZ "Magandang umaga po sa ating lahat, mabuhay."

COUN. REYNALDO PALABRICA "Thank you, mabuhay. Next is the Councilor from District 2 Honorable Alde Pagulayan."

COUN. ALDE PAGULAYAN "Magandang umaga Mr. Chair, mabuhay."

COUN. REYNALDO PALABRICA "Thank you very much, mabuhay. May I request the resource persons present to introduce themselves and their representation, let us start with OBO."

ENGR. RAMESIS ALHAMBRA "Hello, good morning po magandang umaga po sa inyong lahat, Engr. Ram Alhambra po from City Office of the Building Official."

COUN. REYNALDO PALABRICA "Thank you very much Engr., mabuhay. Next."

CYNTHIA ALIM "Good morning po Cynthia Alim po ng St. Michael Niog 1, committee po ng BHOACI."

COUN. REYNALDO PALABRICA "Thank you and mabuhay."





RODULFO GAMAY "Good morning po, committee rin po ng BHOACI presidente po ng Orientville."

COUN. REYNALDO PALABRICA "Good morning, mabuhay. Next."

NICOLE ANNE VILLARIN "Good morning po Nicole Anne Villarin, representative of Liga ng mga Barangay."

COUN. REYNALDO PALABRICA "Thank you very much, good morning, mabuhay."

KIESHA NICOLE IGNACIO "Good morning po representative po ni Konsi Randy, Kiesha Ignacio po."

COUN. REYNALDO PALABRICA "Thank you Kiesha, good morning, mabuhay."

NENITA DE JESUS "Good morning po Nenita de Jesus po ng Molino 6 Phase 2, President."

COUN. REYNALDO PALABRICA "Thank you very much pres, good morning, mabuhay."

PRISCILLA TORRE "Good morning po, Phase 4 HOA, Soldiers Hills 4, Molino 6."

COUN. REYNALDO PALABRICA "Thank you very much madam pres, good morning, mabuhay."

COUN. REYNALDO PALABRICA "Ang paguusapan po natin today ay tungkol sa kailangan irequire na may permit kahit ba temporary fencing ang gagawin. Kasi dito nagsisimula yung mga land grabbing, bakod lang ng bakod wala man lang mga regulation. So, this ordinance aims to regulate the fencing activity within the jurisdiction of our City. Ano ang masasabi mo dito Engr. Ram sa proposal? Hindi ito fencing permit agad, temporary fencing pa lang ito pero magrequired tayo ng permit."

ENGR. RAMESIS ALHAMBRA "Good morning, maganda rin po yan kasi kalimutan po sa office namin maraming nagrereklamo especially sa mga lugar na hindi na natin gaano napupuntahan dahil napaka liblib at minsan kakaunti rin yung ating manpower, nagrereklamo yung mga kapit bahay nakikita na nagtatayo kahit ba kahoy lang yan dapat alam natin kung sino ang may ari. Kasi yung iba lagay lang ng lagay di naman po pala kanila."





COUN. REYNALDO PALABRICA "So you are favor to recommend the approval of this proposed ordinance?"

ENGR. RAMESIS ALHAMBRA "Yes po."

COUN. REYNALDO PALABRICA "BHOACI ano ang stand niyo dito?"

CYNTHIA ALIM "Ganun din po kasi marami rin po sa subdivision namin nagbabakod ng mga kahoy, na hindi namin alam kung sakanila ba talaga yung property o hindi."

COUN. REYNALDO PALABRICA "Next, ma'am ano po ang opinyon niyo regarding dito sa proposed measure?"

PRISCILLA TORRE "Good morning, maganda po yan kasi po sa Phase 4 HOA po namin we have open spaces, marami po doong illegal settlers."

COUN. REYNALDO PALABRICA "So this is favorable on your part?"

PRISCILLA TORRE "Favorable po."

COUN. REYNALDO PALABRICA "Thank you madam. Next."

COUN. REYNALDO PALABRICA "Yes pres, what is your opinion?"

NENITA DE JESUS "Ganun din po sa Phase 2, Molino 6. Marami po talaga open spaces na sakop ng aming Phase 2, na pinagbabakuran po talaga na hindi namin mapa alis."

COUN. REYNALDO PALABRICA "Na dahil walang enabling law na makakapag pigil sakanila."

NENITA DE JESUS "Yes po, pinagpatayuan din ng mga manukan."

COUN. REYNALDO PALABRICA "Ginawang manukan, farm. Andoon ba si Alice Guo?"

COUN. REYNALDO PALABRICA "From the members of the City Council, baka gusto niyo mag manifest or mag profound questions? The floor is open, Councilor Pagulayan, you want to manifest?"





COUN. ALDE PAGULAYAN "I just wanted to say Mr. Chair na napaka importante ng proposed City ordinance na ito, kasi maiwasan din natin, alam naman natin na ang buong Pilipinas, hindi lang dito sa Bacoor na may usapin pa rin ng pagkakamkam ng lupa ng mga indibidwal na nagpapanggap na sila ang may ari ng lupa. Kaya po sa paglalagay po ng mga fences katulad ngayon hindi naman pinepermanent fence diba? Plywood lang o mga kawayan or whatever. Indicates that you are implying that you are the actual owners of the land. Kaya with this City ordinance it is very important na mareregulate na din natin at masasabi na rin natin sa buong Bacoor na, teka tumigil ka muna magpaalam ka kasi again baka yung usapin ng land grabbing will come. Kaya again, Mr. Chair I fully support the ideals and policies of this proposed City ordinance. Thank you, Mr. Chair."

COUN. REYNALDO PALABRICA "Thank you Councilor Pagulayan. Councilor Gawaran you are recognized."

COUN. ADRIELITO GAWARAN "Tama ho ang mga nagsasalita satin, favor po ako dyan. Ang kagandahan po para maiwasan natin yung sa mga ganyan, yung mga Home Owners, yung mga involved din dyan dapat po aware kayo vigilant para maiwasan din natin yung gulo sa mga ganyan. Sabihin niyo muna sa City Government lalo na sa Engineering, para sila ang magpapaano ho, magpapatigil sa kanila. Para wala pong problema doon sa ating senior. Ayun lang po ang aking gustong idagdag."

COUN. REYNALDO PALABRICA "Thank you very much Councilor Gawaran. Councilor Gutierrez, do you have manifestations or questions?"

COUN. ALEJANDRO GUTIERREZ "Katulad ho ng sinabi ni Konsehal Pagulayan at Konsehal Gawaran na ito ay napakaganda para doon sa mga naapektuhan netong mga nagpapanggap ng may ari. Dahil naglalagay sila ng bakod o binabakuran nila ang isang lugar na hindi naman nila sarili. Ngayon, kung sila ay pakukuhanin natin ng permit sa paglalagay ng temporary fencing na ito, eh may mga requirements na kailangan nilang icomply. Unang una kung hindi nila mapatunayan na kanila talaga yun, edi sigurado na decline ang kanilang application. Ngayon kung sa kanila yun, isubmit nila yung mga kailangan na requirements. Pero kung kayo sa mga Home Owners, sabi nga ni Konsehal Gawaran may mga napuna kayo na mga nakabakod na hindi niyo naman alam kung sino ang may ari, ireport niyo naman sa ating City Hall, doon sa opisina na pwede nating ipatanggal yun. Dahil unang una walang permit, kapag naaprubahan na ang ordinansang ito, lahat ng nagbabakod na walang permit





ay may karapatan na tayo na tanggalin, dahil may violations na sila. Ayun lamang po Mr. Chair."

COUN. REYNALDO PALABRICA "Thank you Councilor Gutierrez. Councilor Dominguez?"

COUN. SIMPLICIO DOMINGUEZ "Para doon sa amin, gusto kong linawin din na maraming may lupa ang hindi naman malaman kung sino ang may ari, pwede namang tamnan yun sa palagay ko po Mr. Chair."

COUN. REYNALDO PALABRICA "Thank you Councilor Dominguez. Initially, discussed by Honorable Gutierrez yung tungkol sa mga provision. Basahin na lang natin na medyo mabilisan lang. Under section 5 general provisions, there are 4 items. First is all new fences, walls, retaining walls, and any screening, including landscaped screening, shall first require a review and approval by the Office of the Building Official (OBO) prior to its installation and/or construction. A temporary fencing, retaining wall, or screening permit shall be issued by the OBO before the same can be constructed or installed. Meaning lahat ng activity regarding fencing, temporary fencing kahit sa landscape kailangan mag secure ng permit sa Office of the Building Official."

COUN. REYNALDO PALABRICA "Second, no temporary fencing, retaining wall, or screening permit shall be issued by the OBO without the submission by the applicant, contractor, or real property owner of the various requirements to be enumerated in the IRR of this ordinance. So ibig sabihin si OBO, hindi siya pwede mag issue ng permit hanggat hindi nagcocomply si property owner yung mga necessary permits or requirements. Ang mga requirements i identify na lang sa pag craft ng IRR, pero hindi nalalayo yan doon sa existing fencing ordinance natin."

COUN. REYNALDO PALABRICA "Number 3, all temporary fencing, retaining wall, or screening permit shall be issued by the OBO in violation of this Ordinance or its IRR shall be revoked by the City Mayor. The OBO personnel who signed the said permit shall be subjected to the appropriate administrative and criminal action as mandated by this ordinance and by all applicable laws and government regulations. Ibig sabihin, sa opisina ni Engr. Ram kapag nag issue kayo ng permit na hindi naayon don sa regulation, irerevoked automatically ng Mayor at pananagutin pa ng administrative or maybe criminal yung nag issue ng permit. Meaning pag nagissue kayo ng permit it should be according to regulations or specifications, mentioned in the ordinance."





COUN. REYNALDO PALABRICA "Number 4, all temporary fences, retaining walls, or screenings that were constructed or installed in violation of this ordinance shall be demolished upon the written order of the City Mayor after compliance by the City Government officials concerned with the requirements of due process of law. Ibig sabihin neto kapag merong, katulad nung binanggit ni Councilor Gutierrez na illegally constructed na temporary fence, magsusulat ang Mayor. Magkakaroon ng written order para idemolish, so may power ang Mayor through this order para ipa demolish yun. Pero syempre upon due process, after due process na mapatunayan illegally constructed yung temporary fence."

COUN. REYNALDO PALABRICA "So next item is section 6, prohibited materials. The following materials shall not be used in the construction of temporary fences, retaining walls, or screenings."

COUN. REYNALDO PALABRICA "Number 1, electrified fencing or screening materials. Number 2, corroded fencing or screening materials. Number 3, termite infested or damaged fencing, walling, or screening materials. Number 4, any materials similar or analogous to the ones mentioned above as may be determined by the City Mayor upon the advise of the City Engineer."

COUN. REYNALDO PALABRICA "So Engineer, anong masasabi mo dito bawal yung may kuryente. Kasi temporary fence lang."

ENGR. RAMESIS ALHAMBRA "Temporary nga po, kaya nga po nag temporary eh, yun lang pong mga temporary ang idallow natin. Pangalawa ayan pong mga electrified na yan, kung ayan po ang gagamitin natin as temporary, it is very dangerous in life and property. Unang una yung mga katabing bahay natin naglagay ka ng ganyan."

COUN. REYNALDO PALABRICA "So okay lang na ipagbawal natin?"

ENGR. RAMESIS ALHAMBRA "Ipagbawal na po natin."

COUN. REYNALDO PALABRICA "Ang kasunod yung mga sira sira na yero yung mga corroded na materials. Ang sagwa nga namang tignan parang hinang yung mga basura sa bakod or yung mga inaanay na. So, okay lang yun Engr.? Okay lang yun sainyo?"

ENGR. RAMESIS ALHAMBRA "Opo."

COUN. REYNALDO PALABRICA "Basically, ayun yung mga essence ng ordinance na to, maregulate natin pati yung construction ng temporary fence para yung





pinaka primary objective natin is to ensure yung mga binabakurang property ay tunay na may ari yung nagbabakod. Katulad ng mga concern ng mga Home Owners Association present today, iisa po ang tono ninyo eh, pare pareho po kayo ng problema. So, with this ordinance mareregulate natin yan, I also remind you na meron kayong authority and power through an ordinance. Binigyan namin kayo ng parang extension of police power, para iimplement ang mga ordinances ng City Government of Bacoor including this one, once ito ay maipasa or maimplement na. Okay po ba sainyo to?"

HOME OWNERS ASSOCIATIONS REPRESENTATIVES "Okay na okay po."

COUN. REYNALDO PALABRICA "Okay po, sige po. Nandito pala si Ms. Romero. Thank you very much for attending the hearing, for being here. Thank you very much po. So, any other concerns or opinions you want to manifest? Yes po pres?"

RODULFO GAMAY "Sir may itatanong lang po ako, kasi saamin po sa subdivision nung magkaroon ng re crop, magkaroon ng easement pwede po ba yan gamitin ng nakakatapat na lot owner."

COUN. REYNALDO PALABRICA "Hindi po, ang easement at ilog ay pag-aari ng taong bayan ng Pilipinas. Ang tanging pagmamay-ari lang po ng isang indibidwal o pribadong tao ay kung ano lamang ang nakalagay sa titulo ng kanyang hinahawakan."

RODULFO GAMAY "Eh kung gamitin lang sir for temporary na halimbawa bakuran lang ng temporary na bakod, na hindi naman permanente yung bakod. So, hindi naman aangkinin yun, kung kukunin ng gobyerno ibibigay naman po."

COUN. REYNALDO PALABRICA "Ganito po, by virtue of this ordinance bawal po yun. Kasi sino ang may ari po nun ang gobyerno, gobyerno po ang may ari nun. Hindi pag-aari ng developer, kasi ang property line nyan panigurado pong hindi aabot doon sa tinatawag na easement. Dahil lahat ng ilog ay pag-aari ng Republika ng Pilipinas, kasama ang easement kaya ang property niya ay siguradong hindi aabot sa easement ng developer. Ang nakabili ng bahay doon sa developer na yun ay hindi rin niya pag-aari syempre yun, kaya kung gusto niyo kasi merong ordinansa naman tayo dito, na ang purpose ay para gamitin ang mga idle lands na tinatawag maybe include na natin yung easement ay magtanim ng gulay. Kung magtanim ng gulay papayagan, pero subject to permission ng incase of government or public lands, syempre gobyerno hihingan ng permit. Kung private property, yung property owner ang pagpapalamanan. Ngayon kung lalagyan ng temporary fence na binanggit ninyo, kailangan mag





paalam, kailangan may consent ng may-ari at kukuha ng temporary fencing permit dito sa City Government of Bacoor particular OBO, Office of the Building Official para hindi maviolate itong ating pinaguusapang ordinansa."

RODULFO GAMAY "Opo sir, nabanggit niyo sir na pwedeng gamitin for gardening, taniman ng gulay. Yung ibang subdivision sir na walang space, nirerequire kasi na magkaroon ng MRF, pwede po ba yun gamitin as MRF?"

COUN. REYNALDO PALABRICA "Pwede naman, subject to permission pa rin sa property owner in case of nasa loob ng subdivision ang magbibigay ng pahintulot sa inyo, developer, o turnover na yung Home Owners Association. Kapag easement, definitely government."

RODULFO GAMAY "Thank you po sir."

COUN. REYNALDO PALABRICA "Sige, thank you very much."

NENITA DE JESUS "Sir, katulad po sa nangyari saamin sa Soldiers na binaha, yung pong ano dun ng BJMP. Paano po yun? Kasi nandun po talaga sila mismo sa may ilog na binabaha, pero yun pong bandang itaas property po talaga ng HOA ng phase 2."

COUN. REYNALDO PALABRICA "Ganito po yun existing na po sila eh, nandoon na po sila. Kung ano yung existing structure, hindi na dapat madagdagan. Ngayon yung mga tao na yun ay subject for relocation, yun ang tatrabahuhin ng gobyerno para sila ay marelocate, incase na meron na tayo available relocation site or area."

NENITA DE JESUS "Kasi sinisisi po kasi kami doon nung hindi po kami nagbigay ng board resolution. Paano daw po yun maayos ulit."

COUN. REYNALDO PALABRICA "Kung property niyo po ang kinatitirikan nila, karapatan niyo po na payagan sila or hindi payagan. It is your decision, the Home Owners Association decision kung ano yung dapat niyong gawin na ayon sa inyong karapatan na mag desisyon."

NENITA DE JESUS "Opo, property po talaga iyon ng HOA ng Phase 2."

COUN. REYNALDO PALABRICA "Yes po, kapag included kasi kung turnover ng subdivision sa Home Owners Association, ang Home Owners Association ang mag





dedesiyon. So nasa inyong kamay na po ang desisyon kung anong kapalaran ng kung sino mang nandoon."

NENITA DE JESUS "Okay po, thank you po."

COUN. REYNALDO PALABRICA "So, there are any other concern. There being none, can I ask the members of the City Council to place the motion for adjournment."

COUN. ALEJANDRO GUTIERREZ "Mr. Chair since there are no other matters and special concern to be discuss. I move for the adjournment of this hearing."

COUN. REYNALDO PALABRICA "Before we act on the motion of Honorable Gutierrez. Nagpapasalamat po kami sa inyong lahat sa pagdalo ninyo, ang lahat ng inyong mga sinabi, opinyon, at iyong presensya ay isang malaking bagay at bahagi para sa ikabubuti at ikatutupad netong ating pinaguusapang ordinansa. Salamat po sa inyo at good morning."

COUN. REYNALDO PALABRICA "The motion is to adjourn this hearing, any second to the motion, seconded by Councilor Gawaran. Any objections? Hearing none, therefore this hearing is now adjourned."

Prepared by:

Ronaldo M. Verona
Staff

Attested by:

COUN. REYNALDO C. PALABRICA
Chairman





Committee on Rules and Privileges, Laws and Ordinances

NOTICE OF COMMITTEE HEARING

(PROOF OF RECEIPT)

(August 09, 2024 10:00 AM)

(SP Session Hall)

Subject: AN ORDINANCE REQUIRING THE ISSUANCE OF A TEMPORARY FENCING PERMIT FOR ALL TYPES OF FENCE OR RETAINING WALLS USING LIGHT, IMPROVISED, OR RECYCLED MATERIALS, PROVIDING PROCEDURES FOR THE APPLICATION AND ISSUANCE OF THE SAID PERMIT AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF. (PCO No. 2024-196) dated (August 05, 2024)

NAME	OFFICE AFFILIATION	CONTACT NUMBER	SIGNATURE/DATE
HON. LEVY TELA			Tela 8-7-24 1:15 pm
HON. ALEJANDRO GUTIERREZ	SP		CRISTINA GARCIA 8-7-24
HON. ADRIELITO GAWARAN	SP		8/7/24 2:50pm
HON. ROGELIO NOLASCO	SP	-	8-7-24
HON. SIMPLICIO DOMINGUEZ	SP		8-7-24
HON. RANDY FRANCISCO	SP	-	8-7-24
ENGR. RAMESIS ALHAMBRA Office of the Building Official	OBO	434-1111 local 236	8/7/24
MS. GUIA OLLER BHOACI	BHOACI	884 9521	llm
SUNNYBELLE BASCON CILLO FOSCHAI President			

NOTICE OF COMMITTEE HEARING NO. CRPLO - PCO 2024-196

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AN ORDINANCE REQUIRING THE ISSUANCE OF A TEMPORARY FENCING PERMIT FOR ALL TYPES OF FENCE OR RETAINING WALLS USING LIGHT, IMPROVISED, OR RECYCLED MATERIALS, PROVIDING PROCEDURES FOR THE APPLICATION AND ISSUANCE OF THE SAID PERMIT AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.



Address: Bacoor Legislative and Disaster Resilience Bldg.
Bacoor Blvd., Brgy. Bayanan, City of Bacoor, Cavite
Trunkline: (046)417-072/
Website: www.bacoorcitysp.com



Cert. no. 24/181809



Committee on Rules and Privileges, Laws and Ordinances

ATTENDANCE OF COMMITTEE HEARING

(PROOF OF RECEIPT)

(August 09, 2024 10:00 AM)

(SP Session Hall)

Subject: AN ORDINANCE REQUIRING THE ISSUANCE OF A TEMPORARY FENCING PERMIT FOR ALL TYPES OF FENCE OR RETAINING WALLS USING LIGHT, IMPROVISED, OR RECYCLED MATERIALS, PROVIDING PROCEDURES FOR THE APPLICATION AND ISSUANCE OF THE SAID PERMIT AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF. (PCO No. 2024-196) dated (August 05, 2024)

NAME	OFFICE	CONTACT # Email Address	SIGNATURE/DATE
HON. SIMPLICIO DOMINGUEZ	SP		
Nenita V. de Jesus	Molino 6 Pz	09086033142	
HON. ADRIELITO GAWARAN	SP		
HON. ALEJANDRO GUTIERREZ	SP		
ENG. RAMESSE ALHAMBRA	S.B.O	09175460446	
HON. ALDE PAGULAYAN	SP		
Rodolfo Gamay	BADACI	09281237383	
Cynthia A. Alim	PHOACI	09153492544	
PRISCILLA V. TORRE	Phase 4, Molino 6	09153478847	
Nicole Anne C. Valamin	LNB	09309664739	
Kisha Nicole J. Ignacio	LNB	09145691003	
Flordelinda Romero	FOSCHA	09176612083	

ATTENDANCE OF COMMITTEE HEARING NO. CRPLO - PCO 2024-196

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AN ORDINANCE REQUIRING THE ISSUANCE OF A TEMPORARY FENCING PERMIT FOR ALL TYPES OF FENCE OR RETAINING WALLS USING LIGHT, IMPROVISED, OR RECYCLED MATERIALS, PROVIDING PROCEDURES FOR THE APPLICATION AND ISSUANCE OF THE SAID PERMIT AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.





NAME	OFFICE	CONTACT # Email Address	SIGNATURE/DATE

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Republic of the Philippines
Province of Cavite
CITY OF BACOR
OFFICE OF THE SANGGUNIANG PANLUNGSOD



CGBCR-SPBac-F01.01
05/30/2024

Seal of
Good
Local
Governance
2023 Awardee
It's all in a name!



Bacoor, Calabarzon, Philippines
CGCR-SPBac-F01.01
05/30/2024
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PCO 2024-196 Ordinance Requiring the issuance of a temporary fencing Permit



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229 New Bacoor City Hall Annex Rd., Bacoor, Cavite, Philippines
Lat 14.431797°
Long 120.967643°
09/09/24 10:28 AM GMT +08:00
PCO 2024-196 Ordinance Requiring the issuance of a temporary fencing Permit

CRPLO - PCO 2024-196

AN ORDINANCE REQUIRING THE ISSUANCE OF A TEMPORARY FENCING PERMIT FOR ALL TYPES OF FENCE OR RETAINING WALLS USING LIGHT, IMPROVISED, OR RECYCLED MATERIALS, PROVIDING PROCEDURES FOR THE APPLICATION AND ISSUANCE OF THE SAID PERMIT AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.



Address: Bacoor Legislative and Disaster Resilience Bldg.,
Bacoor Blvd., Brgy. Bayanari, City of Bacoor, Cavite
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Website: www.bacoorcitysp.com



Cert. no. 24/181809



PCO 2024-196 – AN ORDINANCE REQUIRING THE ISSUANCE OF A TEMPORARY FENCING PERMIT FOR ALL TYPES OF FENCE OR RETAINING WALLS USING LIGHT, IMPROVISED, OR RECYCLED MATERIALS, PROVIDING PROCEDURES FOR THE APPLICATION AND ISSUANCE OF THE SAID PERMIT AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

PROPOSED CITY ORDINANCE NO. 2024-196
Series of 2024

AN ORDINANCE REQUIRING THE ISSUANCE OF A TEMPORARY FENCING PERMIT FOR ALL TYPES OF FENCE OR RETAINING WALLS USING LIGHT, IMPROVISED, OR RECYCLED MATERIALS, PROVIDING PROCEDURES FOR THE APPLICATION AND ISSUANCE OF THE SAID PERMIT AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Suggested by:

Hon. Strike B. Revilla
(City Mayor)

Sponsored by:

WHEREAS, Section 1106 of Presidential Decree No. 1069 (the National Building Code) provides that "fences shall be built of an approved material, not less than 2.40 meters in height above grade, and be placed on the side of the walkway nearest to the building site. Fences shall enclose entirely the building site. Openings in such fences shall be provided with doors which shall be kept closed at all times."

WHEREAS, the nature of materials to be used in the construction of the said fences was not specified in the said law.

WHEREAS, due to the ambiguity of Section 1106 of PD 1069, there has been a surge in the number of property owners in the City of Bacoor who have refused to apply for a fencing permit on the pretext that the fence they are constructing are only "temporary" in nature as they are using light, improvised, or recycled materials for the construction thereof and are, thus, not covered by the said law.

WHEREAS, the said interpretation of the afore-quoted provision of law is wrong and dangerous and may potentially endanger pedestrians who might get injured in case the said "temporary fences" collapse during storms, earthquakes, and other fortuitous events.

WHEREAS, there is a need for the approval of an ordinance that will clearly set guidelines and procedures on how to apply for permits for fences that are considered "temporary" in nature.

NOW THEREFORE, upon motion of Hon. _____, duly seconded by Hon. _____, 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 "Temporary Fences, Retaining Walls, and Screening Ordinance of Bacoor".

Section 2. Scope. This Ordinance shall apply to all temporary fences, retaining walls, and screenings to be constructed in the City of Bacoor, Cavite.

Section 3. Definition of Terms. As used in this Ordinance, the following terms shall be defined as (to be supplied by the City Engineering Office)

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Section 4. Prohibited Acts. The construction and/or installation of any temporary fence, retaining wall, or screening in the City of Bacoor, Cavite without complying with the various provisions of this Ordinance and its implementing rules and regulations (IRR) shall be deemed as violations hereof.

Section 5. General Provisions. The following general provisions shall apply to all fences, walls, and screenings to be constructed and/or installed in the City of Bacoor, Cavite:

1. All new fences, walls, retaining walls, and any screening, including landscaped screening, shall first require a review and approval by the Office of the Building Official (OBO) prior to its installation and/or construction. A temporary fencing, retaining wall, or screening permit shall be issued by the OBO before the same can be constructed or installed.
2. No temporary fencing, retaining wall, or screening permit shall be issued by the OBO without the submission by the applicant, contractor, or real property owner of the various requirements to be enumerated in the IRR of this Ordinance.
3. All temporary fencing, retaining wall, or screening permit shall be issued by the OBO in violation of this Ordinance or its IRR shall be revoked by the City Mayor. The OBO personnel who signed the said permit shall be subjected to the appropriate administrative and criminal action as mandated by this Ordinance and by all applicable laws and government regulations.
4. All temporary fences, retaining walls, or screenings that were constructed or installed in violation of this Ordinance shall be demolished upon the written order of the City Mayor after compliance by the City Government officials concerned with the requirements of due process of law.

Section 6. Prohibited Materials. The following materials shall not be used in the construction of temporary fences, retaining walls, or screenings:

- 6.1. Electrified fencing or screening materials
- 6.2. Corroded fencing or screening materials
- 6.3. Termite infested or damaged fencing, walling, or screening materials.
- 6.4. Any material similar or analogous to the ones mentioned above as may be determined by the City Mayor upon the advise of the City Engineer.

Section 7. Standards for location, height, and setbacks. The City Engineer and the City Building Official shall, within sixty (60) working days from the date of effectivity hereof, submit to the City Mayor their joint recommendations on the standards for the location, height, and setbacks of all temporary fences, retaining walls, and screenings to be constructed and/or installed in the City of Bacoor, Cavite.

Section 8. Exemptions. The following fence, wall, and screen types are exempt from provisions of this Ordinance:

- 8.1. Sound attenuation walls as required and approved by the City Engineer and by the City Mayor;

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8.2. Fences, retaining walls, or screenings installed by the City Government inside of or on the perimeter of a public park;

8.3. Fences installed by a public or private school inside of or on the property boundary of the school grounds;

8.4. Fences or screenings around public sports fields and facilities;

8.5. Fences legally constructed with the requisite fencing permit issued by the DBO prior to the adoption of this Ordinance.

Section 9. Penalties. Any City Government employee who violated/violates this Ordinance and/or its IRR shall be preventively suspended for a period not exceeding six months upon the order of the City Mayor prior to the start of any investigation with regard the said offense in accordance with pertinent civil service regulations. If found guilty, the employment of the said City Government employee shall be terminated as may be provided by law. The filing of the said administrative action against the said employee shall not bar the institution of the appropriate criminal action/s against him/her by the City Government through the City Legal Officer.

Any natural person not under the employment of the City Government who violates this Ordinance shall, upon conviction by a court of law, pay a fine of Php 5,000.00 and shall be imprisoned for a period not less than 30 calendar days but not exceeding 90 calendar days.

Any juridical person who shall violate this Ordinance shall, upon conviction by a court of law, be required to pay a fine of Php 5,000.00 for every day that the said corporation or partnership refused to comply with any order issued by the City Mayor with regard the said violation.

Section 10. Implementing Rules and Regulations. The City Legal Officer, in coordination with the City Engineer, City Building Officer, and the City Assessor shall, within sixty working days following the date of effectivity of this Ordinance, submit the IRR hereof for the review and approval of the City Mayor.

Section 11. Repeal. All ordinances, resolutions, or executive orders in conflict or inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

Section 12. Separability. Provisions of this ordinance not affected by a decision issued by a court of competent jurisdiction declaring a provision of this ordinance unconstitutional or void shall remain valid and enforceable.

Section 13. Automatic Review. This Ordinance shall be automatically reviewed by the Sangguniang Panlungsod once every two years following its date of effectivity.

Section 14. Effectivity Date. This Ordinance shall become effective immediately after it has been published at least once in a newspaper of general circulation within the Province of Cavite and after copies hereof has been posted in at least three conspicuous places within the City of Bacoor, Cavite.

APPROVED this ___ day of June 2024 at the City of Bacoor, Cavite.

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I hereby certify that the foregoing Ordinance was duly 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:

_____ 2024

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