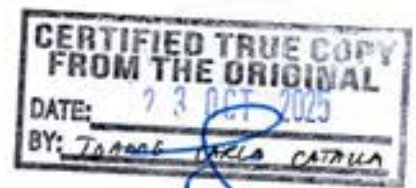




Republic of the Philippines
Province of Cavite

CITY OF BACOR

Office of the Mayor



EXECUTIVE ORDER No. 38A - 2024
Series of 2024

AN ORDER ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF CITY ORDINANCE NO. 323-2023, OR THE "ORDINANSANG NAG-IINSTITUTIONALIZE SA PAGBUBUO NG MGA COMMUNITY GARDENS SA LAHAT NG BARANGAY AT RESIDENTIAL SUBDIVISIONS SA LUNGSOD NG BACOR, CAVITE, NAGBIBIGAY KAPANGYARIHAN SA MGA NGOS, CSOS, AT BARANGAY NA MAGPATUPAD NG MGA PATAKARAN PARA SA PANGANGALAGA, PAGGAMIT, AT PAG-AANI SA MGA NABANGGIT NA HARDIN, NAGPAPATAW NG MGA KAPARUSAHAN LABAN SA SINUMANG LALABAG SA ORDINANSANG ITO AT SA MGA NABANGGIT NA PATAKARAN, NAGTATATAG SA "BEST COMMUNITY GARDEN AWARDS OF THE CITY OF BACOR", AT NAGBIBIGAY NG PONDO PARA SA NABANGGIT NA MGA PROGRAMA."

WHEREAS, Section 16 of Republic Act No. 7160 provides that every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...xxx;

WHEREAS, the Sangguniang Panlungsod enacted and passed City Ordinance No. 323-2023, entitled "ORDINANSANG NAG-IINSTITUTIONALIZE SA PAGBUBUO NG MGA COMMUNITY GARDENS SA LAHAT NG BARANGAY AT RESIDENTIAL SUBDIVISIONS SA LUNGSOD NG BACOR, CAVITE, NAGBIBIGAY KAPANGYARIHAN SA MGA NGOS, CSOS, AT BARANGAY NA MAGPATUPAD NG MGA PATAKARAN PARA SA PANGANGALAGA, PAGGAMIT, AT PAG-AANI SA MGA NABANGGIT NA HARDIN, NAGPAPATAW NG MGA KAPARUSAHAN LABAN SA SINUMANG LALABAG SA ORDINANSANG ITO AT SA MGA NABANGGIT NA PATAKARAN, NAGTATATAG SA "BEST COMMUNITY GARDEN AWARDS OF THE CITY OF BACOR", AT NAGBIBIGAY NG PONDO PARA SA NABANGGIT NA MGA PROGRAMA,";

WHEREAS, the City Government of Bacoor recognizes the need to issue an Implementing Rules and Regulations pertinent to the above-mentioned Ordinance;

WHEREAS, the Office of the City Mayor of Bacoor, in coordination with the concerned city government offices, issued the above-mentioned Implementing Rules and Regulations that shall govern the said Ordinance.

NOW, THEREFORE, I, STRIKE B. REVILLA, City Mayor of Bacoor, Cavite, by virtue of the powers vested in me by law, do hereby order for the adoption and

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implementation of the Implementing Rules and Regulations of City Ordinance No. 323-2023 herein attached.

Section 1. Implementing Rules and Regulations (IRR). Attached herein is the Implementing Rules and Regulations of City Ordinance No. 323-2023 which shall form part of this Executive Order. This shall be known as the **"Implementing Rules and Regulations of Ordinansang Nag-institutionalize sa Pagbubuo ng mga Community Gardens sa Lahat ng Barangay at Residential Subdivisions sa Lungsod ng Bacoor, Cavite, Nagbibigay Kapangyarihan sa mga NGOs, CSOs, at Barangay Na Magpatupad ng mga Patakaran Para sa Pangangalaga, Paggamit, at Pag-Aani sa mga Nabanggit na Hardin, Nagpapataw Ng Mga Kaparusahan Laban sa Sinumang Lalabag sa Ordinansang Ito at sa Mga Nabanggit Na Patakaran, Nagtatatag Sa "Best Community Garden Awards of the City Of Bacoor", At Nagbibigay Ng Pondo Para sa Nabanggit na mga Programa."**

All affected offices and departments are hereby ordered to adopt the said implementing rules and regulations and be guided accordingly. Strict compliance and observance of this IRR by all city government officials and employees is hereby ordered.

Section 2. Repealing Clause. All previously issued orders and directives inconsistent with any provision found herein shall be deemed repealed, revoked, or amended accordingly.

Section 3. Separability Clause. In the event that any provision found herein shall be judicially or administratively declared illegal or infirm, the remaining provisions shall remain in full force and effect.

Section 4. Effectivity Clause. This Executive Order shall take effect immediately upon its signing and remain in full force and effect until repealed, revoked, or amended accordingly.

SO ORDERED.

Done this 25th day of March 2024 in the City of Bacoor, Province of Cavite.


STRIKE B. REVILLA
City Mayor

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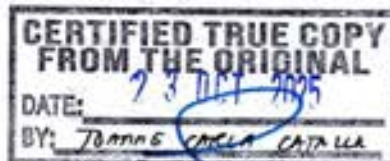




Republic of the Philippines
Province of Cavite

CITY OF BACOR

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**IMPLEMENTING RULES AND REGULATIONS OF
CITY ORDINANCE NO. 323-2023**

**ORDINANSANG NAG-IINSTITUTIONALIZE SA
PAGBUBUO NG MGA COMMUNITY GARDENS SA
LAHAT NG BARANGAY AT RESIDENTIAL
SUBDIVISIONS SA LUNGSOD NG BACOR, CAVITE,
NAGBIBIGAY KAPANGYARIHAN SA MGA NGOS,
CSOs, AT BARANGAY NA MAGPATUPAD NG MGA
PATAKARAN PARA SA PANGANGALAGA,
PAGGAMIT, AT PAG-AANI SA MGA NABANGGIT NA
HARDIN, NAGPAPATAW NG MGA KAPARUSAHAN
LABAN SA SINUMANG LALABAG SA ORDINANSANG
ITO AT SA MGA NABANGGIT NA PATAKARAN,
NAGTATATAG SA "BEST COMMUNITY GARDEN
AWARDS OF THE CITY OF BACOR", AT
NAGBIBIGAY NG PONDO PARA SA NABANGGIT NA
MGA PROGRAMA**

**RULE I
GENERAL PROVISIONS**

Section 1. Title. These Rules shall be known and cited as the *"Implementing Rules and Regulations of City Ordinance No. 323-2023"*.

Section 2. Purpose. These Implementing Rules and Regulations (IRR) are promulgated to prescribe the procedures and guidelines for the effective implementation of Bacoor City Ordinance No. 323-2023, which aims to institutionalize the creation of community gardens in all barangays and residential subdivisions in the City of Bacoor.

Section 3. Scope and Application. The provisions of these Rules shall apply to all Barangays and Residential Subdivisions in the City of Bacoor.

Section 4. Implementing Office. The Office of the Agricultural Services (OAS), shall be the lead office for implementing the above-mentioned City Ordinance and this IRR. As may be directed by the City Mayor, other city government departments, units, or offices shall assist in effectively implementing the Ordinance and this IRR.

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CITY ORDINANCE NO. 323-2023

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Section 5. Rules of Construction. In construing the provisions of this Code, the following rules of construction shall be observed unless inconsistent with the manifest intent of the provision, or when applied, they would lead to absurd or highly improbable results.

1. **General rule.** — All words and phrases shall be construed and understood according to the standard and approved usage of the language, but technical words and phrases and such others which may have acquired a peculiar appropriate meaning in this Code shall be construed and understood according to such technical, peculiar, or appropriate meaning.
2. **Gender and number.** — Every word in this Code importing the masculine gender shall extend to both females and males. Every word importing the singular number shall extend and apply to several persons or things, and every word importing the plural number shall also extend and apply to one person or thing.
3. **Computation of time.** — The time within which an act is to be done as *provided* in this code or in any rule or regulation issued pursuant to the provisions thereof when expressed in days shall be computed by excluding the first day and including the last day, except if the last day falls on a Sunday or a holiday in which case the same shall be excluded from the computation, and the next business day shall be considered the last day.
4. **References.** — All references to Chapter, Articles, Sections are to the Chapter, Articles, Sections in this Code, unless otherwise specified.
5. **Conflicting provisions of the section.** — If the provisions of different sections conflict with or contravene each other, the provisions of each section shall prevail as to all specific matters and questions involved therein.

RULE II

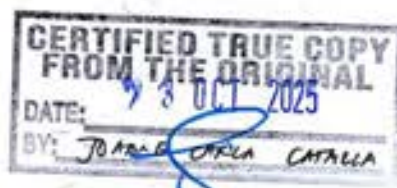
DECLARATION OF POLICY AND DEFINITIONS

Section 6. Declarations of Policy. It is the policy of the City Government of Bacoor to:

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CITY ORDINANCE NO. 323-2023

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1. To reduce the incidence of hunger and malnutrition through sustainable backyard gardening at the family and barangay levels;
2. It shall also be the policy of the City to promote ecological well-being through promoting and adopting organic gardening among the constituents.

Section 7. Objectives. – It is the objective of the City Ordinance to:

1. Create and maintain community gardens inside residential subdivisions in every barangay within Bacoor City;
2. Create and maintain community gardens in every idle lands within the jurisdiction of Bacoor City.

Section 8. Definition of Terms. As used in these Rules, the following terms and phrases shall be understood as follows:

1. **Food Insecurity** – refers to the lack of equal opportunity to get enough food for each family member to have an active and healthy life.
2. **Community Garden** – a garden with different sizes and designs where community members will plant different types of healthy vegetables and fruits with the government's help to benefit each community member.
3. **Residential Subdivisions** – refer to the gated and fenced communities with ingress and egress made by private land developers for the housing and benefit of its buyers.
4. **Open Spaces** – vacant lands not owned by the government and located within the jurisdiction of the City of Bacoor.
5. **Homeowners Association** – shall refer to the association of residents of a residential subdivision recognized by the City Government and constituted and duly organized under existing laws of the Philippines.
6. **Non-Government Organizations (NGOs)** – refer to organizations not connected with the government and formed to achieve a goal that will benefit society.
7. **Civil Society Organizations (CSOs)** – refer to organizations that may include NGOs or volunteers that are not connected with

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the government and are formed not to generate income but to achieve a goal that will benefit society.

8. **Backyard Fish Farming** – refers to raising edible fish in a small yard.

Words and phrases embodied in this Ordinance that are not specifically defined herein shall have the same definitions found in R.A. No. 7160, also known as the Local Government Code of 1991.

RULE III IMPLEMENTING PROVISIONS

Section 9. Institutionalization of Community Gardens. This IRR recognizes and mandates the development, creation, and maintenance of community gardens within residential subdivisions, barangays, and idle lands in the City of Bacoor, Cavite.

Section 10. Support for, and Adoption of, The Halina't Magtanim ng Prutas at Gulay (Hapag) sa Barangay Project. Through this IRR, the City Government of Bacoor, Cavite, formally supports and adopts the HAPAG in the Barangay Project to alleviate food insecurity in the country. Consequently, all staff and officials of the City Government and each barangay of the City of Bacoor are ordered to implement this IRR, the policies related to the HAPAG in the Barangay Project, and the policies to be implemented by the barangays, communities, NGOs, and CSOs that will create community gardens in accordance with this IRR.

Section 11. Duty of the City Agriculture Office, City Environment Service Department, and Barangay Officials to Implement this Implementing Rules and Regulations. The Office of the Agricultural Services (OAS) is the main department of the City Government that will implement the establishment and maintenance of community gardens in all residential subdivisions, idle lands, and barangays located in the City of Bacoor in accordance with these rules and regulations. Among the duties of the OAS is distributing free seeds, equipment, and training to the people who will create and care for the community gardens mentioned, as well as supervising how the vegetables and fruits are cared for, harvested, sold, or distributed. It will come from community gardens.

The City Environment and Service Department (CESD) will ensure that the trees planted in the possible locations of the community gardens are not cut down to make way for the gardens.

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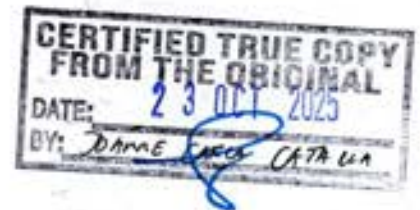




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Each Barangay and Residential Subdivision shall be responsible for ensuring the cleanliness of their community garden within their jurisdiction as incorporated in the Solid Waste Management Plan, while the CESD must ensure compliance of those who manage them with laws and ordinances that aim to protect nature such as the prohibition of burning garbage and dry leaves or branches, use of fertilizers or pesticides that harm human health and the environment, and other government policies and guidelines.

The officials of each barangay of the City of Bacoor have the duty to ensure that this IRR is always correctly implemented and that persons who violate its provisions, the Ordinance, and the related rules in the care, use, and harvesting of the aforementioned gardens are punishable in a manner consistent with the law.

Section 12. Mandatory Establishment of Community Gardens. Within six (6) consecutive months from the date of the effectivity of this IRR, all residential subdivisions and barangays in the City of Bacoor must have one or more Community Gardens to be created, maintained, and used in accordance with the provisions of this Implementing Rules and Regulations. Failure of the Barangay officials and the HOAs of the residential subdivisions to comply may be considered a violation of this IRR and may result in the imposition of appropriate penalties against them. Barangays in the City of Bacoor that are located near the coast or communities that do not have enough vacant land can establish backyard fish farming instead of a community garden if there is not enough land to cultivate.

Section 13. Participation of NGOs And CSOs in the Establishment, Maintenance, and Operation of Community Gardens. After obtaining the written permission of the City Mayor and the appropriate Barangay Chief, NGOs and CSOs accredited by the City Government that do not violate any law or ordinance of the City may participate or lead in the creation, maintenance, or use of a Community Garden in accordance with this Implementing Rules and Regulations.

Section 14. Use of Idle Lands for the Establishment of Community Gardens. After obtaining the written consent of the registered owner of idle land through a contract or agreement, the Office of the Agriculture Service may use the parcel of land to establish one or more Community Gardens. The establishment, maintenance, and use of the aforementioned garden/s shall be done in accordance with the provisions of the contract or agreement. The City Legal Services Office and the City Assessors Department of the City must contact and negotiate with the owner of the above-mentioned idle lands in accordance with directives of the City Council

Section 15. Discount in Climate Change and Other Environmental Fees in Favor of Idle Land Owner. In recognition of permission to use the land, the

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registered owner of an idle land to be used for the establishment of a Community Garden shall be given a 10% discount on the payment of the Climate Change Fee and other environmental fees included in the Revenue Code of the City of Bacoor in every year that the land is used as the location of the Community Garden. However, the discount can only be achieved if the Community Garden to be established on the parcel of land has a size of not less than fifty (50)% percent of the total size of the idle land and if the staff and officials of the City Government are always allowed to enter, take care of, and harvest the vegetable and fruit crops in the Community Garden and if the owner of the idle land continues to pay the taxes and other fees that he has to pay under the existing laws..

Section 16. Preventing Informal Settlers from Entering Idle Land. Aside from giving discounts, the City Government will also ensure that informal settlers will not enter or use the idle land that will be used as the location of the Community Garden.

Section 17. Establishment of the "Best Community Garden Awards Of The City Of Bacoor. A contest to be entitled the "Best Community Garden Awards of the City of Bacoor" is hereby formally established by this IRR. The contest shall be held yearly to recognize the barangays, NGOs, and CSOs with the most appealing, bountiful harvest and the best method of managing and preserving Community Gardens. The City Government will provide funds or equipment that can only be used by the awardees to further develop the winner's Community Garden. The funds that will be used in the contest will come from the City Agriculture Office fund or the fund of the City Mayor's Office.

Section 18. Penalties. The following penalties will be imposed on anyone aged 18 years old and above who violates the provisions of this IRR and the rules to be formulated by the Barangays, NGOs, and CSOs that will create and maintain Community Gardens:

First Violation: Payment of a fine of P3,000.00 and rendering of Community Service for not more than thirty (30) consecutive days and not less than ten consecutive days.

Second Violation: Payment of a fine of P4,000.00 and rendering of Community Service for not more than ninety (90) consecutive days and not less than thirty (30) consecutive days.





Third Violation: Payment of a fine of P5,000.00 and rendering of Community Service for not more than one hundred and eighty (180) consecutive days and not less than ninety (90) consecutive days.

Section 19. Permission of Barangays to Formulate Rules in the Development, Use, Maintenance, and Harvesting of Community Gardens. The Barangay Councils covered by this IRR are allowed to formulate policies related to the creation, use, maintenance, and harvesting of the Community Gardens under their jurisdiction, provided that they will not violate this IRR. The policies must first be approved by the City Council before being implemented.

Section 20. Sustainability and Beneficiaries. After setting aside a certain portion of the proceeds for use in the next planting or cropping season, the Food and/or Nutrition Committee of the barangays or its equivalent shall maintain a record of stunted and severely stunted children ages zero to five (0-5) years and shall be the primary beneficiaries of the organic produce of the barangay community gardens. Beneficiaries may also include the indigent members of the community. Documentation on distribution shall be prepared and submitted on a monthly basis by the Kagawad Chairman on Food/Nutrition/Agriculture or its equivalent to the City Agriculture Office.

For residential subdivisions, all the Community Garden's fruits, vegetables, and proceeds shall be divided equally among its members after setting aside a certain portion of the proceeds for use in the next planting or cropping season. If the members decide to sell the products, a substantial amount of the proceeds or income earned shall be set aside for its maintenance and operation before it is divided equally among its members.

Section 21. Promotion of Urban Organic Agriculture. The barangay shall promote urban organic gardening by utilizing new technologies and exploiting ecological solid waste.

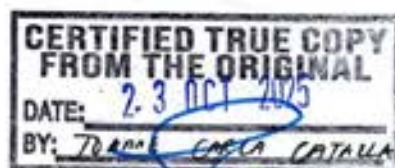
Section 22. Setting Up and Operations of Barangay Community Gardens. The Barangay Community Garden shall be set up and operate in the following manner:

1. **Designation of Barangay Officials.** The Punong Barangay shall designate Barangay Officials to lead, manage, and assist in the establishment and maintenance of the barangay community garden, composed of the following:

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One (1) Sangguniang Barangay Member Chairperson, Committee on Environmental Concerns or its equivalent;
Other Barangay officials and staff.

2. Roles and Responsibilities of Barangay Officials. The Punong Barangay and the Designated Barangay Officials shall perform the following duties and functions, to wit:

- a. Include in their respective Barangay Development Plans and Annual Investment Programs applicable nutritional programs, projects, and activities to ensure adequate funding for nutritional impact;
- b. Ensure the formulation, or if existing, revision/updating of the barangay nutrition action plan, to include the establishment and maintenance of the Barangay Community Garden, provision of seeding materials and agricultural equipment and facilities, among others;
- c. Coordinate with the City Agricultural Office for any available agricultural training, seminars, capacity-building services, seeding materials, and other agricultural equipment and facilities that would help them in their barangay community garden operations.

RULE IV FINAL PROVISIONS

Section 23 Initial Funding. In order to initiate the implementation of this IRR, the amount of P500,000.00 that will come from the funds of the Office of the City Mayor to be used for programs and projects connected to its implementation is ordered to be appropriated for the initial funding of the City Ordinance 323-2023 and this IRR.

Section 24. Budget Appropriations. The City Government of Bacoor shall appropriate in its annual budget or any supplemental budget that may be approved thereafter the amount necessary to implement the provisions of this Ordinance.

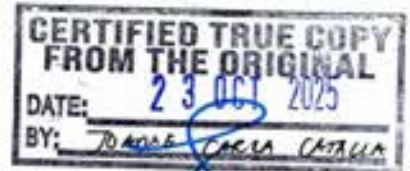
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Section 25. Changes or Modifications of the Implementing Rules and Regulations. To appropriately administer the efficient and effective implementation of the City Ordinance No. 323-2023, the Office of the City Mayor, after consultation with the concerned offices, may recommend to the Sangguniang Panlungsod amendments to the said Ordinance and, consequently, this IRR.

Section 26. Separability. If, for any reason, any section or provision of this IRR is declared unconstitutional or invalid, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

Section 27. Repeal. All local rules or regulations which are inconsistent or contrary to the provisions of this IRR are hereby repealed or modified accordingly.

Section 28. Effectivity. This IRR shall take effect immediately upon approval.

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