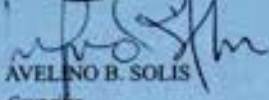


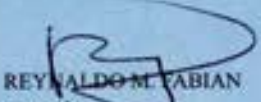


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ROLANDO S. REMULLA
Acting Vice Mayor



AVELINO B. SOLIS
Councilor

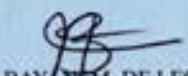
On Leave
HUBERT V. GERVACIO
Councilor


REYNALDO M. FABIAN
Councilor

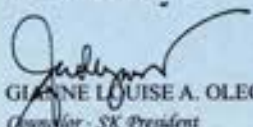

NORMITA D. CELESTINO
Councilor


AVELINO S. DE CASTRO
Councilor


MIGUEL N. BAUTISTA
Councilor


BAYANI M. DE LEON
Councilor

On Leave
CATHERINE H. SARINO
Councilor - ABC President


GLORINE LOUISE A. OLEGARIO
Councilor - SK President


Attested by:

ATTY. KHALID A. ATEGA, JR.
Secretary to the Sangguniang Bayan

Certified by:

On Leave
ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:


STRIKE REVILLA
Municipal Mayor

MUNICIPAL ORDINANCE NO. 13
Series of 2008

**AN ORDINANCE PROVIDING FOR THE
INSTITUTIONAL, ADMINISTRATIVE AND
FUNDING REQUIREMENTS OF THE
RESETTLEMENT AND HOUSING PROGRAM OF
THE MUNICIPALITY OF BACOOR.**

Be it ordained and enacted by the Sangguniang Bayan of the
Municipality of Bacoor.

ARTICLE I

TITLE, POLICY AND DEFINITION OF TERMS

SECTION 1. Title. - An Ordinance Providing for the
Institutional, Administrative, and Funding Requirements of the
Resettlement and Housing Program of the Municipality of Bacoor.


Section 2. Statement of Policy and Program Objectives. -
It shall be the overall policy of the government of the Municipality of
Bacoor to vigorously pursue a comprehensive, viable and sustainable
urban development and housing program, which shall uplift the
living conditions of the deprived sector of the community,
particularly the homeless, undertaken in cooperation with concerned
national government agencies, the private sector and with the direct
participation of the program beneficiaries themselves.

The overriding goal is the provision of adequate and decent
low-cost housing for the poor and low-income families. Specifically,
this ordinance aims to:

1. Provide the municipality's homeless families, and the
underprivileged, access to housing projects at the
most affordable cost possible including basic social
services and opportunities for a viable source of
income;



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ROLANDO S. REMULLA
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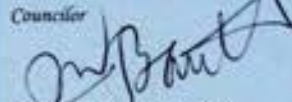

AVELINO B. SOBIS
Councilor

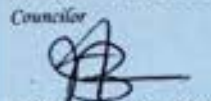
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Councilor


REYNALDO M. BABIAN
Councilor

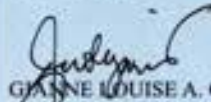

NORMITA D. CEDESTINO
Councilor


AVELINO S. DE CASTRO
Councilor


MIGUEL N. BAUTISTA
Councilor


BAYANI M. DE LEON
Councilor

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CATHERINE H. SARINO
Councilor - ARC President


GIANNE LOUISE A. OLEGARIO
Councilor - SK President

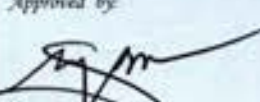
Attested by:


ATTY. KENNETH A. ATEGA, JR.
Secretary to the Sangguniang

Certified by:

On Leave
ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:


STRIK REVILLA
Municipal Mayor


2. Curb the proliferation of the slum and blighted areas in the Municipality thereby reducing urban dysfunctions;
3. Encourage a more effective people's participation in the urban development process;
4. Ensure not only the compliance of the private sector to the socialized housing requirements pursuant to the express provisions of law but also encourage their participation in the process of urban development and in undertaking housing projects either on their own initiative or in partnership with the Municipal Government;
5. Enhance the capability of the Municipal Government in undertaking urban development and housing program and projects; and
6. Effectively prevent encroachments on environmentally critical areas and squatting in government and private lands.

Section 3. Definition of Terms. - As may herein apply, the definition of some of the terms used under the Urban Development and Housing Act (UDHA) of 1992, or R.A. 7279, are hereby adopted:

- a.) "Affordable Cost" refers to the most reasonable price of land and shelter based on the needs and financial capability of program beneficiaries and appropriate financing schemes;
- b.) "Blighted areas" shall refer to areas within the Municipality where the structures are dilapidated, obsolete and unsanitary, tending to depreciate the value of the land and prevent normal development and use of the area;



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ROLANDO S. REMULLA
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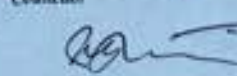
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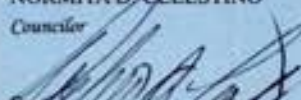

AVELINO B. SOLIS
Councilor

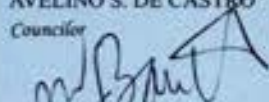
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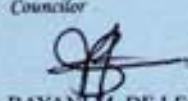
HUBERT V. GERVACIO
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Councilor - ABC President


GIANNE LOUISE A. OLEGARIO
Councilor - SK President

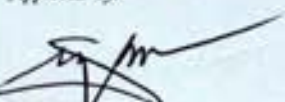
Attested by:


ATTY. KHALID A. ATEGA, JR.
Secretary to the Sangguniang

Certified by:

On Leave
ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer


Approved by:



STRIKE REVILLA
Municipal Mayor

- c.) "Consultation" refers to the constitutionally mandated process whereby the public, on its own or through people's organizations, is provided an opportunity to be heard and to participate in the decision-making process on matters involving the protection and promotion of its legitimate collective interests, which shall include appropriate documentation and feedback mechanisms;
- d.) "Housing Trust Fund" refers to the Special Housing Trust Fund of the Municipality of Bacoor created under Section 14 of this Ordinance;
- e.) "Idle lands" refers to non-agricultural lands in urban and urbanizable areas on which no improvements have been made by the owner, as certified to by the Municipal Assessor;
- f.) "Joint Venture" refers to the commitment or agreement by two (2) or more persons to carry out a specific or single business enterprise for their mutual benefit, for which purpose they combine their funds, land resource, facilities and services;
- g.) "Land assembly or consolidation" refers to the acquisition of lots or varying ownership through purchase or expropriation for the purpose of planned and rational development and socialized housing programs without individual property boundary restrictions;
- h.) "Land banking" refers to the acquisition of land at values based on existing use in advance of actual need to promote planned development and socialized housing programs;




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Councilor - SK President


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Secretary to the Sanggunian

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Municipal Vice Mayor/Presiding Officer

Approved by:


STRINE REVILLA
Municipal Mayor

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- i.) "Land swapping" refers to the process of land acquisition by exchanging land for another piece of land of equal value, or for shares of stock in a government or quasi-government corporation whose book value is of equal value to the land being exchanged, for the purpose of planned and national development and provision for socialized housing where land values are determined based on land classification, market value assessments taken from existing tax declaration. Provided, that more valuable lands to carry out the objectives of this Ordinance may be used for land swapping depending in the availability of funds;
- j.) "Land use plan" refers to the rational approach of allocating available land resources as equitably as possible among competing user groups and for different functions consistent with the development plan area and the program under this Ordinance;
- k.) "Resettlement areas" refers to areas identified by the Municipality, which shall be utilized for the relocation of its underprivileged and homeless constituents;
- l.) "Security of tenure" refers to the degree of protection afforded to qualified program beneficiaries against infringement or unjust, unreasonable and arbitrary eviction or disposition, by virtue of the right of ownership, lease agreement, usufruct and other contractual arrangements;
- m.) "Socialized housing" refers to housing programs and projects covering houses and lots or home lots only undertaken by the government or the private sector for the underprivileged and homeless citizens which shall include sites and services development, long term financing, liberalized terms on interest payments, and such other benefits in accordance with the provisions of this Ordinance;



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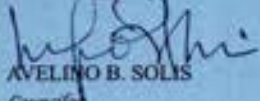

ROLANDO S. REMULLA
Acting Vice Mayor

Ordinance No. 13-S-2008

July 21, 2008

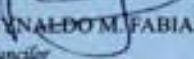
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AVELINO B. SOLIS
Councillor

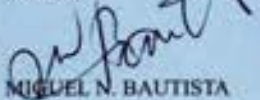
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Councillor


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Councillor


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MIGUEL N. BAUTISTA
Councillor



BAYANI M. DE LEON
Councillor

On Leave

CATHERINE H. SARINO
Councillor - ABC President


GENE LOUISE A. OLEGARIO
Councillor - SK President

Attested by:



ATTY. KHALID A. ATEGA, JR.
Secretary to the Sanggunian

Certified by:

On Leave

ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:


STRIKE REVILLA
Municipal Mayor

- n.) "Underprivileged and homeless citizens" refers to the beneficiaries of this ordinance and to individuals or families residing in the Municipality whose income or combined household income falls within the poverty threshold as defined by the National Economic and Development Authority and who do not own housing facilities. This shall include those who live in makeshift dwelling units and do not enjoy security of tenure.

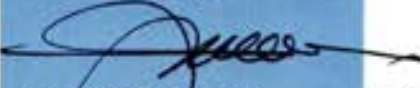
ARTICLE II

AUTHORITY AND PURPOSE

Section 4. Authority. - This Ordinance is enacted pursuant to the provisions of Section 16, (General Welfare) and Section 17, (Basic Services and Facilities) of the Local Government Code of 1991 (R.A. 7160) which define in general and specific terms the responsibilities of the local government in providing programs and projects to meet the economic and social needs of its constituents amongst which are low-cost housing and mass dwellings. Further, Section 29, Article VII of the Urban Development and Housing Act (UDHA) of 1992 (R.A. 7279) mandated the Local Government Units (LGUs) to resettle persons living in danger areas such as esteros, railroad tracks, riverbanks, garbage dumps, shorelines, waterways, and in other public places such as sidewalks, roads, parks and playgrounds and Section 39, thereof, which charge LGUs with the responsibility of implementing the UDHA of 1992 in their respective localities in coordination with public and private agencies/ instrumentalities/ organizations which are invariably involved in housing and urban development. Finally, Presidential Memorandum Order No. 74, dated September 13, 2002, directing LGUs to create their respective housing boards to implement activities in areas proclaimed as socialized housing sites.



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ROLANDO S. REMULLA
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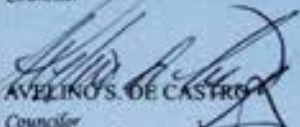

AVELINO B. SOLIS
Councilor


On Leave


HUBERT V. GERVACIO
Councilor


REY BALDO M. FABIAN
Councilor


NORMITA D. CELESTINO
Councilor


AVELINO S. DE CASTRO
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BAYANI M. DE LEON
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CATHERINE H. SARINO
Councilor - ABC President


GIANNE LOUISE A. OLEGARIO
Councilor - SK President

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ATTY. KHALID A. ATEGA, JR.
Secretary to the Sanggunian

Certified by:

On Leave

ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:


STRIKE REVILLA
Municipal Mayor

ARTICLE III

THE BACOOR URBAN DEVELOPMENT AND HOUSING BOARD


Section 5. Creation. There shall be created in the Municipality of Bacoor an Urban Development and Housing Board (MUDHB) that shall formulate policies, operational guidelines, provide effective coordination, and oversee the implementation of the shelter plan of the Municipality.

Section 6. Composition. The Board shall be composed of the Municipal Mayor as Chairman, and the Chairman, respectively, of the Committees on Planning, Building and Zoning; Appropriation, Finance and Budget; and Socialized Housing and Urban Poor of the Sangguniang Bayan and Municipal Vice Mayor as Co-Chairmen, with the following as members:

- a) Executive Director of the Bacoor Urban Poor Planning and Housing Affairs Council;
- b) Municipal Planning and Development Coordinator;
- c) Municipal Agriculturist;
- d) Municipal Social Welfare and Development Officer;
- e) Municipal Engineer;
- f) Chairperson of the Committee on Housing, Municipal Development Council, who represents the private sector or, if the chairperson is not a private sector representative, a member of the committee coming from the private sector and chosen by the members of the committee as a whole;



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Acting Vice Mayor

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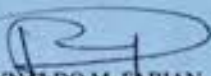
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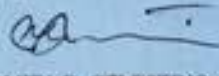
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AVELINO B. SOLIS
Councillor


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ATTY. KHALID A. ATEGA, JR.
Secretary to the Sanggunian

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ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:


STRIKE REVILLA
Municipal Mayor


- g) A representative from a Chamber of Real Estate and Builders Association, Inc. (CREBA), who is a bonafide resident in the Municipality of Bacoor, to be appointed by the Municipal Mayor.

Section 7. Functions. The Board shall have the following functions:

- a. Formulate policies and operational guidelines pertinent to the implementation of the municipality's shelter program;
- b. Consistent with the land use plan of the Municipality, approve specific areas identified by the Municipal Housing Development and Management Office (MHDMD) as suitable for socialized housing projects;
- c. Act as originators for socialized housing projects in the Municipality;
- d. Accredited originators for socialized housing projects to be put up within the Municipality;
- e. Authorize the Municipal Treasurer to disburse funds from the municipality's special housing trust fund, in accordance with the requirements of government accounting and auditing rules and regulations;
- f. Submit for the consideration of the Sangguniang Bayan, proposals on taxation and such other modes of revenue generation to ensure the viability and sustainability of the Municipality's housing program;
- g. Enter into agreements or partnership arrangements with government agencies engaged in housing and related activities such as, but not limited to the National Housing Authority (NHA), Home Development Mutual Fund (HDMF), Housing and Urban Development Coordinating Council (HUDCC), National Home Mortgage Finance Corporation (NHMFC) and those of the private sector upon the authorization of the Sangguniang Bayan;



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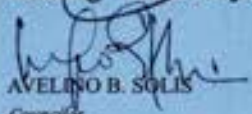

ROLANDO S. REMULLA
Acting Vice Mayor

Ordinance No. 13-S-2008

July 21, 2008

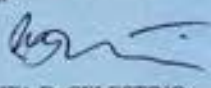
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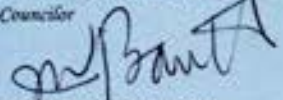

AVELINO B. SOLIS
Councilor


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HUBERT V. GERVACIO
Councilor


REYNALDO M. FABIAN
Councilor

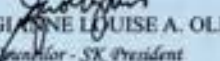

NORMITA D. CELESTINO
Councilor


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Councilor


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BAYANI M. DE LEON
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On Leave
CATHERINE H. SARINO
Councilor - ABC President


GLORINE LOUISE A. OLEGARIO
Councilor - SK President


Attested by:

ATTY. KHALID A. ATEGA, JR.
Secretary to the Sangguniang

Certified by:

On Leave
ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer


Approved by:


STRIKE REVILLA
Municipal Mayor

- h. Review and recommend for the approval of the Sangguniang Bayan the budgetary requirements of the Municipality's housing program as prepared by the MHDMD;
- i. Review, approve and/or disapprove the Municipality's housing project proposals as submitted by the MHDMD;
- j. Call on any municipal office/department and representatives of national government agencies assigned in the province such as the Agrarian Reform Officer of the Department of Agrarian Reform and the Station Commander of the Philippine National Police to lend their assistance in the planning and implementation of the housing program;
- k. Act to amicably settle or arbitrate on issues and complaints arising from the implementation of the municipality's housing projects including similar issues and complaints lodged against housing subdivision owners/developers, who are operating within the municipality, and, as the case may warrant, endorse the same for final disposition by the Housing and Land Use Regulatory Board (HLURB);
- l. Upon the authorization of the Sangguniang Bayan, acquire lands to be utilized for the housing projects of the municipality either through negotiated sale or through expropriation proceedings, land swapping, land banking, land assembly or consolidation, joint venture and such other modes of acquisition as maybe lawfully allowed;
- m. Conduct community consultations as often as possible to ensure transparency and elicit the commitment of all stakeholders in the shelter plan of the municipality;
- n. Legitimate the list of the municipality's housing project beneficiaries as submitted to it by the MHDMD; and



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ROLANDO S. REMULLA
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AVELINO B. SOLIS
Councilor

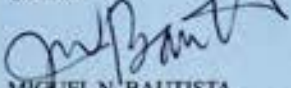
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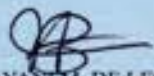
HUBERT V. GERVACIO
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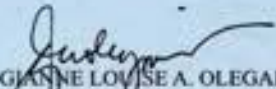

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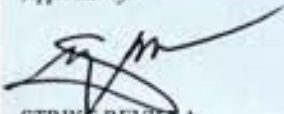
Attested by:


ATTY. KHALID A. ATEGA, JR.
Secretary to the Sanggunian

Certified by:

On Leave
ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Presiding Officer

Approved by:


STRIKE REVILLA
Municipal Mayor

- o. Perform such other functions as may be necessary for the successful implementation of the housing program and projects of the municipality.

Section 8. Secretariat. The Chairman of the MUDHB is hereby empowered to designate an employee or, an office, who shall provide for the clerical, records keeping and related services for the MHDMD who shall preferably be from the Sangguniang Bayan.

Section 9. Compensation and Remuneration. As maybe determined by the MUDHB, all members and staff of the MUDHB shall be entitled to honoraria as ratified by the Sangguniang Bayan. In addition, members thereof who are not government officials or employees shall be entitled to necessary travelling expenses and allowances chargeable against the funds of the MUDHB subject to existing accounting and auditing rules and regulations.

ARTICLE IV

MUNICIPAL URBAN DEVELOPMENT HOUSING OFFICE

Section 10. Creation. There shall be created a Municipal Housing Development and Management Division (MHDMD), a Special Division under the Municipal Planning and Development Office (MPDO), which shall be mainly responsible in planning and implementing the municipality's housing projects;



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Province of Cavite
MUNICIPALITY OF BACOOR
Office of the Sangguniang Bayan



ROLANDO S. REMULLA
Acting Vice Mayor

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AVELINO B. SOLIS
Councilor


On Leave


HUBERT V. GERVACIO
Councilor


REYNALDO M. FABIAN
Councilor


NORMITA D. CELESTINO
Councilor

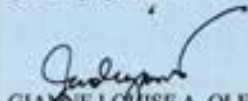

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BAYANI M. DE LEON
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CATHERINE H. SARINO
Councilor - ABC President


GLANISE LOUISE A. OLEGARIO
Councilor - SK President

Attested by:


ATTY. KHALID A. ATEGA, JR.
Secretary to the Sanggunian

Certified by:

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ROSETTE MIRANDA FERNANDO
Municipal Vice Mayor/Pending Officer

Approved by:


STRIKE REVILLA
Municipal Mayor

Section 11. Structure It is envisioned that, initially, the organization of the MHDMD shall partake the nature of a task force. It shall be headed by a Housing and Home Site Regulation Officer V (Salary Grade 22) with one assistant whose position shall be that of Housing and Home Site Regulation Officer IV (Salary Grade 19). It shall have three main implementing groups: Settlements Planning and Development Services (SPDS), Institutional and Social Development Services (ISDS) and Livelihood and Employment Development Services (LEDS). The Municipal Mayor shall organize the MHDMD, define the specific functions of its three main service groups and designate the members thereof from the various offices/departments of the municipality as follows:

1.) Settlements Planning and Development Services (SPDS);

1a) Municipal Engineering Development Department (MED) or its equivalent;

1b) Municipal Planning and Development Office (MPDO);

2.) Institutional and Social Development Services (ISDS) or its equivalent;

2a) Municipal Social Services and Youth Development Department (MSYDD) or its equivalent;

2b) Municipal Health Department;

2c) Public Affairs and Information Division or its equivalent; and

2d) Concerned Barangays;



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3) Livelihood and Employment Development Services (LEDS);

3a) Municipal Agriculture and Economic Enterprises Mgt. Department or its equivalent; and

3b) Public Employment Service Office (PESO).

Section 12. Functions The MHDMD shall have the following functions;

1. Prepare and recommend for the approval of the MUDHB the municipality's specific projects on resettlement and housing;
2. Conduct community surveys in close coordination with the concerned Barangay officials, prepare a profile of prospective beneficiaries to the municipality's housing and resettlement projects;
3. Conduct direct consultations with would-be beneficiaries to the municipality's housing and resettlement projects;
4. Consistent with the land use plan of the municipality, identify areas suitable for the housing projects and also assist in the acquisition thereof;
5. Provide community organizing assistance to the municipality's housing project beneficiaries to include among others the organization and development of cooperatives;
6. Assist the MUDHB in the sourcing of funds to defray the cost of resettlement and housing project implementation;



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GERARDO A. OLEGARIO
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7. Prepare site development plans, housing designs and costing, for the housing and resettlement projects of the municipality taking into consideration the existing policies and standards set forth by the national government agencies and the municipality's zoning ordinance;
8. Provide the resettlement/housing beneficiaries with livelihood development assistance such as the conduct of entrepreneurial and skills training and the extension of credit facilities under the municipality's Livelihood Development Fund, including access to employment opportunities;
9. Ensure the delivery of social and other vital community services such as on health, family planning, maternal and child care and the like to the resettlement/housing beneficiaries;
10. Coordinate and/or secure the assistance of other government agencies and private entities in the implementation of the municipality's resettlement and housing projects;
11. Closely monitor the implementation of regulatory measures which are aimed to effectively contain the proliferation of squatters in the Barangays in close coordination with the officials therein;
12. Recommend to the MUDHB amendments, which are deemed essential, to further improve the policies, plans, program and operational guidelines covering the implementation of the municipality's resettlement and housing projects;
13. Prepare and submit periodic reports to the MUDHB on the progress of implementation of the resettlement and housing projects of the municipal government;



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14. Perform such other functions that may be assigned to it from time to time by the MUDHB or by the Municipal Mayor.

Section 13. Compensation and Remuneration. Except for the head and the assistant head who will occupy plantilla positions in the MHDMD, the other members who are designated by the Municipal Mayor shall perform their duties as such without additional compensation or remuneration. However, as maybe allowed by law or an ordinance they may be granted a fixed monthly allowance chargeable against the funds of MUDHB.

ARTICLE V

FUNDING

Section 14. Special Housing Trust Fund. A Special Housing Trust Fund, which shall herein after be referred to as the "Housing Trust Fund", is hereby created for the purpose of ensuring the viability and sustainability of the implementation of the resettlement and housing projects of the municipality.

Section 15. Sources The Housing Trust Fund shall be sourced out from the following:

- a.) The proceeds of the additional ad valorem tax on idle lands not exceeding five percent (5%) of the assessed value of the property, in addition to the basic real property tax, which may be imposed pursuant to Section 236 of R.A. 7160 and its implementing rules and regulations;



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- b.) The proceeds of the special levy on lands located within the municipality's territorial jurisdiction specially benefited by public works projects or improvements funded by the municipal government pursuant to Section 20 of R.A. 7160 and its implementing rules and regulations;
- c.) As may be authorized by the Sangguniang Bayan, a portion of the Calamity Fund set aside for housing pursuant to Memorandum-Circular No. 2003-1, as amended, issued jointly by the Department of Budget and Management (DBM) and the Department of Interior and Local Governments (DILG) on March 20, 2006 provided however that the remaining balance of the Calamity Fund at the end of the fiscal year shall now automatically revert to the Housing Trust Fund.
- d.) Fees derived from the implementation of the zoning ordinance of the municipality such as on zoning certifications, locational clearances, development permits, alteration permits and fines imposed on zoning violations;
- e.) Fees/taxes derived from the operation of businesses related to housing such as renting out of houses, apartments, condominiums, appartelles, hotels, motels and the like;
- f.) Building permit and electrical inspection fees including fines imposed for any violation of National Building Code and/or the Bacoar Building Code;
- g.) At least ten percent (10%) of the twenty percent (20%) Community Development Fund (CDF) allocated annually, out of the total proceeds of the Internal Revenue Allotment (IRA) of the municipality;
- h.) Loans as may be authorized by the Sangguniang Bayan; and



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- i.) Donations and grants for the resettlement and housing projects of the Municipal.

Section 16. Use and Disbursement – The Housing Trust Fund shall be used solely for acquisition of properties, site planning and development, housing construction for the municipality's resettlement housing projects; and distribution of financial assistance to underprivileged and homeless families affected by an eviction and/or demolition pursuant to a court order and whereby relocation is not possible within the forty-five (45) days from service of notice of judgement by the court, pursuant to Section 28, Article III of R.A. 7279. The MUDHB, however, may set aside a reasonable amount for its own operational expense and that of the MHDMD. The Housing Trust Fund may only be disbursed upon the authorization of the MUDHB subject, however, to the requirements of the government accounting and auditing rules and regulations.

ARTICLE VI

FINAL PROVISIONS


Section 17. Repealing Clause. All ordinances and rules and regulations, the part or parts thereof which are inconsistent with any of the provisions of this Ordinance, are hereby repealed or modified accordingly.

Section 18. Separability Clause. Should any section or provision of this Ordinance be declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and affect.

Section 19. Effectivity Clause. This Ordinance shall take effect ten (10) days after its posting in at least three (3) conspicuous places in the municipality.



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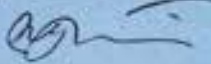
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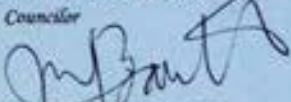

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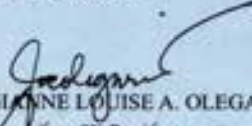

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Municipal Vice Mayor/Presiding Officer

Approved by:


STRIKE REVILLA
Municipal Mayor

APPROVED by the Sangguniang Bayan of Bacoor, this
21st day of July 2008.

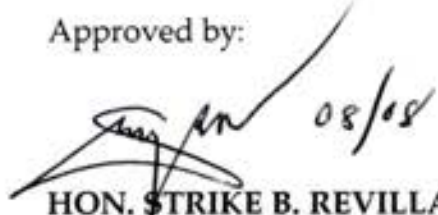
Prepared by:


ATTY. KHALID A. ATEGA, JR.
Sangguniang Bayan Secretary

Certified by:


HON. ROLANDO S. REMULLA
Acting Presiding Officer/ Acting Vice-Mayor

Approved by:


HON. STRIKE B. REVILLA
Municipal Mayor

BAGONG BACOOR!

Tapat sa Serbisyo, Nagkakaisa sa Pagbabago...