



Republic of the Philippines  
Province of Cavite  
CITY OF BACOR

Office of the Sangguniang Panlungsod



**DISTRICT I**

HON. CATHERINE SARINO-EVARISTO  
City Councilor

HON. MICHAEL E. SOLIS  
City Councilor

HON. ADRIELITO G. GAWARAN  
City Councilor

HON. VICTORIO L. GUERRERO, JR.  
City Councilor

HON. ALEJANDRO E. GUTIERREZ  
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HON. LEVY M. TELA  
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OFFICIAL BUSINESS  
HON. ALDE JOSELITO F. PAGULAYAN  
City Councilor

HON. SIMPLICIO G. DOMINGUEZ  
City Councilor

HON. RANDY C. FRANCISCO  
Liga ng mga Barangay Vice-President

OFFICIAL BUSINESS  
S. BUNCIO  
SK Federation President

Attested by:  
ATTY. RAHALID A. ATEGA, JR.  
Sangguniang Panlungsod Secretary

Certified by:  
HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor

Approved by:  
HON. STRIKE B. REVILLA  
City Mayor

**CITY ORDINANCE NO. 389-2024**  
Series of 2024

**AN ORDINANCE REGULATING THE CONSTRUCTION, DEVELOPMENT, AND OPERATION OF COLUMBARIA WITHIN THE CITY OF BACOR, CAVITE AND IMPOSING PENALTIES FOR VIOLATIONS HEREOF.**

Sponsored:

**Hon. Reynaldo D. Palabrica and Hon. Rogelio M. Nolasco**

Co-Sponsored :

**Hon. Roberto L. Advincula, Hon. Simplicio G. Dominguez, Hon. Catherine Sarino-Evaristo, Hon. Randy C. Francisco, Hon. Adrielito G. Gawaran, Hon. Reynaldo M. Fabian, Hon. Alejandro F. Gutierrez, Hon. Michael E. Solis, and Hon. Levy M. Tela.**

**WHEREAS**, Article VI, Section 28 of the 1987 Constitution recognizes that charitable institutions, churches and parsonages, or convents appurtenant thereto, mosques, non-profit cemeteries, and all lands, buildings, and improvements, actually, directly, and exclusively used for religious, charitable, or educational purposes shall be exempt from taxation.

**WHEREAS**, Section 11(4)(ix) of RA 10160 (the "Charter of the City of Bacoor") empowered the Sangguniang Panlungsod to regulate through an ordinance the establishment, operation, and maintenance of funeral parlors, and the burial or cremation of the dead, subject to existing laws, rules and regulations.

**WHEREAS**, the Housing and Land Use Regulatory Board (HLURB) issued Board Resolution No. 797 s. 2007 approving the rules and regulations governing columbarium projects, as well as, Board Resolution No. 926 s. 2015 (the "Revised Implementing Rules and Regulations to Govern the Time of Completion of Subdivision and Condominium Projects").



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SK Federation President

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Sangguniang Panlungsod Secretary

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City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA  
City Mayor

**WHEREAS**, the regulatory functions of the HLURB over subdivisions, condominiums, memorial parks and similar real estate developments have been transferred and consolidated to the Department of Human Settlements and Urban Development (DHSUD) by virtue of Republic Act No. 11201.

**WHEREAS**, the Department of Health (DOH) issued the Implementing Rules and Regulations of Chapter XXI on the disposal of dead persons of the Code of Sanitation of the Philippines, and DOH Administrative Order No. 2010-033 (the "Revised Implementing Rules and Regulations of PD 856 Code on Sanitation of the Philippines Chapter XXI on Disposal of Dead Persons") which provides for the sanitary requirements in the operation and maintenance of funeral parlors, memorial parks, and columbaria.

**WHEREAS**, the Implementing Rules and Regulations of the National Building Code of the Philippines (PD 1096) provides for specific details relating to the construction of memorial parks, mausoleums, and columbaria.

**WHEREAS**, Chapter XIV of City Ordinance No. 55-2015 provides for the regulations of cemeteries, memorial parks, crematoria, morgues, funeral parlors, hospitals, and similar establishments or facilities operating within the City of Bacoor.

**WHEREAS**, Section 458 of Republic Act No. 7160 (the "Local Government Code of 1991") empowered the Sangguniang Panlungsod to enact ordinances for the general welfare of the city and its inhabitants pursuant to Section 16 and Section 22 of the said Code by regulating, among other things, the establishment, operation and maintenance of funeral parlors and the burial or cremation of the dead, subject to existing laws, rules and regulations.

**WHEREAS**, various reports have been received by the City Government on the purported illicit operation of columbaria by places of worship involving the sale of urns and niches to the public in violation of existing public safety and sanitation regulations.

**WHEREAS**, allowing the unregulated operation of columbaria and the sale of niches to the public endangers public health and safety.



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Sangguniang Panlungsod Secretary

Certified by:

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City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA  
City Mayor

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

**Section 1. Title.** This ordinance shall be known as the "Columbarium Regulation Ordinance of the City of Bacoor".

**Section 2. Coverage.** This Ordinance shall apply to all columbaria being operated by religious and charitable institutions in the City of Bacoor, Cavite.

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

1. **Burial** – the internment of remains in a grave, tomb, or at sea;
2. **Burial Grounds** – cemetery, memorial park, or any place duly authorized by law or ordinance for permanent disposal of the dead;
3. **Cemetery** – a public or private land used for the burial of the dead and other uses dedicated for cemetery purposes to include landscaped grounds, driveways, walks, columbaria, crematories, mortuaries, mausoleums, niches, graveyards, public comfort rooms and off-street parking lots;
4. **Cinerarium** – A niche in a tomb or columbarium to accommodate an urn containing the ashes of a cremated body;
5. **Cinerary remains** – the ashes resulting from the cremation of a dead body;
6. **Columbarium** – a sepulcher with niches for cinerary remains or any structure, either freestanding or part of another building, containing niches for the inurnment of cremated human remains;
7. **Cremation** – the process that reduces human remains to bone fragments of fine sand or ashes through combustion and dehydration;
8. **Crematorium** – any designated place duly authorized by law to cremate dead persons;



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Sangguniang Panlungsod Secretary

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City Mayor

9. **Disinterment** – the removal or exhumation of remains from places of interment;
10. **Memorial Park** – a cemetery with well-kept landscaped lawns, and wide roadways and footpaths separating the areas assigned for ground interments, tombs, mausoleums, and columbaria, with or without a mortuary chapel, and provided with systemic supervision and maintenance;
11. **Undertaker** – a duly licensed person who practices undertaking;
12. **Undertaking** – the care, transport, and disposal of the body of a deceased person by any means other than embalming;

**Section 4. Prohibited Acts.** The following acts are hereby prohibited:

4.1. The construction, development, and operation by religious and charitable institutions of columbaria and the sale of niches thereat without complying with the various provisions of this Ordinance and its implementing rules and regulations (IRR);

4.2. The insertion of niches, vaults, urns, or receptacles designed to hold cremated human remains inside places of worship without the written permission of the City Building Official and the City Health Officer;

4.3. The insertion of niches, vaults, urns, or receptacles designed to hold cremated human remains inside places of worship that are of historical value without the written consent of the National Historical Commission and the City Tourism Officer;

4.4. The sale of any niche or vault by a church, religious organization, or charitable institution as contemplated in this Ordinance without a license to sell issued by the Department of Human Settlements and Urban Development (DHSUD) and without the requisite business permit issued by the Business Permit and Licensing Office (BPLO) of the City of Bacoor, Cavite; and

4.5. Any act similar or analogous to the foregoing.

**Section 5. Minimum Design Standards and Guidelines for Columbarium Projects.**

**A. Location.** All columbarium projects covered by this Ordinance must conform with the



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*Sangguniang Panlungsod Secretary*

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*City Vice Mayor*

Approved by:  
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*City Mayor*

provisions of the Comprehensive Land Use Plan (CLUP) and Zoning Ordinance of the City of Bacoor. In the absence of any provision on the location of columbarium projects, the same can be located in any of the following:

1. Institutional zones designated for religious structure such as church, seminary, convents, and other places of worship or congregation areas; or
2. Areas within the premises of religious structures owned by a religious congregation.

**B. Design Parameters/Dimensions of Niche/Vault.**

1. The niche/vault must be large enough to hold the cremated remains of a human contained in an urn or a receptacle.
2. If the proposed interment structure will use a grid pattern, the developer thereof must provide at least a 2-meter passageway in between structures.
3. The structural network for all niches/vaults must either be in cast-in-place reinforced concrete, structural steel section, concrete over metal decking, or any other non-porous materials. Provided that the construction of all footing, bearing walls, floor slabs and roofs must conform with all the construction requirements of the National Building Code.
4. All niches and vaults constructed by virtue of this ordinance along a perimeter wall or fence must be waterproofed.

**C. Additional Design Standards and Guidelines.**

The City Engineer, City Building Official, City Zoning Officer, and City Assessor are jointly mandated to submit additional design standards and guidelines to the City Mayor within thirty (30) working days following the date of approval of this Ordinance.

**Section 6. 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



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*[Signature]*  
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Sangguniang Panlungsod Secretary

Certified by:  
*[Signature]*  
HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor

Approved by:  
*[Signature]*  
HON. STRIKE B. REVILLA  
City Mayor

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 of legal age 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 the unjust refusal or failure of the corporation, partnership, or sole proprietorship to comply with any order issued by the City Mayor with regard the said violation.

**Section 7. Implementing Rules and Regulations.** The City Legal Officer, in coordination with the City Engineer, City Building Officer, City Zoning Officer and the City Assessor shall, within sixty (60) working days following the date of effectivity of this Ordinance, submit the IRR hereof for the review and approval of the City Mayor.

**Section 8. Repeal.** All ordinances, resolutions, or executive orders in conflict or inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

**Section 9. 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 10. Automatic Review.** This Ordinance shall be automatically reviewed by the Sangguniang Panlungsod once every two years following its date of effectivity.

**Section 11. 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 22<sup>nd</sup> day of July 2024 at the City of Bacoor, Cavite.



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Sangguniang Panlungsod Secretary

Certified by:  
  
HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor

Approved by:  
  
HON. STRIKE B. REVILLA  
City Mayor

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

Certified :  
  
*[Signature]*  
HON. ROWENA BAUTISTA-MENDIOLA  
City Vice Mayor/Presiding Officer

Attested :  
  
*[Signature]*  
ATTY. KHALID A. ATEGA JR.  
Sangguniang Panlungsod Secretary

Approved:  
  
*[Signature]*  
HON. STRIKE B. REVILLA  
City Mayor  
  
Date of Approval: 18 NOV 2024