



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL NORTE
SANGGUNIANG PANLALAWIGAN
Dipolog City

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE 18th SANGGUNIANG PANLALAWIGAN OF ZAMBOANGA DEL NORTE, HELD AT THE SP SESSION HALL, PROVINCIAL LEGISLATIVE BUILDING, DIPOLOG CITY, ON MAY 10, 2021

PRESENT:

Hon. Senen O. Angeles,	Vice Governor (Presiding Officer)
Hon. Julius C. Napigquit,	SP Member (Presiding Officer Pro-Tempore)
Hon. Crisologo A. Decierdo,	SP Member (Majority Floor Leader)
Hon. Ronilio D. Lee,	SP Member (Asst. Majority Floor Leader)
Hon. Constantino C. Soriano, Jr.,	SP Member (Minority Floor Leader)
Hon. Patri B. Chan,	SP Member
Hon. Anacleto H. Olvis, Jr.,	SP Member
Hon. Romulo P. Soliva,	SP Member
Hon. Venus A. Uy,	SP Member
Hon. Luzviminda E. Torrino,	SP Member
Hon. Peter Y. Co,	SP Member - FSMMC
Hon. Rogelio M. Isip,	SP Member - FABC
Hon. Ruben D. Mangan,	SP Member - ICC/IPs
Hon. Miles P. Tejada,	SP Member - PPSK

ABSENT:

Hon. Ruth M. Brillantes,	SP Member (On Leave)
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"RESOLUTION NO. 297

DECLARING IN ORDER AND OPERATIVE MUNICIPAL ORDINANCE NO. 2021-01, SERIES OF 2021 OF THE SANGGUNIANG BAYAN OF PIÑAN, ZAMBOANGA DEL NORTE


On motion of Honorable Anacleto H. Olvis, Jr., duly seconded by Honorable Venus A. Uy, it was

RESOLVED, as this Body hereby resolves, to approve the recommendation of this Body's Committee on Laws, Ordinances, Resolutions, Rules and Style per Report No. LORRS-21-01 dated May 10, 2021, thus **declaring in order and operative** Municipal Ordinance No. 2021-01, series of 2021 of the Sangguniang Bayan of Piñan, this province, entitled: "An Ordinance Prescribing the Guidelines for Reclassification of Lands Within the Municipality of Piñan, Zamboanga del Norte and Imposing Fees for the Application Thereof", there being no legal impediments for the enactment of said ordinance and the requirement of prior public hearing complied with. However, since the subject ordinance has penal provisions, the sanggunian concerned is advised to amend Section 20 thereof in order to comply with paragraph (a), Section 511 of Republic Act No. 7160, which requires that ordinances with penal sanctions shall take effect on the day following its publication, or at the end of the period of posting, whichever occurs later.


Carried unanimously."

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Sula

I HEREBY CERTIFY to the correctness of the above-quoted resolution.


VANESSA MARIE C. VALLECER-PATCHO
Secretary to the Sanggunian

CERTIFIED CORRECT AS TO ITS PASSAGE:


SENEN O. ANGELES
Vice Governor
(Presiding Officer)

/YCARDS

Approved: May 14, 2021.



Republic of the Philippines
Province of Zamboanga del Norte
MUNICIPALITY OF PIÑAN
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Office of the Sangguniang Bayan

**EXCERPT FROM THE MINUTES OF THE 78TH REGULAR SESSION OF THE
10TH SANGGUNIANG BAYAN OF PIÑAN, ZAMBOANGA DEL NORTE HELD
ON JANUARY 11, 2021 AT ITS SESSION HALL**

Present:

Honorable Deogracias T. Cimafranca	Municipal Vice-Mayor (<i>Presiding Officer</i>)
Honorable Rommel I. Gudmalin	Sangguniang Bayan Member
Honorable Al Immanuel U. Cantila	Sangguniang Bayan Member
Honorable Saturnino P. Sorronda	Sangguniang Bayan Member
Honorable Greg C. Belangoy	Sangguniang Bayan Member
Honorable Nestor E. Protacio	Sangguniang Bayan Member
Honorable Gina R. Aleta	Sangguniang Bayan Member
Honorable Jose Antonio L. Galan	Sangguniang Bayan Member
Honorable Celso M. Montemayor	Sangguniang Bayan Member
Honorable Enrique P. Acoymo	Ex-Officio Sangguniang Bayan Member (<i>LigangmgaPunong Barangay- President</i>)
Honorable Lucino A. Gumial	Ex-Officio Sangguniang Bayan Member (<i>IP Mandatory Representative</i>)
Honorable Geselle Marie R. Saguin	Ex-Officio Sangguniang Bayan Member (<i>SK Federated President</i>)

Absent: None

MUNICIPAL ORDINANCE NO. 2021-01
Series of 2021

**AN ORDINANCE PRESCRIBING THE GUIDELINES FOR RECLASSIFICATION OF
LANDS WITHIN THE MUNICIPALITY OF PIÑAN, ZAMBOANGA DEL NORTE AND
IMPOSING FEES FOR THE APPLICATION THEREOF**

WHEREAS, RA 7160, otherwise known as the Local Government Code of 1991 (LGC), provides that cities and municipalities may reclassify agricultural lands into nonagricultural uses within their respective jurisdictions, subject to the limitations and other conditions prescribed under Section 20 of the LGC;

WHEREAS, the Implementing Rules and Regulations (IRR) of the LGC provides that cities and municipalities shall continue to prepare their respective comprehensive land use plans, enacted through zoning ordinances, subject to applicable laws, rules and regulations;

WHEREAS, on June 1993, President Fidel V. Ramos issued Memorandum Circular No. 54 which prescribes guidelines governing Section 20 of R.A. 7160 and authorizing cities and municipalities to reclassify agricultural lands into non-agricultural lands;

WHEREAS, the aforementioned Memorandum Circular only covers applications for reclassification from agricultural lands to non-agricultural lands;

WHEREAS, there is also a necessity to formulate guidelines for the reclassification of other lands not classified as agricultural land;

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Piñan, Zamboanga Del Norte as follows:

ARTICLE I. TITLE OF ORDINANCE

SECTION 1. Title – This ordinance shall be known as the “*Land Reclassification Ordinance of the Municipality of Piñan*”.

SECTION 2. Scope – This ordinance covers all applications for reclassification of lands within the Municipality of Piñan subject to the limitations prescribed in this ordinance and other related laws of the Republic.

ARTICLE II. RECLASSIFICATION

Agricultural Lands

SECTION 3. Reclassification of Agricultural Lands – (a) Agricultural lands may be reclassified in the following cases:

(1) When the land ceases to be economically feasible and sound for the agricultural purposes as determined by the Department of Agriculture (DA), in accordance with standards and guidelines prescribed for the purpose; or

(2) Where the land shall have substantially greater economic value for the residential, commercial, or industrial purposes as determined by the sanggunian. The Sangguniang Bayan shall notify the HLURB, DTI, DOT and other concerned agencies on the proposed reclassification of agricultural land furnishing them copies of the proposed ordinance together with the report of the Local Development Council for their comments, proposals and recommendations;

(b) However, reclassification of agricultural lands shall be limited to a maximum of five percent (5%) of the total agricultural land of a the municipality at the time of the application;

(c) In addition, the following types of agricultural lands shall not be covered by the said reclassification:

(1) Agricultural lands distributed to agrarian reform beneficiaries subject to Section 65 of R.A. 6557;

(2) Agricultural lands already issued a notice of coverage or voluntarily offered for coverage under CARP;

(3) Agricultural lands identified under AO 20, s. of 1992, as non-negotiable for conversion as follows:

- (i) All irrigated lands where water is available to support rice and other crop production;
- (ii) All irrigated lands where water is not available for rice and other crop production but within areas programmed for irrigation facility rehabilitation by DA and National Irrigation Administration (NIA); and
- (iii) All irrigable lands already covered by irrigation projects with form funding commitments at the time of the application for land conversion or reclassification.

SECTION 4. Requirements for Reclassification – Prior to the enactment of an ordinance reclassifying agricultural lands, the applicant must first secure the following documents:

- (1) Letter of Application in the name of the owner of the land addressed to the Sangguniang Bayan;
- (2) Special Power of Attorney, in case the applicant is other than the owner of the land;
- (3) Certified True Copy of the Original / Transfer Certificate of Title and other documents establishing ownership;
- (4) Certificate of Updated Real Property Tax Payments;
- (5) Locational Plan or Vicinity Map as certified by the Municipal Assessor;
- (6) Subdivision plan, in case only a portion of a title is sought to be reclassified;
- (7) Detailed feasibility study of the proposed project or intended use of the land;
- (8) Sworn Certificate of Commitment from the owner and developer that the proposed project would be implemented within three (3) years from the passage of the ordinance;
- (9) Barangay Resolution endorsing the proposed project;
- (10) Certification from the National Irrigation Administration (NIA) that the land is not irrigated or irrigable as described under Section 3 (c)(3) of Article II hereof;

(11) Certification from the Department of Agriculture indicating the reclassification is in consonance with Section 3 (a)(b) of Article II hereof and that land is not necessary for the food sufficiency program; and

(12) A certification from DAR indicating that such lands are not distributed or not covered by a notice of coverage or not voluntarily offered for coverage under CARP.

Non-Agricultural Lands

SECTION 5. Reclassification of Non-agricultural Lands – Non-agricultural lands may be reclassified when it ceases to be compatible with its use or there is a change in its use other than what it was intended for.

SECTION 6. Requirements for Reclassification – Prior to the enactment of an ordinance reclassifying non-agricultural lands, the applicant must first secure the following documents:

- (1) Letter of Application in the name of the owner of the land addressed to the Sangguniang Bayan;
- (2) Special Power of Attorney, in case the applicant is other than the owner of the land;
- (3) Certified True Copy of the Original / Transfer Certificate of Title and other documents establishing ownership;
- (4) Certificate of Updated Real Property Tax Payments;
- (5) Locational Plan or Vicinity Map as certified by the Municipal Assessor;
- (6) Subdivision plan, in case only a portion of a title is sought to be reclassified;
- (7) Detailed feasibility study of the proposed project or intended use of the land;
- (8) Sworn Certificate of Commitment from the owner and developer that the proposed project would be implemented within three (3) years from the passage of the ordinance;
- (9) Barangay Resolution endorsing the proposed project;
- (10) Certification from the Department of Environment and Natural Resources that the land is not environmentally critical, and that the proposed project or intended use is ecologically safe and sound.

ARTICLE III. PROCEDURE

SECTION 7. Application - All applications shall be addressed and submitted before the Office to the Sangguniang Bayan for the mandatory three (3) readings.

SECTION 8. Referral to the Committee – Upon receipt of the application, the Secretary to the Sanggunian shall calendar the same on the next regular session for its referral to the Committee on Housing and Land Utilization.

SECTION 9. Public Hearing – Pursuant to existing laws, the committee may conduct public hearing to determine public acceptance of the proposed reclassification and for clarificatory questions and/or inquiries.

SECTION 10. Recommendation from the Local Development Council (LDC) – After the conduct of a public hearing, and there is no reasonable objection from the public, or if the committee finds the application to be proper in form and in substance, the committee shall forward the application to the Local Development Council (LDC) for the preliminary determination on whether the proposed reclassification is in consonance with the development plan; and to check compliance of the requirements set forth by law and by this ordinance.

If it was found to be feasible and after satisfactory compliance with the requirements, the LDC shall favorably recommend to the Sanggunian the reclassification of the land.

SECTION 11. Passage of an Ordinance – Upon receipt of the favorable recommendation from the LDC, the committee shall draft an ordinance for the reclassification of the land. Such ordinance shall undergo mandatory three (3) readings pursuant to R.A. 7160.

ARTICLE IV. FEES

SECTION 12. Imposition of Fees – (a) The following fees shall be imposed for the reclassification of agricultural and non-agricultural lands:

For applications involving lands consisting an area of less than One Hundred (100) square meters	P 5,000.00
For applications involving lands consisting an area of One Hundred (100) square meters, or more, but not more than One Thousand (1,000) square meters	P10,000.00
For applications involving lands consisting an area of One Thousand (1,000) square meters or more	For 1,000 sq.m – P 15,000.00 in excess at P 1.00 per sq.m

(b) For cases falling under Article IX, Section 25 (Deviation) of Municipal Ordinance No. 16-006-A, Series of 2016, otherwise known as the Comprehensive Zoning Ordinance of the Municipality of Piñan, subsection (a) of this section shall likewise apply.

SECTION 13. Surcharge – In case an owner of a lot introduced improvements in the land before applying for a reclassification, or before the passage of the ordinance or without prior written consent from the sanggunian, an additional Two Pesos (P 2.00) per square meter shall be collected apart from the fees indicated in the next preceding provision. This is without prejudice to the institution of legal action under Article V hereof.

ARTICLE V. PENAL PROVISION

SECTION 14. Penalty Clause – It shall be unlawful under this ordinance to introduce improvements of any kind that makes the land incompatible with its intended use pursuant to its classification without the necessary ordinance from the Sangguniang Bayan.

Violation of any of the provisions herein set forth shall be penalized with a fine in the amount of Two Thousand Five Hundred Pesos (P 2,500.00) or imprisonment of not more than six (6) months or both at the discretion of the court.

The President in case of corporation, the owner if sole proprietor, will be held liable in so far as impositions of penalties is concerned.

ARTICLE VI. MISCELLANEOUS PROVISIONS

SECTION 15. Two (2) Year Prohibition – A land may only be reclassified once for a period of two (2) years starting from the passage of an ordinance reclassifying the same.

SECTION 16. Reversion – A land reclassified under this ordinance shall be used solely for the purpose intended as stated in the ordinance reclassifying the land. Violation of this provision shall be a ground for its reversion to the original classification.

Non-conversion of the use as stated in the reclassification ordinance within three (3) years from its passage shall be a ground for automatic reversion of the land.

SECTION 17. Declaration of Intent to Conform with Law. – This Ordinance is subject to national laws, rules and regulations governing its subject matter.

SECTION 18. Repealing Clause. – All ordinances, rules and regulations, or part thereof, in conflict with, or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 19. Separability Clause - If, for any reason, any section or provision of this ordinance or any part thereof, or the application of such section, provision or

portion is declared invalid or unconstitutional, the remainder thereof shall not be affected by such declaration.

SECTION 20. Effectivity – This Ordinance shall take effect upon approval.

UNANIMOUSLY ADOPTED.

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I HEREBY CERTIFY to the correctness of the above-quoted Municipal Ordinance.


MARIA CELESTE B. CANOY
Secretary to the Sangguniang Bayan

CERTIFIED CORRECT AS TO ITS
PASSAGE ON THE THIRD AND FINAL
READING:


DEOGRACIAS T. CIMAFRANCA
Municipal Vice Mayor
(Presiding Officer)

APPROVED:

CECILIA J. CARREON
Municipal Mayor

12 JAN 2021



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL NORTE
Municipality of Piñan
www.pinan.gov.ph



OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

CERTIFICATION OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that a public hearing was conducted on November 26, 2020, 1:00 o'clock in the afternoon at the Segabe Covered Court, Piñan, Zamboanga del Norte which was participated by the members of the Committee on Housing and Land Utilization, landowner, Pantaleon A. Lubrico Homeowners Association, Inc., Punong Barangay, LGU Concerned Heads of Offices, representatives from concerned national offices, Punong Barangay of Segabe and Officials and other applicants, in order to present and discuss the merits of the proposed Municipal Ordinance entitled: **“AN ORDINANCE PRESCRIBING THE GUIDELINES FOR RECLASSIFICATION OF LANDS WITHIN THE MUNICIPALITY OF PIÑAN, ZAMBOANGA DEL NORTE AND IMPOSING FEES FOR THE APPLICATION THEREOF”**.

THIS FURTHERMORE CERTIFIES that the proposed measure was finally approved by the Sangguniang Bayan on the Third and Final Reading last January 11, 2021.

ISSUED this 13th day of January, 2021 at the Office of the Secretary to the Sangguniang Bayan, Local Government Unit of Piñan, Zamboanga del Norte, Philippines.


MARIA CELESTE B. CANOY
Secretary to the Sangguniang Bayan

NOTED:


DEOGRACIAS T. CIMAFRANCA
Municipal Vice-Mayor




Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL NORTE
Municipality of Piñan

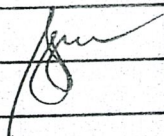


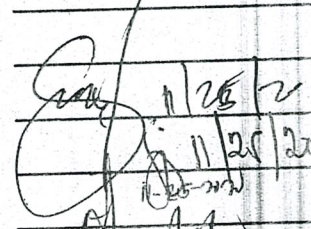
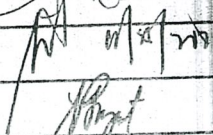
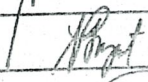
OFFICE OF THE SANGGUNIANG BAYAN

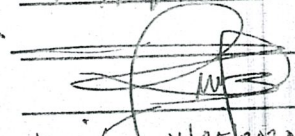
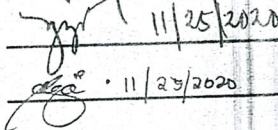
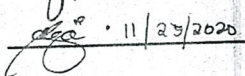
NOTICE OF PUBLIC HEARING

1. HON. CELSO M. MONTEMAYOR SB MEMBER
2. HON. ENRIQUE P. ACOYMO SB MEMBER
3. HON. GINA R. ALETA SB MEMBER
4. HON. JOSE ANTONIO L. GALAN SB MEMBER
5. MR. NILO E. LUBRICO
6. PANTALEON A. LUBRICO HOMEOWNERS ASS., INC.
7. MR. LEONARDO D. BAYER
8. HON. JOSE R. GABALES PUNONG BARANGAY
9. ENGR. ROSALIE J. MORANDARTE MPDC
10. MS. MERLIE G. REGENCIA MAO
11. MS. ANN P. LAPUT MUN. ASSESSOR
12. MR. JANUARY LEE BALAGOT PCA
13. MS. ANJEANETTE NEMIAGA DAR
14. MR. DONIL A. SERAFIN/REPRESENTATIVE
15. SIMEON R. QUIÑOL HOMEOWNERS ASS., INC.






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Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL NORTE
 Municipality of Piñan



OFFICE OF THE SANGGUNIANG BAYAN

ATTENDANCE

PUBLIC HEARING ON COMMITTEE ON HOUSING AND LAND UTILIZATION

November 26, 2020

<u>NAME</u>	<u>DESIGNATION</u>	<u>SIGNATURE</u>
1. HON. ENRIQUE P. ACOYMO	SB MEMBER	
2. HON. GINA R. ALETA	SB MEMBER	
3. HON. JOSE ANTONIO L. GALAN	SB MEMBER	
4. ENGR. ROSALIE R. MORANDARTE	MPDC	
5. MS. MERLIE G. REGENCIA	MAO	
6. MS. ANN P. LAPUT	Mun. Assessor	
7. MR. LEONARDO D. BAYER	PANTALEON HOA PRES.	
8. MS. ANJANETTE V. NEMIAGA	DAR	
9. MS. MARILYN GANTALAO		
10. MR. JANUARY LEE BALAGOT	PCA	
11. MR. DONIL A. SERAFIN	Representative	
12. DISCORDO P. KLINDOR	CELESTINO H.O.A.	
13. JEVERNA A. CRISTOPAL	KEMAN	
14. LOWELL B. CRISTOPAL	UNAMA	
15. CHRISTIE ROSE B. ABEDA	PANTALEON HOA. SEC.	
16. GLADYS MAY BAYBE	PANTALEON HOA. MEM.	
17. Rosalia J. Queralta	S-B	
18. Jose R. Galales	P.B.	
19. SATURNINO P. SORRONTA	SB	
20. Giovanna S. Guenzal	MBO	
21. Marilyn Gantalan	Land Use	
22. Lady Marie Alvin	Pangalanan	
23. Theodora J. Amalanca	Major	
24. Jherard D. Malicay	J.O.	
25. Chrysmoe B. Flora	J.O.	
26. Corin Jaw Y. Tumang	J.O.	
27. Elvira P. Flumbon	LLSE-1	
28. SIMBITA M. B. Pila	J.O.	
29. JOSE PERCIOS P. LACANDULA	J.O.	
30. Maria Gante camp	Sec to the SB	
31. ARINE G. DAWHAT	J.O.	
32. Ruth de Mesa	J.O.	
33. ARLYN R. BULIGAN	J.O.	
34. Marie Ilyn C. Colan	J.O.	
35. Eric T. Cobilo	J.O.	

HON. CELSO M. MONTEMAYOR
 Chairman
 Committee on Housing
 and Land Utilization