



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
Los Baños, Laguna 4030 Philippines
Email: losbaños@laguna.net

EXCERPTS FROM THE MINUTES OF THE THIRTY-SECOND (32ND) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON NOVEMBER 9, 2020 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Antonio L. Kalaw, Presiding Officer
S.B. Member Josephine S. Evangelista
S.B. Member Miko C. Pelegrina
S.B. Member Janos S. Lapiz
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Mark Lester B. Dizon
S.B. Member Cris Dayril B. Bagnes
S.B. Member Arlene P. delos Santos, Liga President
S.B. Member Jozylyn N. Manansala, SK Fed. President
Secretary Dona T. Alborida
Ms. Felomina I. Lincallo, LLSO I

Absent : S.B. Member Mike Dexter A. Concio, (O.B.)

Visitors : None

MINAC TIBAY
SANGGUNIANG PANGALAWIGAN
PAPASITYAHAN PL. 84.5.2021
*ETSA January 22, 2021

ORDINANCE NO. 2020-2075

AN ORDINANCE DESIGNATING CERTAIN AREAS OF THE MUNICIPALITY OF LOS BAÑOS AS DANGER AREAS AND NO BUILD ZONES AND EFFECTIVELY AMENDING MUNICIPAL ORDINANCE NO. 2009-857 OR THE COMPREHENSIVE ZONING ORDINANCE OF THE MUNICIPALITY OF LOS BAÑOS.

Author : Councilor Geronimo A. Ciceron

WHEREAS, based on the technical report made by the Mines and Geosciences Bureau (MGB) dated March 2015, the rapid development of the Municipality of Los Baños, without concern on disaster planning, prevention and mitigation, increases the risk and vulnerability of the stakeholders. Likewise, the influx of informal settlers on the no build zone increases the elements at risk to geohazard;

WHEREAS, Section 28 of Republic Act No. 7279 or the Urban Development and Housing Act of 1992 authorizes the eviction and demolition when persons or entities occupy danger areas;

WHEREAS, Section 105 of the Presidential Decree No. 1096 or the National Building Code of the Philippines provides that, the construction of sites or buildings intended for use as human habitation or abode, shall be at a safe distance from streams or bodies of water xxx;

WHEREAS, Republic Act No. 7160 or the Local Government Code of 1991 authorizes the Municipal Mayor to require owners of illegally constructed houses, buildings or other structures to obtain the necessary permit, or to make necessary changes in the construction of

[Handwritten signatures]

the same when it violates any law or ordinance, or to order the demolition or removal of said house, building or structure within the period prescribed by law or ordinance;

NOW THEREFORE, on motion of Councilor Geronimo A. Ciceron duly seconded by Councilwoman Josephine S. Evangelista and Councilor Janos S. Lapid and approved by the councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, **THAT**:

SECTION 1. TITLE – This ordinance shall be known and referred to as the **“DANGER AREAS AND NO BUILD ZONES IN CERTAIN AREAS OF THE MUNICIPALITY OF LOS BAÑOS, LAGUNA”**.

SECTION 2. DEFINITION – The following words or phrases shall be defined as follows:

a. “Danger Area/s” shall include:

1. Esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways and other public places such as sidewalks, roads, parks and playgrounds within the Municipality of Los Baños; and
2. Those determined by the Mines and Geosciences Bureau (MGB).

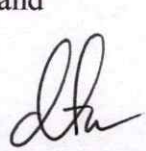
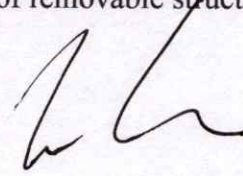
b. “No Build Zone” refers to:

1. Three (3) to five (5) meters along rivers and creeks; and
2. Danger area/s

SECTION 3. DESIGNATED DANGER AREAS – Those areas with ratings of high to very high flood and landslide susceptibility as determined by the Mines and Geosciences Bureau (MGB) in its technical report attached and made part of this Ordinance, shall be declared as danger areas. These areas are most affected by flooding and landslide during typhoons and intense rainfall. Continued settlement within the premises is detrimental to the lives and safety of the people.

SECTION 4. NO BUILD ZONE – It shall be prohibited the construction of buildings and / or structures intended for dwelling or housing, or commercial purposes within danger areas. Those already existing or constructed before the effectivity of this Ordinance shall be removed, dismantled or demolished as may be provided for by law.

SECTION 5. EXISTING BUILDINGS AND/OR STRUCTURES – Those residing and /or conducting their business/es within danger areas shall be given a period of fifteen (15) days upon receipt of notice from the Municipality, to remove or dismantle, in case of removable structure/s, their houses and



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/ or buildings. In case of permanent structures, the Municipality shall order its demolition as may be provided for by law.

SECTION

6. **CLEARED AREAS** – Areas successfully cleared either by removal, dismantling, or demolition of buildings and / or structures shall remain unoccupied and considered as no build zone. Those who attempt or attempted to construct new buildings and / or structures shall be fined or penalized under this Ordinance, without prejudice to the filing of appropriate charges under applicable laws, rules and regulations.

SECTION

7. **AUTHORITY** – The Municipal Mayor shall have the authority to order the removal, dismantling, or demolition of buildings and / or structures in violation of this Ordinance, as may be provided for by law.

SECTION

8. **PENALTY** – Any person who shall construct buildings and / or structures in violation of this Ordinance shall be fined not exceeding Two Thousand Five Hundred Pesos (Php 2,500.00) or be imprisoned for a period not exceeding six (6) month or both, at the discretion of the court.

SECTION

9. **REPEALING CLAUSE** – All ordinances, resolutions, local executive orders, and any administrative issuances found to be inconsistent with any provisions of this ordinance are hereby repealed or modified accordingly.

SECTION

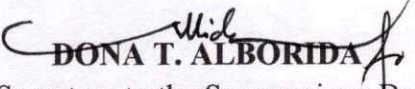
10. **SEPARABILITY CLAUSE** – In case any provision of this ordinance is declared unconstitutional or invalid by a competent court, the remaining provisions not affected thereby shall continue in full force and effect.

SECTION

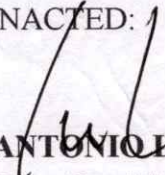
11. **EFFECTIVITY CLAUSE** – This Ordinance shall take effect upon compliance with the posting / publication requirements of the Local Government Code.

ENACTED : November 09, 2020

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


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. ANTONIO L. KALAW
Vice Mayor/Presiding Officer

APPROVED:

PINAC TIBAY
SANGGUNIANG PANGALAWIGAN
KAPASIGAHAN PLW. 86.5.2021
MESA January 22, 2021


HON. CAESAR P. PEREZ
Municipal Mayor