

Republic of the Philippines
Province of Cagayan
City of Tuguegarao

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TUGUEGARAO, CAGAYAN

OFFICE OF THE SECRETARY TO THE SANGGUNIAN

January 25, 2016

Dr. Rosalinda P. Callang
Secretary to the Sanggunian
Sangguniang Panlalawigan, Province of Cagayan
Capitol Hills, Tuguegarao City

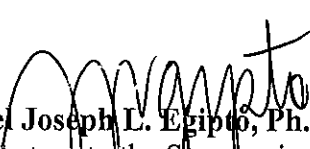
Madam:

Pursuant to Section 54 of the Local Government Code, we are now submitting for review and action the attached legislative measure enacted by the Sangguniang Panlungsod on January 19, 2016.


CITY ORDINANCE NO. 01-2016 – “CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO RESIDENTIAL ZONE OF LOT NO. B-3-C-1, TCT NO. 032-2011002489; LOT NO. B-3-C-2, T-0322011002490; LOT NO. B-3-C-3, T-0322011002491; LOT NO. B-3-C-4, T-0322011002492; LOT NO. B-3-C-5, T-0322011002493; LOT NO. B-3-C-6, T-0322011002494; LOT NO. B-3-C-7, T-0322011002495 AND LOT NO. B-3-C-8, T-0322011002496, COVERING AN AREA OF 50,172 SQUARE METERS, LOCATED AT LARION BAJO, TUGUEGARAO CITY, CAGAYAN”

Thank you.

Yours truly,


Joe Joseph L. Egipto, Ph.D.
Secretary to the Sanggunian

Republic of the Philippines
PROVINCE OF CAGAYAN
City of Tuguegarao

SANGGUNIANG PANLALAWIGAN
RECEIVED
DATE: 01-26-16
BY: 
TUGUEGARAO - CAGAYAN

SIXTH CITY COUNCIL

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION
OF THE SANGGUNIANG PANLUNGSOD OF TUGUEGARAO CITY, CAGAYAN
HELD ON JANUARY 19, 2016, 9:00 A.M., TUESDAY,
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Engelbert C. Caronan, Jr.	City Vice Mayor, Presiding Officer
Hon. Bienvenido C. De Guzman II	Sangguniang Panlungsod Member
Hon. Rosauro G. Resuello	-do-
Hon. Ronald S. Ortiz	-do-
Hon. Perla C. Tumaliuan	-do-
Hon. Maila Rosario T. Que	-do-
Hon. Jude T. Bayona	-do-
Hon. Loreto B. Valdepeñas	-do-
Hon. Kendrick S. Calubaquib	-do-
Hon. Estelita U. Dayag	-do-
Hon. Aurora A. Ave	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Hilario Larry S. Ting	-do-

ABSENT:

Hon. Noel A. Mora Sangguniang Panlungsod Member (on Official Business)

CITY ORDINANCE NO. 01-2016

CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO RESIDENTIAL ZONE OF LOT NO. B-3-C-1, TCT NO. 032-2011002489; LOT NO. B-3-C-2, T-0322011002490; LOT NO. B-3-C-3, TCT NO. 0322011002491; LOT NO. B-3-C-4, TCT NO. 0322011002492; LOT NO. B-3-C-5, TCT NO. 0322011002493; LOT NO. B-3-C-6, TCT NO. 0322011002494; LOT NO. B-3-C-7, TCT NO. 0322011002495 AND LOT NO. B-3-C-8, TCT NO. 0322011002496, COVERING AN AREA OF 50,172 SQUARE METERS, LOCATED AT LARION BAJO, TUGUEGARAO CITY, CAGAYAN

Sponsors: Hon. Kendrick S. Calubaquib
Hon. Ronald S. Ortiz
Hon. Anthony C. Tuddao
Hon. Engelbert C. Caronan, Jr.
Hon. Bienvenido C. De Guzman II
Hon. Rosauro G. Resuello
Hon. Perla C. Tumaliuan
Hon. Maila Rosario T. Que
Hon. Jude T. Bayona
Hon. Estelita U. Dayag
Hon. Aurora A. Ave
Hon. Hilario Larry S. Ting

WHEREAS, cities or municipalities are vested with the authority to reclassify agricultural lands and provide manner for their utilization pursuant to Section 20 of Republic Act 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, Rev. Fr. Gerard Ariston P. Perez, et. al., has applied for reclassification of parcels of lot from agricultural zone to residential zone, located at Larion Bajo, Tuguegarao City;



WHEREAS, the applicant has complied with the requirements provided by R.A. 7160, otherwise known as the Local Government Code of 1991, and other applicable laws, rules, regulations, and submitted the following documents:

1. Vicinity Map
2. Certified True Copy of Title
3. Copy of Tax Declaration
4. CPDCO Certification stating that the landholdings are classified as Agricultural as per approved Comprehensive Land Use Plan: 2001-2005 and Zoning Ordinance No. 04 of the City of Tuguegarao dated October 11, 2012, ratified by the Sangguniang Panlalawigan through SP Resolution No. 080-2003, dated March 7, 2003
5. Department of Agriculture – Soil Test Result
6. Office of the City Agriculturist Inspection Report on the actual/existing land use
7. Certification from the CPDCO Zoning Officer that the total agricultural area of Tuguegarao City is 5891.47 hectares as per approved HLURB/SP Resolution No. 080, dated March 07, 2003, of which 68.6826 hectares has been reclassified to non-agricultural uses
8. NIA Certification
9. MARO Certification that subject lots are not tenanted
10. MARO Investigation Report
11. Certification from Barangay Chairman of Larion Bajo, Hon. Pablo P. Flores
12. Special Power Attorney for Rev. Fr. Gerard Ariston P. Perez to act as Attorney-in-Fact of lot owners to apply for reclassification

WHEREAS, the documents in support to the application for the reclassification of stated land areas which are contained in Committee Report No. 082-2015, duly adopted and approved in session by the Sangguniang Panlungsod, are found to be in order and shall form part of this ordinance;

WHEREAS, the committee further recommends that any complex development in the future shall be subject to the approval of the Sangguniang Panlungsod and the Committee on Land Use, Zoning, Planning and Subdivision Approval.

NOW THEREFORE, be it ordained by the Sixth City Council in session assembled;

SECTION 1. DEFINITION OF TERMS:

- A. **AGRICULTURAL LAND** – refers to land use devoted to agricultural activity and not classified as mineral, forest, residential, commercial or industrial land (Section 3 (c) of RA No. 6657)
- B. **AGRICULTURAL ZONE** - refers to an area within the city devoted primarily for agricultural purposes
- C. **LAND USE** – refers to the manner of utilization including its allocation, development and management
- D. **RECLASSIFICATION OF AGRICULTURAL LAND** – refers to the act of specifying how agricultural land shall be utilized for non-agricultural uses such as residential, industrial, and commercial, as embodied in the land use plan. It also includes the reversion of non-agricultural lands to agricultural one
- E. **RESIDENTIAL ZONE** – refers to an area within the city intended principally for dwelling/housing purposes
- F. **ZONING ORDINANCE** – refers to a local measure which embodies regulations affecting land use.

SECTION 2. COVERAGE: Parcels of agricultural land covered by Lot No. B-3-C-1, TCT No. 0322011002489; Lot No. B-3-C-2, T-0322011002490; Lot No. B-3-C-3, TCT No. 0322011002491; Lot No. B-3-C-4, TCT No. 0322011002492; Lot No. B-3-C-5, TCT No. 0322011002493; Lot No. B-3-C-6, TCT No. 0322011002494; Lot No. B-3-C-7, TCT No. 0322011002495 and Lot No. B-3-C-8, TCT No. 0322011002496, covering an area of 50,172 square meters, located at Larion Bajo, Tuguegarao City.

SECTION 3. RECLASSIFICATION: The aforementioned parcels of land described in Section 2 hereof are hereby reclassified from agricultural zone to residential zone.

SECTION 4. REPEALING CLAUSE: City Ordinances or City Resolutions which are inconsistent with the provisions of this City Ordinance are hereby modified or repealed accordingly.

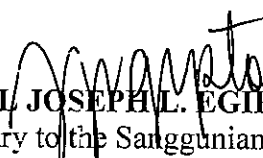
SECTION 5. SEPARABILITY CLAUSE: Should any section or provision of this City Ordinance be declared as unconstitutional or invalid, other provisions which are not affected thereby shall continue to be in full force and effect.

SECTION 6. EFFECTIVITY: This City Ordinance shall take effect immediately upon approval.

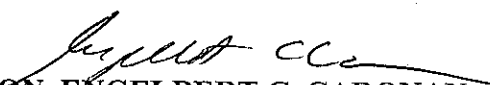
On motion of Hon. Kendrick S. Calubaquib, duly seconded by Hon. Perla C. Tumaliuan and without any objection from the Body, **CITY ORDINANCE NO. 01-2016** was **UNANIMOUSLY APPROVED**.

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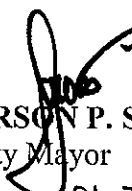
I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
Secretary to the Sangguniang Panlungsod

ATTESTED:


HON. ENGELBERT C. CARONAN, JR.
City Vice Mayor
Presiding Officer

APPROVED:


HON. JEFFERSON P. SORIANO
City Mayor
Date approved: 01-22-2016

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