

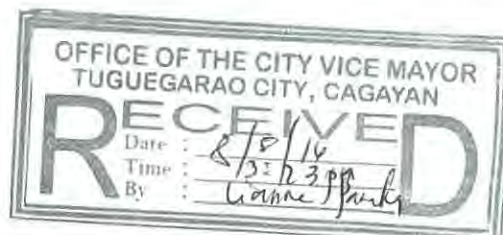


Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

OFFICE of the SANGGUNIANG PANLALAWIGAN

AUGUST 04, 2016

HON. BIENVENIDO C. DE GUZMAN, II
City Vice Mayor
Tuguegarao City, Cagayan



Dear Hon. De Guzman:

We are furnishing your esteemed Office a copy of **RESOLUTION NO. 2016-9-34** of the Sangguniang Panlalawigan of Cagayan, entitled: **"RESOLUTION APPROVING CITY ORDINANCE NO. 02-2016 OF TUGUEGARAO CITY."**

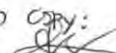
For your information and guidance.

Thank You.

Very truly yours,


ROSALINDA P. CALLANG, DPA
Secretary to the Sangguniang Panlalawigan

Edna M/

RECEIVED COPY:




Republic of the Philippines
Province of Cagayan
Tuguegarao City

SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE PROVINCIAL BOARD HELD ON, WEDNESDAY, AUGUST 03, 2016 AT THE SESSION HALL OF THE SANGGUNIANG PANLALAWIGAN, PROVINCIAL CAPITOL, TUGUEGARAO CITY.

PRESENT:

Hon. Melvin K. Vargas, Jr., Vice Governor/ Presiding Officer
Hon. Jean Alphonse D. Ponce, Member
Hon. Christopher T. Barcena, Member
Hon. Arnold T. Layus, Member
Hon. Vilmer V. Vilorio, Member
Hon. Perla C. Tumaliuan, Member
Hon. Rosauro Rodrigo G. Resuello, Member
Hon. Karen Kaye T. Turingan, Member
Hon. Rodrigo C. De Asis, Member
Hon. Napoleon G. Sacramed, Member
Hon. Hilario S. Ting, Member

ABSENT:

Hon. Maria Olivia B. Pascual, Member – On Official Business
Hon. Jesus Florencio A. Vargas, Member – On Official Time

RESOLUTION NO. 2016 - 9 - 34

RESOLUTION APPROVING CITY ORDINANCE NO. 02-2016 OF THE CITY OF TUGUEGARAO, CAGAYAN

Report of the Committee on Laws, Ordinances, Revisions and Legal Matters on City Ordinance No. 02-2016 of the City of Tuguegarao, Cagayan, recommending favorable review thereof subject to the observations and recommendations stated therein.

ADOPTED and APPROVED by the Sangguniang Panlalawigan.

On motion of Hon. Karen Kaye T. Turingan, duly seconded, be it

RESOLVED, as it is hereby resolved, to approve City Ordinance No. 02-2016 of the City of Tuguegarao, Cagayan, entitled: "City Ordinance Reclassifying From Agricultural Use to Residential Use of Lot No. 2858-E, T-032-2015000707, Covering an Area of 1,279 Square Meters, Located at Barangay Capatan Tuguegarao City;" with the Report of the



Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

OFFICE of the SANGGUNIANG PANLALAWIGAN

AUGUST 04, 2016

HON. BIENVENIDO C. DE GUZMAN, II
City Vice Mayor
Tuguegarao City, Cagayan

Dear Hon. De Guzman:

We are furnishing your esteemed Office a copy of **RESOLUTION NO. 2016-9-35** of the Sangguniang Panlalawigan of Cagayan, entitled: **"RESOLUTION APPROVING CITY ORDINANCE NO. 03-2016 OF TUGUEGARAO CITY."**

For your information and guidance.

Thank You.

Very truly yours,


ROSALINDA P. CALLANG, DPA
Secretary to the Sangguniang Panlalawigan

Edna M/



Republic of the Philippines
Province of Cagayan
Tuguegarao City

SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE PROVINCIAL BOARD HELD ON, WEDNESDAY, AUGUST 03, 2016 AT THE SESSION HALL OF THE SANGGUNIANG PANLALAWIGAN, PROVINCIAL CAPITOL, TUGUEGARAO CITY.

PRESENT:

Hon. Melvin K. Vargas, Jr., Vice Governor/ Presiding Officer
Hon. Jean Alphonse D. Ponce, Member
Hon. Christopher T. Barcena, Member
Hon. Arnold T. Layus, Member
Hon. Vilmer V. Vilorio, Member
Hon. Perla C. Tumaliuan, Member
Hon. Rosauro Rodrigo G. Resuello, Member
Hon. Karen Kaye T. Turingan, Member
Hon. Rodrigo C. De Asis, Member
Hon. Napoleon G. Sacramed, Member
Hon. H lario S. Ting, Member

ABSENT:

Hon. Maria Olivia B. Pascual, Member – On Official Business
Hon. Jesus Florencio A. Vargas, Member – On Official Time

RESOLUTION NO. 2016 - 9 - 35

RESOLUTION APPROVING CITY ORDINANCE NO. 03-2016 OF THE CITY OF TUGUEGARAO, CAGAYAN

Report of the Committee on Laws, Ordinances, Revisions and Legal Matters on City Ordinance No. 03-2016 of the City of Tuguegarao, Cagayan, recommending favorable review thereof subject to the observations and recommendations stated therein.

ADOPTED and APPROVED by the Sangguniang Panlalawigan.

On motion of Hon. Karen Kaye T. Turingan, duly seconded, be it

RESOLVED, as it is hereby resolved, to approve City Ordinance No. 03-2016 of the City of Tuguegarao, Cagayan, entitled: "City Ordinance Reclassifying From Agricultural Zone to Residential Zone of Lot No. 3115-G-1-A, T-176397, Covering an Area of 8,905 Square Meters, Located at Libag Sur, Tuguegarao City;" with the Report of the Committee on

Laws, Ordinance, Revisions and Legal Matters as adopted and attached as an integral part of this Resolution, a copy of which is hereby transmitted to that City, for their information and reference.

CARRIED.

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


ROSALINDA P. CALLANG, DPA
Secretary
Sangguniang Panlalawigan *SM* *HN*

ATTESTED:


MELVIN K. VARGAS, JR.
Vice Governor *FK*
Presiding Officer

Edna M/



Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

COMMITTEE ON LAWS, ORDINANCES, REVISIONS AND LEGAL MATTERS

COMMITTEE REPORT

SUBJECT:

1. **TUGUEGARAO CITY, CAGAYAN**
CITY ORDINANCE NO. 02-2016 – entitled: "CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL USE TO RESIDENTIAL USE OF **LOT NO. 2858-E, T-032-2015000707**, COVERING AN AREA OF 1,279 SQUARE METERS, LOCATED AT BARANGAY CAPATAN, TUGUEGARAO CITY."
2. **TUGUEGARAO CITY, CAGAYAN**
CITY ORDINANCE NO. 03-2016 – entitled: "CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO RESIDENTIAL ZONE OF **LOT NO. 3115-G-1-A, T-176397**, COVERING AN AREA OF 8,905 SQUARE METERS, LOCATED AT LIBAG SUR, TUGUEGARAO CITY."

FINDINGS/COMMENTS:

While the Committee concedes that the subject Ordinances were enacted pursuant to Republic Act 7160, otherwise known as the Local Government Code of 1991, which provides that cities and municipalities may reclassify agricultural lands to non-agricultural uses within their respective jurisdiction, however the validity of such reclassifications depends on the full compliance to the following documents required under the following pertinent rules and regulations subject to Section 20(d) and Section 447(2)(x) of the Code, to wit:

Administrative Order No. 363

- (1) Certification from the local HLURB specifying the total area of zoned agricultural lands in the local government concerned based on the approved Comprehensive Land Use Plan or Zoning Ordinance prior to the application for conversions;
- (2) Certification from the DAR indicating that such lands are not distributed or covered by a Notice of Valuation under CARP;
- (3) Certification from DENR that the area applied for reclassification has been classified as alienable and disposable, and is not needed for forestry purposes in case the area applied for falls within the public lands;
- (4) Certification of the Viability or Non Viability of Agricultural Land from the DA and that the land is not part of the area identified as non-negotiable for conversion or a certification as to whether the land is classified as highly restricted from conversion or not;



Republic of the Philippines
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Tuguegarao City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Memorandum Circular No. 54

- (1) A certification from DA indicating – (i) the total area of existing agricultural lands in the LGU concerned; (ii) that such lands are not classified as non-negotiable for conversion or reclassification under AO 20 (1992); and (iii) that the land ceases to be economically feasible and sound for agricultural purposes in the case of Sec. 1 (b-1);
- (2) A Certification from the Department of Agrarian Reform (DAR) that the lot is not under the Comprehensive Agrarian Reform Program (CARP) of RA 6557;

DA Administrative Order No. 37

- (1) Notarized Application for Reclassification Land Use Reclassification (LUR) Form No. 1);
- (2) True copy of the Original Certificate of Title (OTC);
- (3) One (1) copy of sketch map, vicinity map and lot plan showing TCT Nos., Lot No., area per TCT and area applied for conversion duly reference points for the identification of the subject property applied for reclassification; and
- (4) Recent 5R photographs of the property to be duly certified as such by a member of DA-RLUTWG after the field investigation

As records before the Committee reveals, the afore-stated documents and certifications were not submitted. Hence, the Committee cannot rule on the adequacy of the required documents and certifications. Nevertheless, this Committee will now concede that the action of reclassification of agricultural lands is well within the authority of the Sangguniang Panlungsod.

RECOMMENDATION:

IN VIEW OF THE FOREGOING, the herein Committee respectfully recommends the **APPROVAL** of **City Ordinance Nos. 02-2016 and 03-2016 of the Sangguniang Panlungsod of Tuguegarao City, Cagayan SUBJECT TO FULL COMPLIANCE WITH THE ABOVE-STATED CERTIFICATION REQUIREMENTS.**



Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

COMMITTEE ON LAWS, ORDINANCES, REVISIONS AND LEGAL MATTERS

HON. KAREN KAYE T. TURINGAN
Chairperson

HON. VILMER V. VILORIA
Vice Chairperson

HON. JEAN ALPHONSE D. PONCE
Member

HON. CHRISTOPHER T. BARCENA
Member

HON. ARNOLD T. LAYUS, JR.
Member

Republic of the Philippines
PROVINCE OF CAGAYAN
City of Tuguegarao

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. Rosaura 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. Neel A. Mora Sangguniang Panlungsod Member (on Official Business)

CITY ORDINANCE NO. 03-2016

**CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO RESIDENTIAL
ZONE OF LOT NO. 3115-G-1-A, T-176397, COVERING AN AREA OF 8,905 SQUARE
METERS, LOCATED AT LIBAG SUR, TUGUEGARAO CITY,**

Sponsors: Hon. Kendrick S. Calubaquib
Hon. Ronald S. Ortiz
Hon. Loreto B. Valdepeñas
Hon. Anthony C. Tuddao
Hon. Engelbert C. Caronan, Jr.
Hon. Bienvenido C. De Guzman II
Hon. Rosaura 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, Mr. Romeo S. Pagalilauan has applied for reclassification of parcel of land from agricultural zone to residential zone, located at Libag Sur, 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. Letter Request of PCSUFT Romeo S. Pagalilauan requesting for reclassification of lots from agricultural zone to residential zone
2. Letter Indorsement of the City Administrator, Atty. Rcmco I. Calubaquib, to the Sixth City Council
3. Vicinity Map
4. Certified True Copy of Titles
5. Photocopy of Tax Declaration
6. 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. C80-2003, dated March 7, 2003
7. Office of the City Agriculturist Inspection Report on the actual/existing land use.
8. 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 83.1232 hectares has been reclassified to non-agricultural uses
9. NIA Certification that the subject lot is not irrigable land and not covered by irrigation project with firm funding commitment
10. MARO Certification that subject lots are not tenanted

WHEREAS, the documents in support to the application for the reclassification of stated land areas which are contained in Committee Report No. 090-2015, 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: Parcel of agricultural land of Lot No. 3115-G-1-A, T-176397, covering an area of 8,905 square meters, located at Libag Sur, 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.

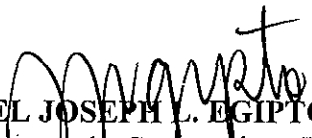
SECTION 5. SEPARABILITY CLAUSE: Should any section or provision of this City Ordinance be declared as unconstitutional or invalid, other provisions which are not affected thereby shall continue to be in full force and effect.

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

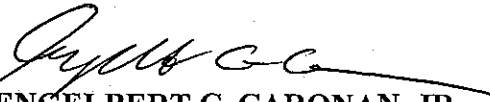
On motion of Hon. Kendrick S. Calubaquib, duly seconded by Hon. Perla C. Tumaliuan and without any objection from the Body, **CITY ORDINANCE NO. 03-2016** was **UNANIMOUSLY APPROVED** on its Third and Final Reading under suspended rules.

x-x-x

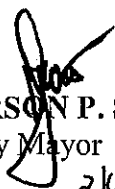
I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


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

ATTESTED:


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

APPROVED:


HON. JEFFERSON P. SORIANO
City Mayor
Date approved: 2/4/14

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