



Republic of the Philippines
 PROVINCE OF CAGAYAN
 City of Tuguegarao
SEVENTH CITY COUNCIL



EXCERPTS FROM THE MINUTES OF THE 72nd REGULAR SESSION
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
 HELD ON FEBRUARY 13, 2018, 9:00 A.M., TUESDAY,
 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor, Presiding Officer
Hon. Jude T. Bayona	Sangguniang Panlungsod Member
Hon. Arnel T. Arugay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Imogen Claire M. Callangan	-do-
Hon. Mary Marjorie P. Martin-Chan	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Jose G. Velasco	-do-

ABSENT:

Hon. Kendrick S. Calubaquib	Sangguniang Panlungsod Member (on Sick Leave)
Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member (on Vacation Leave)

CITY ORDINANCE NO. 09-2018

AN ORDINANCE PROVIDING FOR THE PROTECTION AND CONSERVATION OF LOCAL CULTURAL PROPERTIES, HISTORICAL MARKERS, MONUMENTS AND SHRINES AS PART OF THE STRENGTHENING AND IMPLEMENTING PROVISIONS OF THE NATIONAL CULTURAL HERITAGE ACT OF 2009

Sponsors: **Hon. Imogen Claire M. Callangan**
Hon. Bienvenido C. De Guzman II
Hon. Grace B. Arago
Hon. Arnel T. Arugay
Hon. Jude T. Bayona
Hon. Raymund P. Guzman
Hon. Danilo L. Baccay
Hon. Winnoco R. Abraham
Hon. Kendrick S. Calubaquib
Hon. Anthony C. Tuddao
Hon. Gilbert S. Labang
Hon. Jose G. Velasco
Hon. Mary Marjorie P. Martin-Chan

WHEREAS, the 1987 Constitution mandates the State to conserve, develop, promote and popularize the nation's historical and cultural heritage and resources, as well as artistic creations. It further provides that all the country's artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State, which may regulate its disposition;

WHEREAS, the National Cultural Heritage Act of 2009 protects and promotes the nation's cultural heritage, its properties and histories and the ethnicity of local communities;

WHEREAS, Section 16 of RA 7160 provides that the local government unit play an important role in the development, promotion and preservation of Filipino identity;



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WHEREAS, Presidential Decree No. 1505 prohibits the unauthorized modification, alteration, repair and destruction of original features of all national shrines, monuments, landmarks and other important historical edifices including groups of buildings with homogenous qualities and their sites, which relate to important events and depict unique artistic qualities;

WHEREAS, the City of Tuguegarao, known for its cultural and historical background and having blessed with the number of cultural, religious and tourist sites, wanted to protect them from unlawful and destructive activities of both local and foreign tourists by imposing stringent measures in protecting these historical edifices.

NOW, THEREFORE, be it **ENACTED** by the Sangguniang Panlungsod of Tuguegarao in session assembled, that:

SECTION 1. TITLE. This Ordinance shall be known as "*An Ordinance Providing for the Protection and Conservation of Local Cultural Properties, Historical Markers, and Monuments and Shrines as Part of the Strengthening and Implementing Provisions of the National Cultural Heritage Act of 2009.*"

SECTION 2. SCOPE. This Ordinance shall apply to the protection, preservation and conservation of local cultural properties, historical monuments and historical shrines located within the territorial jurisdiction of Tuguegarao City.

The following officially declared local cultural properties, historical markers and monuments, and shrines are among those covered by this Ordinance which also includes those other sites or markers to be identified:

- a. Sts. Peter and Paul Metropolitan Cathedral
- b. St. Hyacinth Church (San Jacinto Church)
- c. Pengue Cemetery
- d. Spanish-era brick "horno" or kiln at Bagumbayan
- e. Bagumbayan Lagoon
- f. Spanish Bridge at Atulayan
- g. Creek at Caritan
- h. Creek at Lingaling Libag
- i. Creek at Larion (Private)
- j. Creek at Dadda
- k. Church ruins at Cataggaman
- l. Marker at Shell
- m. Marker near Cagayan National High School

SECTION 3. DEFINITION OF TERMS. For purposes of this Ordinance, the terms enumerated in this section shall be construed or interpreted to mean or refer to, as follows:

1. **Cultural Property** – shall refer to all products of human creativity by which a people and a nation reveal their identity, including churches, mosques and other places of religious worship, schools and natural history specimens and sites, whether public or privately-owned, movable or immovable, tangible or intangible, including old metals, coins, monies, antiques, etc.
2. **Historical Monuments** – shall refer to structures that honor illustrious persons or commemorate events of historical value as declared by the National Historical Institute.
3. **Historical Shrines** – shall refer to historical sites or structures hallowed and revered for their history or association as declared by the National Historical Institute.

SECTION 4. ENFORCEMENT AND IMPLEMENTATION. The City Mayor through the City Tourism Officer, Barangay Council, the duly deputized Enforcers and the Philippine National Police shall enforce this ordinance.

SECTION 5. PROHIBITED ACTS. Violations of this Ordinance made by whoever intentionally:

1. Destroys, demolishes, mutilates or damages any local cultural properties, historical monuments, markers and shrines;
2. Modifies and alters the original features of the said historical edifices without the permission and authority of National Historical Commission of the Philippines; and,
3. Performs awkward and disrespectful gestures within or near the said monuments, markers and shrines.

SECTION 6. PENALTY CLAUSE. Without prejudice to the penal provisions of RA 10066 and PD 1505, and other applicable laws, any person, group or corporation found violating any of the provisions of this ordinance or clause the same to be one, shall be liable for a fine of Two Thousand Five Hundred Pesos (P2,500.00) and/or six (6) months imprisonment at the discretion of the court.

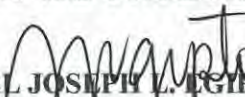
SECTION 7. SEPARABILITY CLAUSE. The provisions of the Ordinance are reparable, and in the event that any or more of such provisions are declared invalid, the validity of all other provisions shall not be affected thereby.

SECTION 8. REPEALING CLAUSE. Any Ordinances, Executive Orders and Local Issuances or Rules and Regulations or part thereof, inconsistent with or in conflict with this Ordinance are hereby repealed and/or altered accordingly.

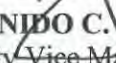
SECTION 9. EFFECTIVITY CLAUSE. This ordinance shall take effect upon approval.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph.D.
Secretary to the Sanggunian ^{02/19/18}

ATTESTED:


HON. BIENVENIDO C. DE GUZMAN II
City Vice Mayor
Date: 02/19/18

APPROVED:


HON. JEFFERSON R. SORIANO
City Mayor
Date: 2/20/18

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