



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



EXCERPTS FROM THE MINUTES OF THE 24th REGULAR SESSION
OF THE EIGHTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
HELD ON DECEMBER 17, 2019, 9:00 A.M., TUESDAY,
AT THE SANGGUNIAN PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor/Presiding Officer
Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member
Hon. Danilo L. Baccay	-do-
Hon. Gilbert S. Labang	-do-
Hon. Imogen Claire M. Callangan	-do-
Hon. Ronald S. Ortiz	-do-
Hon. Arnel T. Arugay	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Grace B. Arago	-do-
Hon. Raymund P. Guzman	-do-
Hon. Karina S. Gauani	-do-
Hon. Victor Herbert N. Perez	-do-
Hon. Gil G. Pagulayan	Ex Officio Member (Liga ng mga Barangay President)
Hon. Karen L. Taguinod	Ex Officio Member (SK Federation President)

ABSENT:

Hon. Mary Marjorie P. Martin-Chan	Sangguniang Panlungsod Member
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CITY ORDINANCE NO. 57-08-2019

CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO COMMERCIAL ZONE OF LOT NO. 2310 OF TCT NO. 032-2017000903 AND LOT NO. 2311-B OF PSD-(AF)-02-010203 OF TCT NO. 032-2017004669 COVERING AN AREA OF 4,086 SQUARE METERS LOCATED AT CATAGGAMAN PARDO, TUGUEGARAO CITY

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

WHEREAS, Ms. Helen Aguilar Sim has applied for reclassification of her parcels of land from agricultural zone to commercial zone located at Cataggaman Pardo, Tuguegarao City;

WHEREAS, the applicant has complied with the requirements provided in 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 Ms. Helen Aguilar Sim for the reclassification of her parcels of land from agricultural zone to commercial zone
2. Letter Indorsement of the City Mayor, Hon. Atty. Jefferson P. Soriano, to the Seventh City Council
3. Vicinity Map
4. Electronic Copy of Certificate of Title/(s)
5. Copy of Tax Declaration
6. Subdivision Plan
7. 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, 2002 ratified by the Sangguniang Panlalawigan through SP Resolution No. 080-2003 dated March 7, 2003

8. Certification from the CPDCO Zoning Officer that the total agricultural area of Tuguegarao City is 5,891.47 hectares as approved by the HLURB/SP Resolution No. 080 dated March 07, 2003 of which 102.3709 hectares has been reclassified for non- agricultural use
9. Office of the City Agriculturist Inspection Report on the actual/existing land use
10. Department of Agriculture-RFO 02 Results of Soil Analysis
11. National Irrigation Administration (NIA) Certification
12. Municipal Agrarian Reform Office (MARO) Certification
13. Barangay Certification that the subject lot is NOT TENANTED
14. Special Power of Attorney for Mr. Juan Aguilar Jr. to act as Attorney-in-Fact of Ms. Helen Aguilar Sim to process her application for reclassification
15. Certification issued by the Zoning Officer that the subject lots are reclassified under the updated Comprehensive Land Use Plan (CLUP) CY 2019-2028 and Zoning Ordinance No. 30-2019

WHEREAS, the applicant shall comply with the following recommendations of the committee:

a.) Payment of the following penalties:

- Locational Clearance- P10,000.00 (HLURB Resolution No. 675, Series of 2000)
- Building Permit - P10,000.00 + Surcharge based on the actual % of Accomplishment

b.) It shall be subject to the compliance of the National Building Code, Environmental Code and all other related laws, rules and regulations.

WHEREAS, the documents in support to the application for the reclassification of the subject lots which are contained in Committee Report No. 230-2019 duly adopted and approved in session by the Sangguniang Panlungsod are found to be in order and have greater economic value for residential, commercial or industrial purposes as determined of the total area at the time of reclassification;

WHEREAS, the subject lot is suitable for commercial use;

WHEREAS, the submission of falsified documents is a ground for the automatic cancellation of the application.

NOW, THEREFORE, be it ordained by the 8th 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, Commercial, commercial or industrial land (Section 3 (c) of R. A. 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 commercial, industrial and commercial as embodied in the land use plan. It also includes the reversion of non-agricultural lands to agricultural one.
- E. COMMERCIAL ZONE** – refers to an area within the city principally intended for business or commercial 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. 2310 of TCT No. 032-2017000903 and Lot No. 2311-B of PSD-(AF)-02-010203 of TCT No. 032-2017004669 covering an area of 4,086 square meters located at Cataggaman Pardo, Tuguegarao City.




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

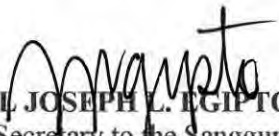
SECTION 4. REPEALING CLAUSE: City Ordinances or City Resolutions which are inconsistent with the provisions of this City Ordinance are hereby modified or repealed accordingly.

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.

X-X-X


I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPIO, Ph.D.
Secretary to the Sanggunian

ATTESTED:


HON. BIENVENIDO C. DE GUZMAN II
City Vice Mayor
Presiding Officer
Date: _____

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
City Mayor
Date: 04/06/2020