



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:

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| 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:

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| Hon. Mary Marjorie P. Martin-Chan | Sangguniang Panlungsod Member |
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CITY ORDINANCE NO. 65-08-2019

CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO COMMERCIAL ZONE OF LOT NO. E PSD-(AF)-02-001185 OF TCT NO. 032-2017004622 COVERING AN AREA OF 5,359 SQUARE METERS LOCATED AT CARIG SUR, 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, Mr. Archie Aldaya, Representative of Phil Motors Business Ventures and Inc., has applied for the reclassification of a parcel of land from agricultural zone to Commercial zone located at Carig Sur, 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 Mr. Archie Aldaya, Representative of Phil Motors Business Ventures and Inc., for the reclassification of a parcel 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 5891.47 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. Deed of Absolute Sale of a Register Land
14. Barangay Certification that the subject lot is NOT TENANTED
15. Special Power of Attorney for Ms. Grace Lappay to act as Attorney-in-Fact of Phil Motors Business Ventures and Inc., to process the application for reclassification.
16. Certification issued by the Zoning Officer that the subject lot is 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 subject lot 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: Parcel of agricultural land covered under Lot No. E PSD-(AF)-02-001185 of TCT No. 032-2017004622 covering an area of 5,359 square meters located at Carig Sur, Tuguegarao City.



SECTION 3. RECLASSIFICATION: The aforementioned parcel of land described in Section 2 hereof is 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.

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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPIO, Ph.D. 12/9/19
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: _____