



The minimum setback from any property line, public and private road and right of way, building, or structure, except for accessory buildings or equipment structures, for a cellular tower shall not be less than five (5) meters.

**GUIDELINES:**

1. Exemptions should only apply to those proposed cell site towers where the five (5)-meter setback as required in City Ordinance No. 48-08-2020 could not be complied with.
2. If a proponent who decides to construct a cell site tower can comply with the city ordinance, the variance of setback does not apply.
3. If the five (5)-meter setback as required in City Ordinance No. 48-08-2020 could not be complied with, the provision of the National Building Code of the Philippines on setback shall be followed/applied.
4. A telecommunication tower that is located adjacent to a residence/house/structure should have a concrete fence of 3 meters from the level of the existing road and on top is a barb wire or interlink wire of .75 meter with a total of 3.75 meter height in all the 4 sides of the perimeter of the cell site, which shall be complied with by existing communication towers as well as new applicants.

**SECTION 3. PUBLIC HEARING.** This ordinance is enacted under unusual and extreme condition the country is experiencing in general and Tuguegarao City in particular as declared by the National Government through a number of proclamation orders and other rules and regulations promulgated by His Excellency President Rodrigo Duterte and the Provincial Government, hence, the public hearing shall be dispensed with, considering further the urgency and importance of the instant measure.

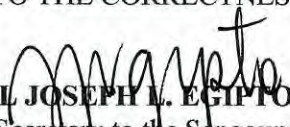
**SECTION 4. REPEALING CLAUSE.** All prior issuances or parts thereof inconsistent with this Ordinance are hereby repealed, amended or otherwise modified accordingly.

**SECTION 5. SEPARABILITY CLAUSE.** If, for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in force and effect.


**SECTION 6. EFFECTIVITY.** This Ordinance shall take effect ten (10) days after its complete publication in any newspaper of general circulation within the city and posting in three (3) conspicuous places in the city.

x-x-x

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

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

ATTESTED:

  
**HON. BIENVENIDO C. DE GUZMAN II**  
City Vice Mayor/Presiding Officer  
Date: \_\_\_\_\_

APPROVED:

  
**HON. ATTY. JEFFERSON P. SORIANO**  
City Mayor  
Date: 12-10-2016

al