



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



EXCERPTS FROM THE MINUTES OF THE 76th REGULAR SESSION
OF THE EIGHTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN
HELD ON FEBRUARY 23, 2021, 9:00 A.M., TUESDAY,
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

Hon. Bienvenido C. De Guzman II	City Vice Mayor/Presiding Officer
Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member (via Teleconferencing)
Hon. Imogen Claire M. Callangan	-do-
Hon. Gilbert S. Labang	Sangguniang Panlungsod Member
Hon. Danilo L. Baccay	Sangguniang Panlungsod Member (via Teleconferencing)
Hon. Ronaldo S. Ortiz	-do-
Hon. Arnel T. Arugay	Sangguniang Panlungsod Member
Hon. Mary Marjorie P. Martin-Chan	Sangguniang Panlungsod Member (via Teleconferencing)
Hon. Winnoco R. Abraham	Sangguniang Panlungsod Member
Hon. Grace B. Arago	-do-
Hon. Raymund P. Guzman	Sangguniang Panlungsod Member (via Teleconferencing)
Hon. Karina S. Gauani	Sangguniang Panlungsod Member
Hon. Victor V. Perez	Sangguniang Panlungsod Member (via Teleconferencing)
Hon. Gil G. Pagulayan	Ex Officio Member (via Teleconferencing)
Hon. Karen L. Taguinod	Ex Officio Member

CITY ORDINANCE NO. 11-08-2021

CITY ORDINANCE RECLASSIFYING FROM AGRICULTURAL ZONE TO INDUSTRIAL ZONE OF LOT NO. 9490-A OF TCT NO. T-58929 COVERING AN AREA OF 20,427 SQUARE METERS LOCATED AT CARIG NORTE, 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. Christian Einstein R. Guzman has applied for the reclassification of his parcel of land from agricultural zone to industrial zone located at Carig Norte, Tuguegarao City;

WHEREAS, as per Inspection Report dated December 14, 2020 of the City Agricultural Officer, subject lot has flat and rolling topography, with existing building structures and concrete fence erected in some portions of lot boundaries and with no irrigation facilities;

WHEREAS, subject lot is outside the service area of the National Irrigation Administration (NIA) as per certification issued by the National Irrigation Administration, Cagayan-Batanes Irrigation Management Office (NIA-CBIMO) dated December 16, 2020;

WHEREAS, subject lot is not tenanted as certified by the Municipal Agrarian Reform Officer (MARO) dated December 07, 2020;

WHEREAS, there is a concrete perimeter fence on the southeastern portion and two (2) existing buildings on the southeastern portion of the subject lot equipped with medical oxygen machine facilities as per inspection report of the Technical Working Group (TWG) dated January 14, 2021;

WHEREAS, after a thorough and wholistic evaluation by the committee, the committee finds that the subject is idle and unproductive and that it is more beneficial if it will be reclassified from agricultural to industrial;

WHEREAS, the reclassification of subject lot is consistent with Section 20 of the Local Government Code of 1991 (R.A. 7160) which provides that "A city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agricultural purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial or industrial purposes, as determined by the Sanggunian concerned: Provided, that such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance:

1. For highly urbanized and independent component cities, fifteen percent (15%);
2. For component cities and first to third class municipalities, ten percent (10%); and,
3. For fourth to sixth class municipalities, five percent (5%).

WHEREAS, a public hearing as required by law was held on February 11, 2021;

WHEREAS, the subject lot falls within the proposed special economic zone under the updated Comprehensive Land Use Plan (CLUP) of Tuguegarao City;

WHEREAS, EnP Gilbert Z. Quinan, Zoning Officer II, issued a Certification that the subject lot is reclassified from Agricultural Zone to Industrial Zone under the Updated Comprehensive Land Use Plan (CLUP).

NOW, THEREFORE, be it **ORDAINED** by the Eighth 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 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 residential, industrial and commercial as embodied in the land use plan. It also includes the reversion of non-agricultural lands to agricultural one.
- E. INDUSTRIAL ZONE** - refers to an area within the city principally intended for the following types of industries:
 - a. Non-pollutive/non hazardous
 - b. Pollutive/hazardous
- F. ZONING ORDINANCE** - refers to a local measure which embodies regulations affecting land use.

SECTION 2. COVERAGE: Parcel of agricultural land covered by Lot No. 9490-A of TCT No. T-58929 covering an area of 20,427 square meters located at Carig Norte, Tuguegarao City.

SECTION 3. RECLASSIFICATION: The aforementioned parcel of land described in Section 2 hereof is hereby reclassified from agricultural zone to industrial zone subject to the following penalties:

- a) Locational Clearance - P 10,000.00 (HLURB Resolution No. 675, Series of 2000)
- b) Building permit - P 10,000.00 + Surcharge based on the actual % of accomplishment

SECTION 4. The approved reclassification of subject lot from Agricultural Zone to Industrial Zone shall be subject to the process of conversion or exemption with the Department of Agrarian Reform (DAR).

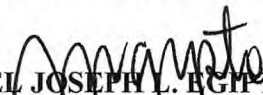
SECTION 5. REPEALING CLAUSE: City Ordinances or City Resolutions which are inconsistent with the provisions of this City Ordinance are hereby modified or repealed accordingly.

SECTION 6. 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 7. 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. EGIPITO, Ph.D.
Secretary to the Sanggunian

ATTESTED:


HON. BIENVENIDO C. DE GUZMAN II
City Vice Mayor/Presiding Officer
Date: 02/16/21

APPROVED:


HON. ATTY. JEFFERSON P. SORIANO
City Mayor
Date: 03/04/21

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