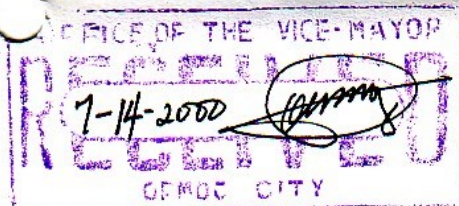
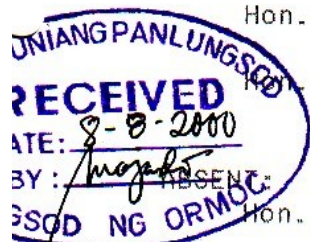
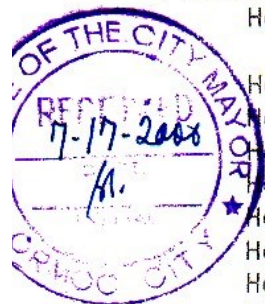


REPUBLIKA NG PILIPINAS
SANGGUNIAN NG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE EIGHTH
SANGGUNIAN NG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIAN NG PANLUNGSOD
BUILDING ON JULY 13, 2000

PRESENT:



Hon. Dennis Y. Capuyan, City Councilor, Assist. Maj. Floor Leader
Temporary Presiding Officer
Hon. Nepomuceno P. Aparis I, City Councilor, Majority Floor Leader
Hon. Mariano Y. Corro, City Councilor
Hon. Sotero M. Pepito, City Councilor
Hon. Alfredo F. Capahi, City Councilor
Hon. Eduardo P. Tan, City Councilor
Hon. Jose C. Alfaro, Jr., City Councilor
Hon. Claudio P. Larrazabal, City Councilor
Hon. Fernando P. Parrilla, Ex-Officio City Councilor,
Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Chiqui B. Labagala, Ex-Officio City Councilor,
SK Federation President
Hon. Fe S. Lladoc, (Appointed in lieu of Hon. Benjamin B.
Lladoc (Deceased)), City Councilor
Hon. Celso P. Adolfo, (O.B. - Ilo-ilo City), City Vice Mayor &
Presiding Officer
Hon. Jose S. Serafica, (O.B. - Ilo-ilo City), City Councilor,
Minority Floor Leader

PREFATORY NOTE

WHEREAS, it has been observed that trees, bamboos and other plant species as well as high rise improvements which are under transmission line (electric wire) and within the right of way of transmission line were the cause of unscheduled repetitive tripping of transmission line;

WHEREAS, these trippings/brownouts causes anxiety to the public as well, as it affects the economic activity in the city and the neighboring area;

WHEREAS, there is a need to regulate the planting of trees and other species as well as high rise improvements under the transmission line (electric wire) not only for the reasons stated above but for the safety of the public where past events show that persons were electrocuted when cutting or pruning trees under transmission line or electric wire;

NOW, THEREFORE, on motion of Councilor Nepomuceno P. Aparis I, Chairman, Committee on Laws and Ordinances, with implied secondment from the members of the committee, this august Body;

RESOLVED, AS IT IS HEREBY RESOLVED, to enact;

ORDINANCE NO. 80

AN ORDINANCE PROHIBITING THE PLANTING OF TREES, PALMS, BAMBOOS AND OTHER PLANT SPECIES HAVING POTENTIAL GROWTH HEIGHTS OF MORE THAN SIX (6) METERS AS WELL AS CONSTRUCTION OF HIGH RISE IMPROVEMENTS WITHIN THE EASEMENT OF HIGH TRANSMISSION WIRES, ELECTRIC WIRES, AND CABLE WIRES WITHIN THE JURISDICTION OF THE CITY OF ORMOC AND PROVIDING PENALTIES THEREOF.

BE IT ORDAINED, by the Eighth Sangguniang Panlungsod, that:

SECTION 1. This Ordinance shall be known as "AN ORDINANCE PROHIBITING THE PLANTING OF TREES, PALMS, BAMBOOS AND OTHER PLANT SPECIES HAVING POTENTIAL GROWTH HEIGHTS OF MORE THAN SIX (6) METERS AS WELL AS CONSTRUCTION OF HIGH RISE IMPROVEMENTS WITHIN THE EASEMENT OF HIGH TRANSMISSION WIRES, ELECTRIC WIRES, AND CABLE WIRES WITHIN THE JURISDICTION OF THE CITY OF ORMOC AND PROVIDING PENALTIES THEREOF;

SECTION 2. DEFINITION OF TERMS:

- a. Transmission Power Lines - a line that carries or transmit electricity from the power plant to commercial, residential or industrial areas, either maintained and owned by the National Power Corporation, the Leyte Electric Cooperative V or any private or public entity maintained and existing as such; Telephone and cable lines are deemed considered transmission lines when falling upon the same condition and situation with the electric power lines;
- b. Easement Area - shall mean the ground area perpendicular to the power lines as indicated in Section 4 hereof;

SECTION 3. COVERAGE - This Ordinance applies to all persons who plant trees, palms, bamboos and other high growing plant species with a potential growth height of more than six (6) meters as well as persons who introduce high rise improvements within the easement area of National Power Corporation, Leyte Electric Cooperative V (LEYECO V) and other existing electric, cable and telephone lines.

SECTION 4. PROHIBITION - All persons are prohibited from introducing high rise improvements, and from, planting trees, palms, bamboos and other species having a potential growth height of more than six (6) meters within the easement area, as follows:

- (a) For NPC Leyte-Mindanao Line having a 350KV - 25 meters on both sides from the center line
- (b) For NPC Leyte-Luzon Line having a 350KV - 25 meters on both sides from the center line
- (c) For NPC Leyte-Cebu Line having a 230KV - 20 meters on both sides from the center line
- (d) For NPC Leyte-Samar Line having a 69KV - 7.5 meters on both sides from the center line

- (e) For NPC Leyte-Bohol Line having a 230KV - 10 meters on both sides from the center line, and
- (f) For LEYECO V, cable and telephone lines, 3 meters on both sides from the center line

SECTION 5. Trees Cutting and Pruning of Branches. - Upon the effectivity of this ordinance the owners of the different transmission line shall be responsible in periodically checking that all transmission lines in Ormoc City are free from danger of falling trees and branches and the conditions of the electric poles and lines itself are safe, and to cause the cutting and pruning of such tree and plants under the following conditions:

- (a) Trees already existing. - Notice shall be given by the owners of the transmission line at least fifteen (15) days before the cutting and pruning operations to be conducted by them in the presence of barangay officials or their representatives, subject to just compensation to the affected landowners chargeable to the owner of the transmission line which traversed a particular land;
- (b) Trees planted after the effectivity of this ordinance. - Notice shall likewise be given to owners to give them opportunity to cut or uproot the same by themselves within fifteen (15) days from the receipt of notice, otherwise the concerned transmission line owners will do the cutting and uprooting and the proper complaint shall be filed against the owner and proper penalties shall be imposed for violation of this ordinance.

SECTION 6. PENALTIES. Any person who plant trees or plants prohibited by this ordinance shall be subject to the following penalties:

- FIRST OFFENSE - A fine of ONE HUNDRED (P100.00) PESOS, plus reimbursement of expenses for cutting and uprooting, if proper;
- SECOND OFFENSE - A fine of FIVE HUNDRED (P500.00) PESOS, plus reimbursement of expenses for cutting and uprooting, if proper;
- THIRD OFFENSE - A fine of ONE THOUSAND (P1,000.00) PESOS, plus reimbursement of expenses for cutting and uprooting, if proper and imprisonment of ONE (1) MONTH to SIX (6) MONTHS as may be determined by the court;

SECTION 7. SEPARABILITY CLAUSE - In case any of the provision of this Ordinance shall be declared unconstitutional by the court of competent jurisdiction, those provisions which are not affected thereby shall remain effective and enforceable.

SECTION 8. EFFECTIVITY CLAUSE. - This Ordinance shall take effect fifteen (15) days from publication by a local newspaper as provided by law.

ENACTED, July 13, 2000.

RESOLVED, FURTHER, to furnish copies of this Ordinance, one each, to His Honor, the City Mayor; the City Administrator, the City Legal Officer, the City Treasurer, Permits and Licensing Division Office, the PNP City Director, the Precinct Commander, PPI, the ABC President, the DILG-CGO Officer, the Barangay Affairs Office, the City Prosecutor's Office, the National Power Corporation (NAPOCOR), Ormoc, all others concerned, and at least three (3) copies be posted on Bulletin Boards at conspicuous places, -all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

OSCAR LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:

DENNIS Y. CAPUYAN
City Councilor
Assistant Majority Floor Leader
(Temporary Presiding Officer)

APPROVED:

EUFROCINO M. CODILLA, SR.
City Mayor

Aug. 8, 2000
(Date)