

Ormoc City

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE FIFTH
MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, HELD AT ITS
SESSION HALL ON MAY 26, 1965

PRESENT:

Hon. Heliodoro T. Fiel, Vice-Mayor, Presiding Officer
Hon. Benjamin F. Tugonon, Floor Leader
Hon. Narciso C. Alfaro, City Councilor
Hon. Pelagio C. Kierulf, City Councilor
Hon. Francisco D. Abas, City Councilor
Hon. Anastacio D. Besabella, City Councilor
Hon. Marciano S. Du, City Councilor
Hon. Benjamin T. Pongos, City Councilor

ABSENT:

Hon. Francisco D. Aviles, City Councilor

RESOLUTION NO. 142

"The Board, on motion of Councilor Du, seconded by the Floor
Leader, Councilors Alfaro, Abas and Pongos;

"RESOLVED, to adopt:

ORDINANCE NO. 51

AN ORDINANCE REGULATING SUBDIVISIONS AND SALE OF SUBDIVISION
LOTS IN THE CITY OF ORMOC AND FOR OTHER PURPOSES.

BE IT ORDAINED, by authority of the Municipal Board of Ormoc City,
Philippines, pursuant to the provisions of Republic Act 179, as amended
by Republic Act 429, otherwise known as the Charter of Ormoc City, That:

SECTION 1. Sale or disposal of subdivision lots. - It shall be un-
lawful for any person, partnership, firm, company, corporation or the
like to subdivide and sell any of the lots of the subdivision concerned
located within the City of Ormoc (1) which is not duly recommended by
the City Engineer and (2) wherein the roads and other improvements re-
quired in the subdivision are not yet completed.

SECTION 2. Minimum requirements. - The minimum requirements with
respect to residential subdivisions shall be as follows:

- (a) Minimum for frontage 12 meters
- (b) Minimum size of lot 180 square meters
- (c) Minimum width of street 10 meters
- (d) Required open space for public recreational purposes in
subdivision of one or more hectares to be developed and
maintained as a recreational area by the subdivider until
said area is turned over to the government - five percent-
tume (5%) of the gross area of subdivision.

SECTION 3. Variances. - Under highly justifiable reasons variances
from the minimum requirements for lot frontage and areas, and widths of
streets may be granted by the Municipal Board upon favorable recommen-
dation of the City Engineer.

SECTION 4. Permit and other fees. - Before any subdivision appli-
cation is acted upon, a permit fee of Ten Pesos (P10.00) per subdivision
shall be paid to the City Treasurer.

SECTION 5. Donation of road lots and open spaces. - Before the
final approval of the subdivision plan, the subdivision owner shall be
required to donate the road lots and open spaces to the Government,
subject to the conditions stipulated in Section 17 of the Subdivision
Regulations of the National Planning Commission, approved in 1951,
as amended.

SECTION 6. Performance bond. - A performance bond of at least Fifty Pesos (P50.00) per hectare may be accepted by the City Engineer in lieu of the immediate construction of subdivision improvements such as gutters and drainage (concrete pipes or covered concrete canals), such a bond to be co-existent and co-equal with the subdivision development.

SECTION 7. Administrative agency. - The administrative agency of this Ordinance shall be the Office of the City Engineer. All matters pertaining to roads, bridges and other constructions shall be referred to the City Engineer for his comment, recommendation and/or approval.

SECTION 8. Recommendation for approval and registration. - No plot, subdivision or subdivision plan in the City shall be presented for approval or verification by the Bureau of Lands or the Land Registration Commission, or for certification to the Register of Deeds unless the provisions of this Ordinance are complied with and shall have been approved by a resolution of the Municipal Board.

SECTION 9. Penalty. - Violation of any provision or provisions of this Ordinance shall, upon conviction, be penalized by a fine of not more than Two Hundred Pesos (P200.00) or by an imprisonment of not more than six (6) months, or both such fine and imprisonment at the discretion of the court; and the violator shall be required further to comply with the provisions of this Ordinance within sixty (60) days from the date the decision becomes final. If the violation is committed by a firm, corporation, partnership or any juridical person, the manager, managing partner, director or the person charged with the management of such firm, corporation, partnership or juridical person, shall be criminally responsible.

SECTION 10. Effectivity. - This Ordinance shall take effect immediately upon its approval.

ENACTED, May 26, 1965.

"RESOLVED, FINALLY, to furnish a copy of this resolution each to the Land Registration Commission, the Bureau of Lands (Tacloban) both of Manila, and the City Engineer, the Register of Deeds, the City Engineer, the City Treasurer, the City Auditor, and all subdividers concerned, all of Ormoc City;

"CARRIED UNANIMOUSLY."

I HEREBY CERTIFY to the correctness of the above-quoted resolution-ordinance.

ATTESTED:

HELIODORO T. PIEL
Vice-Mayor
Presiding Officer

FELIX O. AMORIN
Secretary

APPROVED, June 1, 1965:

ESTEBAN C. CONEJOS
City Mayor

ATTESTED AS APPROVED:

MAKING MALINAO
Secretary to the City Mayor