

Republic of the Philippines
MUNICIPAL BOARD

Office of the Secretary

Ormoc City

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SEVENTH MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, HELD
AT ITS SESSION HALL ON APRIL 13, 1972

PRESENT:

Hon. Jose C. Aviles, Floor Leader, P r e s i d i n g
Hon. Juanito T. Kangleon, City Councilor
Hon. Cristobal S. Mendola, City Councilor
Hon. Bruno T. Marquez, Jr., City Councilor
Hon. Eduardo P. Tan, City Councilor
Hon. Albino P. Porcadilla, City Councilor
Hon. Cesar S. Samson, City Councilor
Hon. Rafael M. Mejia, City Councilor

ABSENT (acting as City Mayor):

Hon. Jesus B. Lladoc, Vice-Mayor , Presiding Officer

RESOLUTION NO. 67

"WHEREAS, modern trends are so irresistible as to
compel this august Body to update Ordinance No. 51, se-
ries of 1965, regulating subdivision and sale of subdi-
vision lots in the City of Ormoc;

"NOW, THEREFORE, on motion of Councilor Porcadilla,
seconded by Councilor Samson;

"RESOLVED, to adopt:

ORDINANCE NO. 6

AN ORDINANCE MODIFYING ORDINANCE NO. 51, SERIES
OF 1965, OTHERWISE KNOWN AS "AN ORDINANCE
REGULATING SUBDIVISION AND SALE OF SUBDI-
VISION LOTS IN THE CITY OF ORMOC, AND FOR
OTHER PURPOSES."

BE IT ORDAINED, by the Municipal Board of Ormoc City,
That:

SECTION 1. Title. - This Ordinance shall be known as
"The Subdivision Ordinance of Ormoc City."

SECTION 2. Sale or disposal of subdivision lots. -
It shall be unlawful for any person, partnership, firm,
company, corporation or the like to subdivide and sell
any of the residential 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 required in the subdivision
are not yet complete.

SECTION 3. Definition of terms. - For purposes of
this Ordinance, the term "within the City of Ormoc" shall
mean the territorial bounds of Ormoc City which shall be
divided and classified as follows:

Class "A" - refers to the section extending from
the City Proper to the barrios and/or sitios of Punta,
Cogon Combado, Nadungholan, all lots bounded inward by
Malbasag river, and Bantigue;

Class "B" - refers to the section within seven kilometers from the section under Class "A"; and

Class "C" - refers to all other barrios outside and/or beyond the section under Class "B".

SECTION 4. Minimum requirements. - The minimum requirements with respect to residential subdivision shall be as follows:

- (a) Frontage 12 meters
- (b) Size of lot 180 square meters
- (c) 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 (5%) of the gross area of subdivision.

SECTION 5. Permit fees. - Before any subdivision application shall be acted upon, the following permit fee per subdivision shall be paid to the City Treasurer in accordance with their classifications:

Class "A" - Five centavos (P0.05) per square meter for the first one hectare or less; three centavos (P0.03) per square meter for the second hectare, if any, or less; and one-half centavo (P0.005) per square meter for every additional hectare, if any, or less, over two hectares;

Class "B" - Two centavos (P0.02) per square meter for the first one hectare or less and one centavo (P0.01) per square meter for every additional hectare, if any, or less, over one hectare;

Class "C" - One centavo (P0.01) per square meter for the first one hectare or less and one-half centavo (P0.005) per square meter for every additional hectare, if any, or less, over one hectare.

SECTION 6. Donation of road lots and open spaces. - Before the final approval of a 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 Subdivision Regulations of the National Planning Commission, approved in 1951, as amended.

SECTION 7. Performance bond. - A performance bond 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, and in accordance with the classification of the area or section as provided for in Section 3 of this Ordinance, as follows:

(continued)

Class "A" - Fifty centavos (P0.50) per square meter for the first one hectare or less and twenty centavos (P0.20) per square meter for every additional hectare, if any, or less, over one hectare;

Class "B" - Thirty centavos (P0.30) per square meter for the first one hectare or less and ten centavos (P0.10) per square meter for every additional hectare, if any, or less, over one hectare;

Class "C" - Twenty centavos (P0.20) per square meter for the first one hectare or less and five centavos (P0.05) per square meter for every additional hectare, if any, or less, over one hectare.

The performance bond may either be property, cash, or surety bond and can only be withdrawn after the subdivider shall have complied with all the requirements prescribed in this Ordinance.

SECTION 8. Subdivision of hereditary property. - In case of subdivision of hereditary property among direct heirs, a permit fee of two pesos (P2.00) per lot, irrespective of area, shall be paid to the City Treasurer before the application for said subdivision shall be acted upon, without the necessity of putting up a performance bond: Provided, however, That any person participating in the subdivision who is not a direct heir shall pay five pesos (P5.00) per share acquired by said person.

SECTION 9. 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 comment, recommendation and/or approval.

SECTION 10. 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 11. Penalty for violation. - 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, partnership, corporation or any juridical person, the manager, the managing partner, the director or the person charged with the management of such firm, partnership, corporation or juridical person, shall be criminally responsible; and in addition thereto, the subdivision plan shall be deemed disapproved and non-existent.

(continued)

SECTION 12. Separability. - If any part or section of this Ordinance shall be declared unconstitutional or ultra vires, such declaration shall not invalidate any other parts or sections hereof.

SECTION 13. Effectivity. - This Ordinance shall take effect immediately upon its approval.

ENACTED, April 13, 1972.

"RESOLVED, FURTHER, to furnish a copy of this resolution-ordinance each to the National Planning Commission, Malacañang, Manila; the Register of Deeds, the City Engineer, the City Assessor, the City Treasurer, the City Auditor, and all subdividers, in Ormoc City;

"CARRIED UNANIMOUSLY."

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

LAUREANO S. SUAN
Secretary

ATTESTED:

JOSE C. AVILES
Floor Leader
Presiding

APPROVED:

JESUS P. LLADOC
Acting City Mayor

ATTESTED AS APPROVED:

TEOTIMO P. OCUBILLO
Secretary to the City Mayor

/vll