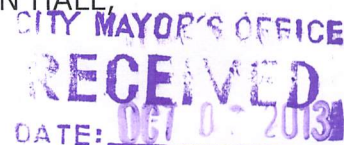


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
THIRTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON OCTOBER 03, 2013



PRESENT:

Hon. Leo Carmelo L. Locsin, Jr.  
Hon. Rolando M. Villasencio,  
Hon. Tomas R. Serafica,  
Hon. Ruben R. Capahi,  
Hon. Benjamin S. Pongos, Jr.,  
Hon. Antonio M. Codilla,  
Hon. Vincent L. Rama,  
Hon. Pedro Godiardo P. Ebcas,  
Hon. Eusebio Gerardo S. Penserga,  
Hon. Marina T. Placido,

Chapter President, Liga ng mga Barangay ng Ormoc

Hon. Corinne M. Corro,

Vice Mayor & Presiding Officer  
City Councilor, Majority Floor Leader  
City Councilor, Asst. Majority Floor Leader  
City Councilor, Asst. Minority Floor Leader

City Councilor  
City Councilor  
City Councilor  
City Councilor

Ex-Officio City Councilor

Ex-Officio City Councilor,  
SK Federation President

ON LEAVE:

Hon. Mario M. Rodriguez, City Councilor, Presiding Officer "Pro-Tempore"

ABSENT:

Hon. Nepomuceno P. Aparis I, (Deceased, September 30, 2013)  
City Councilor, Minority Floor Leader

PREFATORY STATEMENT

WHEREAS, recognizing that natural disasters are usually seen as unavoidable events with catastrophic effects that inflict tremendous economic, financial, environmental and human cost. It cannot be prevented, but measures can be taken to eliminate or reduce the possibility of trouble which can be dealt through proper planning and preparedness;

WHEREAS, it has been a national policy, under Section 2 (a) of RA 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010" to uphold the people's constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters including climate change impacts;

WHEREAS, all Local Government Units are authorized under Section 16 of RA 7160 of the Local Government Code of 1991, otherwise known as the General Welfare Clause, among others, to exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, in line with the government's aim for zero casualties during disasters, the Local Chief Executives are all mandated under the Local Government Code of 1991 to carry out the necessary emergency measures during and in the aftermath of manmade and natural disasters and calamities;

WHEREAS, the DILG through Memorandum Circular No. 2012-35 dated February 21, 2012 enjoined all LGU's to cause the enactment of a local ordinance for the implementation of necessary measures such as pre-emptive or forced evacuation in areas declared to be in imminent danger in times of disaster;



WHEREAS, the Local Government of Ormoc is concerned to protect its constituents and prevent the loss of human lives of all its residents at all times;

NOW, THEREFORE, on motion of City Councilor Pedro Godiardo P. Ebcas, Chairman, Committee on Public Safety, jointly seconded by City Councilors Vincent L. Rama and Corinne M. Corro; be it

RESOLVED, to enact:

*ORDINANCE NO. 003*

*AN ORDINANCE ON THE IMPLEMENTATION OF PRE-EMPTIVE OR FORCED EVACUATION IN ORMOC CITY AS A RESORT WHEN DISASTER OR EMERGENCY ARISES OR ABOUT TO OCCUR AND DANGER OF LOSS OF LIVES BECOME IMMINENT.*

BE IT ORDAINED, by the 13<sup>th</sup> Sangguniang Panlungsod ng Ormoc in regular session assembled, that:

**SECTION 1. TITLE.** - This Ordinance shall be known as the "Pre-emptive or Forced Evacuation Ordinance of Ormoc City".

**SECTION 2. DECLARATION OF POLICY.** - It is the declared policy of the Local Government of Ormoc to safeguard the lives and properties of its constituents at all times and in any occasion possible, mitigate the effect of manmade and natural disasters within the area.

**SECTION 3. DEFINITION OF TERMS.** - For the purpose of this ordinance, the following terms are hereby defined, to wit:

- a. Disaster -a natural or man-made hazard resulting in an event of substantial extent causing significant physical damage or destruction, loss of life, or drastic change to the environment. A disaster can be ostensively defined as any tragic event stemming from events such as earthquakes, floods, catastrophic accidents, fires, or explosions. It is a phenomenon that can cause damage to life and property and destroy the economic, social and cultural life of people.
- b. Evacuation - an operation whereby all or part of a particular population is temporarily relocated, whether voluntarily or in an organized manner, from an area that has been or is about to be struck by a disaster, to a place considered not dangerous for health or safety.
- c. Pre-emptive Evacuation - an order from proper authority for the immediate and rapid movement of people away from the threat or actual occurrence of a hazard to prevent an anticipated situation taken as a measure against something possible.
- d. Forced Evacuation - means an evacuation ordered as a resort when disaster or emergency has been declared and danger of loss of life is imminent, and conditions exist that critically imperil or endanger the lives of those in a defined area.
- e. Imminent Danger - means an immediate threat of harm or danger to personal life and safety.



**SECTION 4. DECLARATION OF FORCED EVACUATION.**- Upon the recommendation of the Local Disaster Risk Reduction Management Council that forced evacuation in the community is needed, the Honorable City Mayor must immediately issue a declaration for the enforcement of forced evacuation which shall include, but shall not be limited to the following:

- a. Establishing evacuation centers or such places where the evacuees be temporarily housed and protected. To mandate the barangays to determine their own evacuation centers and formulate their barangay evacuation plan.
- b. Designate a staging area where vehicles provided are ready to transport the local residents to the selected evacuation centers.
- c. Establishing measures to guarantee safety and security of the local residents evacuees in the evacuation site.
- d. The necessity of the evacuated local residents to stay in the aforementioned evacuation center until there be another issuance by the City Mayor declaring that the imminent danger within the affected area no longer exists.

However, immediately after the declaration of forced evacuation but before actual enforcement thereof, the city government shall see to it that residents are informed in local dialect of the need for them to evacuate and that there is no other alternative way to ensure their safety.

**SECTION 5. TRAINING AND ORIENTATION ON DISASTER RISK REDUCTION AND MANAGEMENT.**- The City Disaster Risk Reduction and Management Office (CDRRMO) shall organize and conduct training and orientation at least once a year on the possible manmade and natural hazards, vulnerabilities and climate change risks as well as knowledge management activities on disaster risk reduction and management within the locality.

During the aforesaid training and orientations, the CDRRMO shall discuss and highlight in a dialect understandable and spoken by the residents on RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management in Ensuring Public Safety during Man -Made and Natural Disasters; this ordinance; and other laws, rules and regulations on disaster risk reduction and management.

The CDRRMO shall also conceptualize posters, newsletters, brochures and pamphlets regarding risk reduction and management and cause the same to be posted at conspicuous places of the city and/or if possible, disseminate through radio and TV advertisements.

**SECTION 6. ENLISTMENT OF ASSISTANCE OF OTHER GOVERNMENT AGENCIES.**- In declaring the implementation of forced evacuation, the members of the Philippine National Police (PNP), the Armed forces of the Philippines (AFP), Bureau of Fire Protection (BFP), and Bureau of Jail Management and Penology (BJMP) assigned within the City of Ormoc shall be enlisted by the City Mayor.

**SECTION 7. REFUSAL OF LOCAL RESIDENTS TO LEAVE THEIR HOMES OR, AFTER EVACUATING, GO BACK THEREIN WITHOUT AN ORDER ALLOWING THEM TO DO SO.** - In the event that the local residents refuse to leave their homes or after evacuating go back to their homes/affected areas without an order issued to this effect, the city government as well as the members of the mobilized units may use such reasonable force that is commensurate under the circumstances, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and persons with disabilities, with the end view that lives are safely protected and secured.

**SECTION 8. SEPARABILITY CLAUSE.** – If any part or provision of this ordinance shall be held as unconstitutional or contrary to any existing law and ordinance, the other parts or provisions hereof, which are not affected thereby shall continue to be in full force and in effect.

**SECTION 9. REPEALING CLAUSE.** – All Ordinances, rules, orders, and regulations or part thereof, contrary or inconsistent with any of the provisions of this ordinance are hereby repealed and modified accordingly.

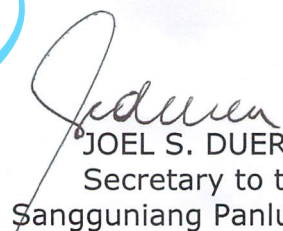
**SECTION 10. EFFECTIVITY.** – This Ordinance shall take effect immediately after the compliance of the necessary publication and posting requirements as provided in the Local Government Code of 1991.

ENACTED, October 03, 2013.

RESOLVED, FURTHER, that copies of this ordinance be furnished each to the Honorable City Mayor, Mayor Edward C. Codilla, the City Administrator, the City Legal Officer, the CDRPMC, the City Director, PNP, the City Director, DILG, the BFP, the AFP, the BJMP and others concerned, all in Ormoc City.

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the above ordinance.

  
JOEL S. DUERO  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
Vice Mayor & Presiding Officer

APPROVED:

  
EDWARD C. CODILLA  
City Mayor

10-8-13  
(Date)