



Republic of the Philippines
Caraga Region XIII
Province of Surigao del Norte
Municipality of Alegria

SANGGUNIANG BAYAN OF ALEGRIA

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ALEGRIA, SURIGAO DEL NORTE, HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON JUNE 24, 2019.

PRESENT:

Hon. Dominador G. Esma, Jr.	-	Mun. Vice Mayor, Presiding Officer
Hon. Nimfa N. Sagaral	-	SB Member
Hon. Gerry Z. Bacud	-	SB Member
Hon. Arnold L. Dagcuta	-	SB Member
Hon. Ernesto C. Odjinar, Sr.	-	SB Member
Hon. Eldy S. Gabeligno	-	SB Member
Hon. Ryan T. Abarico	-	SB Member
Hon. Erlinda B. Silvosa	-	SB Member
Hon. Emalyn S. Micompal	-	SB Member
Hon. Almasur G. Opalia	-	LNMB President
Hon. Reil John A. Esma	-	SK Fed. President

ABSENT: NONE

ORDINANCE NO. 07, SERIES OF 2019

AN ORDINANCE PROVIDING FOR THE GUIDELINES AND REQUIREMENTS ON THE APPROVAL OF SUBDIVISION PLANS IN THE MUNICIPALITY OF ALEGRIA, SURIGAO DEL NORTE AND FOR OTHER PRUPOSES

WHEREAS, it is the policy of the State to afford its inhabitants the requirements of decent human settlement and to provide them with ample opportunities for improving their quality of life;

WHEREAS, Section 447, (a.2) empowers the Sangguniang Bayan to generate the use of resources and revenues for the development plans, program objectives and priorities of the municipality with particular attention to agro-industrial development and countryside growth and progress, i.e., process and approve subdivision plans for the purpose of residential, commercial or industrial and other development, collect processing fees and other charges;

WHEREAS, BP 220, PD 957, RA 1216 and other related pertinent laws provide guidelines and requirements on the approval of subdivision plans for residential, industrial, commercial, and other developments to ensure regulation of land uses in the municipality.



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WHEREAS, the Municipality of Alegria was able to formulate its Comprehensive Land Use Plan (CLUP) and Zoning Ordinance (ZO) defining its thrusts and policies for development.

NOW, THEREFORE:

BE IT ORDAINED by the Sangguniang Bayan of Alegria, Surigao del Norte, in session assembled that:

Section 1. **Short Title.** An ordinance providing for the guidelines and requirements on the approval of subdivision plans in the Municipality of Alegria, Surigao del Norte and for other purposes.

Section 2. **Definition of Terms.** When used in this Ordinance, the following terms shall be defined:

A) *Subdivision* - partition of a specific parcel of land into sub lots

B) *Simple Subdivision* - shall mean a subdivision project less than one hectare in area, covered by simple division plan where no street or passageway is delineated on the plan, provided that in the event piece-meal or partial submission of the project plans are made, the same shall be considered in its entirety and when applicable the provisions of PD 1216 on open spaces shall be observed.

C) *Complex subdivision* - shall mean a subdivision project wherein a street or passageway, or open space is delineated on the subdivision plan.

D) *Locational clearance* - a certification issued by the Zoning Officer as to the conformity and consistency of the land affected with the Comprehensive Land Use Plan.

E) *Zoning Board* - a special body created responsible for qualification of the subdivision applied for.

Section 3. **Guidelines.** Applicants shall abide with the requirements provided as follows:

3.1 Secure Zoning Certification with the Zoning Administrator;



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- 3.2 Four sets of the following documents duly signed and sealed by a licensed architect or engineer:
- 3.2.a Site development plan (Schematic Plan) showing proposed layout; and
 - 3.2.b Vicinity map
- 3.3 Four sets of certified true copy of title(s) and Tax declaration(s) from the Office of the Municipal Assessor;
- 3.4 Original and two photocopies of real property tax receipt (current year);
- 3.5 Four sets of Deed of Sale/Waiver of Right, Memorandum of Agreement;
- 3.6 Subdivision Agreement or such other document(s) indicating the parties involved in the subdivision project;
- 3.7 Certification as to zoning classification/zoning clearance;
- 3.8 Application form duly notarized by a competent lawyer; and
- 3.9 Special Power of Attorney (if applicant is not the one who will attend the public hearing).
- 3.10 All documents above shall be attached with a Letter of Intent applying for the approval of the subdivision plan which will be addressed to the Municipal Mayor through the Sangguniang Bayan.

Section 4. The Zoning Board. The Zoning Board shall be responsible for the inspection/validation of the subdivision plan applied for approval and recommend the same to the Sangguniang Bayan for appropriate legislative action.

Section 5. Previous ordinances and resolutions with provisions inconsistent hereto are hereby modified and repealed.

Section 6. This ordinance shall take effect upon approval.



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ADOPTED this 24th day of June, 2019.

MOVANT : HON. GERRY Z. BACUD
SECONDED: HON. NIMFA N. SAGARAL
HON. ARNOLD L. DAGCUTA

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING
MUNICIPAL ORDINANCE.



DOMINADOR G. ESMA, JR.

Municipal Vice Mayor/Presiding Officer



Attested by: **MARIA ELENA J. BUCONG**
SB Secretary

APPROVED:



RENE G. ESMA
Municipal Mayor

Please print and complete or (/) appropriate box(es)

1. Application Information				
1.1 Name of Owner(s). An owner authorization is required, if applicant is not the owner				
Name of Owner(s)			Contact Number	
Address			Postal Code	
1.2 Agent/Applicant- Name of Person who is to be contacted about the application, if different to the applicant (This maybe a person or firm acting on behalf of the owner).				
Name of Contact Person			Contact Number	
Address			Postal Code	
2. Location of the Subject Land				
2.1 Purok			2.2 Barangay	
2.3 Lot Reference			2.4 Title No.	
2.5 Are there any easements or restrictive covenants affecting the subject land? (please check) <input type="checkbox"/> No <input type="checkbox"/> if yes, describe the easement or covenant and its effect.				
3. Proposed and Current Land Use				
3.1. Check whether this application is for approval of <input type="checkbox"/> subdivision plan <input type="checkbox"/> condominium				
3.2. Complete the following table on proposed land use				
Proposed Land Use	# of units	# of lots/blocks on the draft plan	Area	Density (Units/dwellings per hectare)
Residential				
x Detached				
x Semi-detached				
x Multiple attached				
x Apartment				
Commercial				
Industrial				
Parks, Open Spaces				
Institutional (pls specify)				
Others (pls specify)				
3.3. What is the current use of the subject land?				
3.4 Is the subject land designated for the purpose? <input type="checkbox"/> Yes <input type="checkbox"/> No. If no, is there an approved land conversion?				
4. Consultation with Planning Authority (ies)				

Has the draft subdivision plan or condominium plan described above that is subject for this application been presented to the Sangguniang Bayan, or to the appropriate agencies? Please attach the plan.

No Yes.

5. Has the subject land ever been subject of a previous application for subdivision plan approval or a consent?

No. Yes, if yes, when?

6. Is the subject land of a proposed subdivision plan also the subject of a proposed previous application plan or amendment that has been submitted for approval?

No. Yes, if yes, indicate the file number and the status of application.

7. Is the subject land also the subject of an application for consent, approval of a site plan, minor variance, zoning by-law or zoning amendment?

No. Yes, if yes, indicate the file number and the status of application.

8. Affidavit of Declaration:

I, _____, of _____, with postal address at _____ make of oath and declare that the information herein contained in this application is true and correct. I am aware that mis-declaration herein shall constraint me to the case of perjury.

Affiant

SWORN BEFORE ME, known to me and to me known to be the same person who executed this foregoing sworn statement and acknowledged that the same is made free and voluntary act.

WITNESS MY HAND AND SEAL, this ____ day of _____, 2019 at Alegria, Surigao del Norte, Philippines.

NOTARY PUBLIC

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