

MALAYA
Jan. 29, 2008
p. A-7



Republic of the Philippines
CITY COUNCIL
Quezon City

7th Regular Session

ORDINANCE NO. SP 1815, S-2007
(PO2007-05)

"AN ORDINANCE REQUIRING THE COORDINATION WITH THE LOCAL GOVERNMENT OF QUEZON CITY OF ALL DEMOLITION, EVICTION AND/OR CLEARING OPERATION IN QUEZON CITY COMPLIANCE WITH THE URBAN DEVELOPMENT AND HOUSING ACT OF 1992."

Introduced by Councilors **BERNADETTE HERRERA-DY, EDCCEL B. LAGMAN, JR., JESUS MANUEL C. SUNTAY, ANTONIO E. INTON, JR., VOLTAIRE GODOFREDO L. LIBAN III, WINSTON "Winnie" T. CASTELO, JAIME F. BORRES, VINCENT DG. BELMONTE, BAYANI V. HIPOL, DOROTHY A. DELARMENTE, VICTOR V. FERRER, JR., JOSEPH P. JUICO and RICARDO T. BELMONTE, JR.**

WHEREAS, Article XIII, Section 10 of the Philippine Constitution provides that "urban and rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with the law and in a just and humane manner,"

WHEREAS, under the provisions of Section 28 of Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992" prescribes instances where evictions may be undertaken and requirements that must be followed for an eviction to become valid and lawful;

WHEREAS, under Executive Order No. 152 promulgated by the President of the Republic of the Philippines on December 10, 2004, the Presidential Commission for the Urban Poor (PCUP) was designated as the sole clearing house for the conduct of demolition and eviction activities to ensure strict compliance with the requirements of just and humane demolition and eviction under Republic Act No. 7279;

WHEREAS, under Republic Act No. 7279, the local government unit officials concerned or their representatives are required to be present during eviction and demolition;

WHEREAS, concerned local government officials are also required by law to assist in the relocation of affected families, including granting of financial assistance;

WHEREAS, despite the numerous provisions of laws regarding evictions and demolitions, the same is being conducted in utter disregard of legal requirements and often without the knowledge of the local government concerned;

WHEREAS, there is a need for the Local Government of Quezon City to take appropriate actions to be informed in all demolition, eviction and/or clearing operations within the City in order to assist and protect its constituents and to properly carry out its mandate under existing laws, rules and regulation.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. In the execution of eviction or demolition order involving under privileged and homeless citizens, it shall be unlawful to any person to conduct demolition eviction and/ or clearing operations in Quezon City without coordination with the Local Government of Quezon City.

SECTION 2. Coordination in writing is required with the Local Government of all demolition, eviction and / or clearing operations in compliance with provisions of Article 7, Section 28 of RA 7179.

SECTION 3. The Urban Poor Affairs Office (UPAO) is hereby designated as the sole coordinating office for all demolition, eviction, and / or clearing operations in Quezon City.

SECTION 4. The Urban Poor Affairs Office shall see to it that all requirements prescribed under Article 7, Section 28, paragraph 1, to 8, and other related executive orders and rules and regulations are complied before, during and after execution of the demolition.


SECTION 5. The Urban Poor Affairs Office shall issue a certificate of authority stating that all requirements provided in the Urban Development Housing Act has been complied with, except for court related cases.

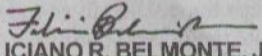
SECTION 6. This Ordinance shall take effect upon its approval.

ENACTED: September 3, 2007.

(Sgd.) **JORGE B. BANAL, JR.**
Acting Vice Mayor
Presiding Officer


ATTESTED:


DOROTHY D. LAGRADA, DPA
City Gov't. Asst. Dept Head III

APPROVED: _____

FELICIANO R. BELMONTE, JR.
City Mayor

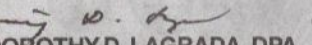
CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on September 3, 2007, was finally PASSED on Third/Final Reading by the City Council on September 10, 2007.


DOROTHY D. LAGRADA, DPA
City Gov't. Asst. Dept Head III

CERTIFICATION

Further, this is to certify that this Ordinance which was forwarded to and received by the Office of the City Mayor on September 26, 2007, for his consideration and approval, but up to this date, said Ordinance has not yet been returned to this Office. Hence, pursuant with Section 54 of R.A. No. 7160, this Ordinance is deemed approved as if it has been signed by the City Mayor.


DOROTHY D. LAGRADA, DPA
City Gov't. Asst. Dept Head III