

Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
20th City Council

PO20CC-199

67th Regular Session

ORDINANCE NO. SP- 2743, S-2018

AN ORDINANCE PERMANENTLY CLOSING THE PORTION OF DIEGO SILANG STREET CLASSIFIED AS ROAD LOT, PARTICULARLY AT THE CORNER OF 19TH AVENUE AND DIEGO SILANG STREET, SITUATED AT BARANGAY SAN ROQUE, DISTRICT III.

Introduced by Councilors FRANZ S. PUMAREN and ALEXIS R. HERRERA.

Co-Introduced by Councilors Gian Carlo G. Sotto, Kate Abigail G. Coseteng, Anthony Peter D. Crisologo, Lena Marie P. Juico, Elizabeth A. Delarmente, Victor V. Ferrer, Jr., Oliviere T. Belmonte, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Ramon P. Medalla, Ranulfo Z. Ludovica, Estrella C. Valmocina, Allan Benedict S. Reyes, Eufemio C. Lagumbay, Marvin C. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Marra C. Suntay, Hero Clarence M. Bautista, Jose A. Visaya, Karl Edgar C. Castelo, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Allan Butch T. Francisco, Marivic Co-Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto, Donato C. Matias, Eric Z. Medina and Noe Lorenzo B. Dela Fuente III.

WHEREAS, Section 21 (a) of the Local Government Code of 1991 provides, that: "A local government unit may, pursuant to an ordinance, permanently or temporarily close or open any local road, alley, park, or square falling within its jurisdiction: Provided, however, that in case of permanent closure, such ordinance must be approved by at least two-thirds (2/3) of all the members of the Sanggunian, and when necessary, an adequate substitute for the public facility that is subject to closure is provided"; ✓

D S D

D

D

WHEREAS, Section 458 paragraph (a)(2) (viii) of the Local Government Code of 1991 provides that: "(a) The Sangguniang Panlungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants xxx xxx xxx: (2) Generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the city xxx xxx xxx (viii) Reclassify land within the jurisdiction of the city, subject to the pertinent provisions of this Code";

WHEREAS, the Barangay Hall of Barangay San Roque was erected at the end part of Diego Silang Street which is classified as a road lot;

WHEREAS, the above portion of the street is not used as thoroughfare by the general public, hence, it will not obstruct any traffic flows in the area;

WHEREAS, the permanent closure of the said portion will enable the barangay to take full and lawful possession thereof;

WHEREAS, the Barangay can fully discharge its functions if it has full control and possession of the said road lot where the barangay hall is situated;

WHEREAS, a barangay resolution was approved by Barangay San Roque urging the City Government to reclassify the said portion of road lot;

WHEREAS, there is a need to permanently close the part classified as road lot;

WHEREAS, the following is the technical description of such portion of Diego Silang Street subject for permanent closure, to wit:

Portion occupied by Barangay Hall	255 SQ.M
Remaining Portion of Road Lot 2	1046.60 SQ.M
TOTAL AREA OF ROAD LOT 2, BCS-2029	1301.60 SQ.M

NOW, THEREFORE,

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

S *f* *D*
S

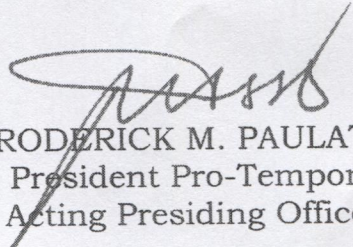
SECTION 1. It is hereby declared that the portion of Diego Silang Street, particularly Diego Silang Street corner 19th Avenue situated at Barangay San Roque, Murphy, Quezon City, specifically: TOTAL AREA OF ROAD LOT 2, BCS-2029 1301.60 sq.m. shall be permanently closed.

SECTION 2. The said portion shall be permanently closed in order for Barangay San Roque to fully utilize the area in the performance of its governmental functions.

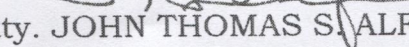
SECTION 3. SEPARABILITY CLAUSE - If for any reason, any provisions of this Ordinance is declared invalid, unlawful or unconstitutional, other provisions not affected shall be in full force and effect.

SECTION 4. EFFECTIVITY CLAUSE - This Ordinance shall take effect upon approval hereof.

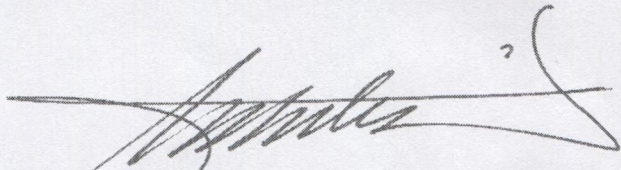
ENACTED: August 6, 2018.


RODERICK M. PAULATE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:

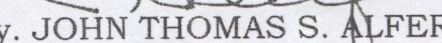

Atty. JOHN THOMAS S. ALFEROS III
City Secretary

APPROVED: 05 SEP 2018


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on August 6, 2018 and was PASSED on Third/Final Reading on August 20, 2018.


Atty. JOHN THOMAS S. ALFEROS III
City Secretary