



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
19th City Council

PO19CC-188

26th Regular Session

ORDINANCE NO. SP- 2295, S-2014

AN ORDINANCE AUTHORIZING THE CITY MAYOR TO TAKE FULL CONTROL AND SUPERVISION OF ALL THE BARANGAYS IN QUEZON CITY DURING THE HEIGHT OF CALAMITY OR EMERGENCY FOR THE PURPOSE OF ACCELERATING OR FAST TRACKING THE RESCUE, CLEARING, RELIEF, OR RECOVERY OPERATIONS IN THE AFFECTED BARANGAY, AND FOR OTHER PURPOSES.

Introduced by Councilor RANULFO Z. LUDOVICA.

Co-Introduced by Councilors Anthony Peter D. Crisologo, Ricardo T. Belmonte, Jr., Dorothy A. Delarmente, Victor V. Ferrer, Jr., Alexis R. Herrera, Precious Hipolito Castelo, Voltaire Godofredo L. Liban III, Roderick M. Paulate, Ramon P. Medalla, Estrella C. Valmocina, Gian Carlo G. Sotto, Franz S. Pumaren, Jose Mario Don S. De Leon, Jaime F. Borres, Jesus Manuel C. Suntay, Marvin C. Rillo, Raquel S. Malañgen, Jessica Castelo Daza, Bayani V. Hipol, Jose A. Visaya, Julienne Alyson Rae V. Medalla, Godofredo T. Liban II, Andres Jose G. Yllana, Jr., Allan Butch T. Francisco, Karl Edgar C. Castelo, Diorella Maria G. Sotto, Rogelio "Roger" P. Juan, Melencio "Bobby" T. Castelo, Jr., Donato C. Matias and Ricardo B. Corpuz.

WHEREAS, the barangay, as the smallest political unit of the government, is enjoying local autonomy to attain their fullest development as self-reliant communities;

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WHEREAS, the City Mayor, as the city's chief executive exercises limited administrative authority over barangays. Thus, in times of calamities or emergency, the city mayor is less capable in the mobilization of barangay officials and personnel, as well as in the utilization of barangay motor vehicles and equipment for rescue, clearing, relief, and recovery operations;

WHEREAS, it has been observed that during the height of calamities or emergency, especially when there are several people or barangays affected, the city government is experiencing difficulty in mobilizing the needed people and in responding quickly and efficiently due to limited personnel, resources, equipment, and facilities;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the local Government Code 1991, expressly provides that "Every local government unit shall 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. x-x-x";

WHEREAS, the Supreme Court, in the case of Binay vs. Domingo, 201 SCRA 508,514, stressed that "Municipal governments exercise police power through the general welfare clause: pursuant thereto they are clothed with authority to enact such ordinances and issue such regulations as conferred upon it by law, and such as shall be necessary and proper to provide for the health, safety, comfort and convenience, maintain peace and order, improve public morals, promote the prosperity and general welfare of the municipality and the inhabitants thereof, and insure the protection of property therein";

WHEREAS, likewise, Section 458 (a) (1) (iv) of the same Code provides that the City Council may "Adopt measures to protect the inhabitants of the city from the harmful effects of man-made or natural disasters and ^{Created with}  and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and in their return to

WHEREAS, to accelerate or fast tract the relief, clearing, relief or recovery operations during the height of calamity, there is an imperative need to place all barangays in Quezon City under the full control of the local Chief Executive as per Section 15 of Republic Act No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010 tasking the Local Disaster Risk Reduction Management Council to take the lead in preparing for, responding to, and recovering from the effects of any disaster.

NOW, THEREFORE,

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

SECTION 1. Authorized Power. - *The City Mayor, as the City's Chief Executive and Head of the Local Disaster Risk Reduction and Management Council (LDRRMC), is hereby authorized to take full control and supervision of all the barangays in Quezon City during the height of calamity or emergency for the purpose of accelerating or fast tracking the rescue, clearing, relief and/or recovery operations in the affected barangay.*

SECTION 2. Powers Conferred. - *Pursuant to the preceding Section, the city mayor shall exercise the following powers:*

- a) Mobilize all barangay officials and its personnel to augment the manpower of the city government in the conduct of rescue, clearing, relief and/or recovery operations;*
- b) Utilize barangay facilities, equipment, gadgets, motor vehicles, and other resources for the protection and preservation of life and properties;*
- c) Call upon all Barangay Public Safety Officers (BPSO) for the maintenance of peace and order;*

- d) Establish better coordination among the component barangays to ensure quick response and risk reduction and management; and
- e) Perform such other duties and function which are necessary and proper to speed up the rescue, clearing, relief and/or recovery operations.

SECTION 3. Duration. - The powers herein provided may be exercised by the city mayor only within a period of three (3) months from the occurrence of calamity.

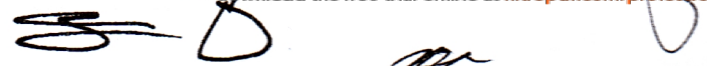
SECTION 4. Barangay mandates. - All barangay officials and personnel are hereby required to cooperate with the city mayor without need of further order. They have to promptly report to the office or department of the city government where they are assigned by the city mayor.

SECTION 5. Report to Council. - The Office of the City Mayor, shall, within fifteen (15) days after the cessation of the height of calamity, submit a report to the City Council regarding the rescue, clearing, relief or recovery operations conducted by the city government involving the barangays.

SECTION 6. Penalty. - Any violation of the provisions of this ordinance shall be subject to administrative sanctions.

SECTION 7. The Office of the City Mayor shall issue the necessary guidelines for the effective implementation of this Ordinance subject to confirmation by the City Council.


SECTION 8. Repealing Clause. - All ordinances, resolutions, executive orders, and other administrative issuances contrary to or inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.




SECTION 9. Separability Clause. - If any part, section or provisions of this Ordinance is/are held invalid or unconstitutional, the other provisions not affected thereby shall continue to be in full force and effect.

SECTION 10. Effectivity Clause. -This ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

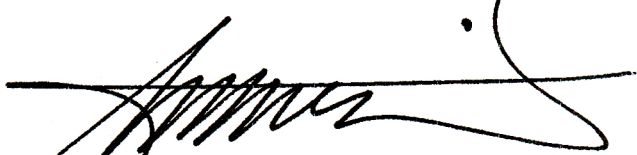
ENACTED: June 9, 2014.


DOROTHY A. DELARMENTE
President Pro-Tempore
Acting Presiding Officer

ATTESTED:


Atty. JOHN THOMAS S. ALFEROS III
City Gov't. Asst. Dept. Head III

APPROVED: 09 JUN 2014


HERBERT M. BAUTISTA
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on June 9, 2014 and was PASSED on Third/Final Reading on June 16, 2014.