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AN ORDINANCE INSTITUTIONALIZING THE TUGUEGARAO CITY BAHAYANIHAN PROGRAM AND PROVIDING FUNDS THEREOF

AUTHORS:
HON. RONALDO S. ORTIZ
HON. MARK ANGELO B. DAYAG

SPONSORS:
HON. RODRIGO ROSAURO G. RESUELLO
HON. MARIA ROSARIO B. SORIANO
HON. MARC ALDOUS C. BACCAY
HON. JUDE T. BAYONA
HON. KARINA S. GAUANI - VIERNES
HON. TIRSO V. MANGADA
HON. MYRNA G. TE
HON. CERENE PEARL T. QUILANG
HON. RESTITUTO C. RAMIREZ
HON. DENNIS RYAN G. AVILA
HON. MARIEL AYNA TING-CALIMAG
HON. JACKSON G. CARODAN
HON. ANTHONY C. TUDDAO

OFFICE OF THE S.P SECRETARY
TUGUEGARAO CITY, CAGAYAN
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WHEREAS, Sec. 9, Article II of the 1987 Constitution provides that, "The State shall promote just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all";

WHEREAS, under the General Welfare Clause of the 1987 Philippine Constitution, the promotion of the people's general welfare is essential to the enjoyment of the blessings of democracy, thus, the State must find and take advantage of every opportunity available to improve the welfare and condition of its people;

WHEREAS, Section 17 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, expressly empowers local government units to exercise other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities;

WHEREAS, the Tuguegarao City Government commits itself to uphold the principles of human dignity, equality and equity among its constituents, especially those belonging to the less fortunate members of the city;

WHEREAS, the Bahayanihan Program aims to assist and extend a helping hand to Tuguegaraños belonging to the indigent families whose present habitations are less resilient to calamities;

WHEREAS, the Bahayanihan Project, which was launched on September 16, 2023, through the concerted efforts of the City Government and stakeholders, became a resounding success and as of this date, 96 houses have already been built and awarded to the identified target beneficiaries;

WHEREAS, in view of the foregoing, the continuity of the Bahayanihan Program shall foster social justice, unity and a viable economic development with the end in view of providing optimum service to Tuguegaraoeño, especially to the most vulnerable members of the city;

NOW, THEREFORE, be it ordained by the City Council of Tuguegarao City, in Session duly assembled, that:

SECTION 1. TITLE. This ordinance shall be known as the "TUGUEGARAO CITY BAHAYANIHAN PROGRAM."

SECTION 2. DECLARATION OF POLICY. It is hereby declared to be the policy of the Tuguegarao City Government to uphold human dignity among its constituents, especially the less fortunate sectors, and in order to provide assistance for their benefits and welfare, the time-honored tradition of Bayanihan to foster social justice, solidarity and sustainable development must be rekindled in every Filipino.

SECTION 3. STATEMENT OF GOALS AND OBJECTIVES. This ordinance aims to fulfil the following:

- To institutionalize a program committed to enhancing the quality of life, especially for the less fortunate, by providing them with decent shelters;
- To ensure that beneficiaries under this program are safe and secure, especially during calamities;
- To provide dignity and stability to beneficiaries, knowing that they have a permanent and stable structure to live in;
- To inculcate and revive the Bayanihan Spirit among Tuguegaraoeños.
- To enable the grassroots level to feel genuine public service

SECTION 4. DEFINITION OF TERMS.

a. **BAHAYANIHAN PROGRAM** – refers to the program of the Tuguegarao City Government, the target beneficiary, and volunteers from different line agencies for the construction of a house unit; the construction materials needed thereof shall be provided by the City Government.

b. **BENEFICIARY** – refers to a family qualified under this ordinance which belongs to the less fortunate sector in Tuguegarao City, as identified by the Bahayanihan Council

c. **HOUSE** – shall refer to the physical structure subject to the Bahayanihan Program

d. **PROFILING** – shall refer to the process to be conducted by the CSWDO or the Secretariat in identifying and assessing the beneficiaries of the program

e. **BAHAYANIHAN COUNCIL** as may be used herein shall refer to the Council that oversees the identification, process, and implementation of the Bahayanihan Program

f. **VOLUNTEER** - refers to an individual, group or entity who contributes time, services and resources to the Bahayanihan Program

g. **FIRST PRIORITY LEVEL** – refers to those households classified by the City Social Welfare and Development Office (CSWDO) as most in need of immediate housing assistance under this ordinance, based on the City's automated family data profiling system and field validation, considering income level, housing condition, and presence of vulnerable household members, subject to final approval of the Bahayanihan Council.

SECTION 5. BAHAYANIHAN COUNCIL (BC). A policy and advisory body under the Office of the City Mayor shall be created to oversee the implementation of this Ordinance

Composition

Chair:	**City Mayor**
Vice Chair:	**City Social Welfare and Development Officer**
Members:	**City Budget Officer**

City Engineer
City Disaster Risk Reduction and Management Officer
City Treasurer
City Legal Officer
City Planning and Development Coordinator
City General Services Officer
Chair, Committee of Infrastructure and Public Utilities (SP)
President, Liga ng mga Barangay
Representative from Tuguegarao Component City Police Station
Representative from the Bureau of Fire Protection
Representative from Civil Society Organization
Representative from CAGELCO
Representative from Metropolitan Tuguegarao Water District

Section 6. POWERS AND FUNCTIONS OF BAHAYANIHAN COUNCIL. The following shall be the powers and functions of the Bahayanihan Council:

a. Formulate policies and regulations consistent with this ordinance and applicable laws
b. Conduct ocular inspections on the target beneficiaries before the start of the Bahayanihan Project
c. Evaluate and review the pertinent documents submitted by the target beneficiaries
d. Recommend to the City Mayor for approval the target beneficiaries of the program
e. Recommend to the City Council legislative measures relative to the Bayanihan Program.
f. Submit periodic reports to the Sangguniang Panlungsod
g. Monitor, approve or disapprove request of beneficiary as to modification, transfer and use with humanitarian safeguards and as to the grant of limited livelihood activity
h. Performs other functions relative to the objective of this ordinance
i. Collaborate with other government agencies, civil society organizations and volunteers in furtherance of the objectives of this ordinance

Section 7. SECRETARIAT. There shall be a Secretariat which shall be composed of employees of the City Social Welfare Development Office of Tuguegarao City designated by the City Mayor, which shall have the following duties and functions:

a. Receive application forms and documents relative to the qualifications of the target beneficiary
b. Conduct an evaluation for proper profiling of the target beneficiaries
c. Evaluate documents and submit their findings and recommendations to the Council for final approval.
d. Coordinate with the Office of the City Engineer for progress monitoring during the construction period.
e. Submit to the Office of the City Mayor the progress of the activities.
f. Prepare the meeting agenda and keep records of the meeting.

SECTION 8. QUALIFICATIONS/REQUIREMENTS FOR TARGET BENEFICIARIES.

a. The beneficiaries must be identified under the first priority level in the automated family data profiling system of the City Social Welfare and Development Offices (CSWDO), subject to final validation.
b. The beneficiary's house is made of a salvaged or temporary structure.
c. The beneficiary is the owner of the real property subject to the program.
d. The beneficiary shall secure a certificate of Indigency and residency from his/her barangay
e. The beneficiary shall be a bona fide resident of Tuguegarao City

SECTION 9. DESIGN AND CONSTRUCTION. Technical services and design shall be provided by the City Engineering Office. The said office shall ensure that all materials are disaster-resilient materials and sustainable that do not have any negative impact on the environment and its

surroundings. Furthermore, the said office shall also conduct proper monitoring during the construction process.

A. DESIGN OPTIONS. The City Engineering Office shall design and provide standard housing units under the Bahayanihan Program for indigent beneficiaries, subject to available funds. The following housing design options shall be provided:

1. Bungalow Type
2. Two-story Type

All housing units shall be designed in accordance with the following minimum standards:

i. **DURABILITY** – Use of materials that are disaster-resilient, low-maintenance, and structurally sound;
ii. **SAFETY** – Compliance with national building codes, fire safety regulations, and structural integrity standards;
iii. **ACCESSIBILITY** – Provision of reasonable access for persons with disabilities, where feasible;
iv. **ADAPTABILITY** – Suitability to local climate conditions and cultural context.
v. **SUSTAINABILITY**- Use of materials that do not negatively impact the environment and its surroundings.

B. UNIFORM COLOR AND EXTERNAL APPEARANCE. To promote visual cohesion, program identity, and proper monitoring, all housing units constructed under the Bahayanihan Program shall follow a uniform color and exterior design scheme, as prescribed by the City Engineering Office

SECTION 10. RESTRICTIONS ON MODIFICATION, TRANSFER, AND USE WITH HUMANITARIAN SAFEGUARDS. To protect the integrity of the program and the interests of the City Government, the following restrictions shall apply to all housing units awarded under the Bahayanihan Program:

a. Conditional Restriction on Improvements or Alterations. Beneficiaries shall not make major improvements, alterations, or structural modifications to the housing unit within fifteen (15) years from the date of award, without prior written approval from the Bahayanihan Council. Minor repairs necessary for safety, sanitation, and livability shall be allowed.

b. Restriction on Transfer or Encumbrance. The housing unit shall not be sold, transferred, mortgaged, encumbered, rented, or be used as loan collateral for any obligation within fifteen (15) years.

   Except for serious and urgent humanitarian reasons, including but not limited to hospitalization, emergency treatment or life-saving procedures, displacement due to disaster, death of the beneficiaries or his/her immediate family or similar circumstances, the beneficiaries are hereby authorized to mortgage, encumber, lease, rent out, or use the housing unit as collateral or security to a loan, subject to the guidelines and approval of the Bahayanihan Council.

c. Residential Use with Limited Livelihood Activity. Housing unit under the Bahayanihan Program must primarily serve as residences. The beneficiaries may conduct small-scale, home-based livelihood activities if these remain secondary to residential use. Provided that such livelihood activity will occupy only a minor portion of the house and do not alter the structure, do not create safety, health, or disturbance issues, and with prior approval of the Bahayanihan Council and subject to requirements as provided by Business Permits and Licensing Office (BPLO).

SECTION 11. LEGAL ASSISTANCE. The City Legal Office shall provide necessary and appropriate assistance in terms of the legality of the recipient's ownership of the lot where the construction of the program shall be implemented.

SECTION 12. MEMORANDUM OF AGREEMENT. The Tuguegarao City Government is authorized to enter into a Memorandum of Agreement with other government agencies, private establishments, and volunteers to implement the program. The Memorandum of Agreement shall outline the roles and responsibilities of each party, including the provisions on funding, materials, labor, and other resources.

SECTION 13. IMPLEMENTING RULES AND REGULATIONS. The Office of the City Mayor, City Legal Office, City Engineering Office, City Social Welfare and Development Office, and City Disaster Risk Reduction and Management Office, shall formulate the Implementing Rules and Regulations of this ordinance within sixty (60) days from date of approval.

SECTION 14. SOURCE OF FUND. Funds shall be sourced from 3% of the actual revenue collection from the next preceding year from the registered businesses in the City, and shall be appropriated under the Office of the City Mayor.

SECTION 15. SEPARABILITY CLAUSE. If any part of this Ordinance is held unconstitutional or invalid, the remainder of the ordinance not otherwise declared so shall remain valid and effective.

SECTION 16. REPEALING CLAUSE. All Ordinances, rules and regulations, executive orders and portions thereof inconsistent with this ordinance are hereby repealed, amended and/or modified accordingly.

SECTION 17. EFFECTIVITY. This ordinance shall take effect upon approval pursuant to the provisions of the Local Government Code of 1991.