

Republic of the Philippines
Province of Bohol
MUNICIPALITY OF LOON

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 50TH REGULAR SESSION OF THE 13TH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 18TH DAY OF JULY 2017 AT THE SANGGUNIANG BAYAN (SB) OFFICE, LOON, BOHOL-

PRESENT:

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| Hon. Lloyd Peter M. Lopez, M.D. | Vice Mayor, Presiding Officer |
| Hon. Pedro M. Literatus, Jr. | SB Member |
| Hon. Timoteo L. Legitimas | SB Member |
| Hon. Emerson S. Relampagos | SB Member |
| Hon. Lydia L. Almasa | SB Member |
| Hon. Zaide Y. Coritico | SB Member |
| Hon. Nilo P. Branzuela | SB Member |
| Hon. Judy Marie H. Veloso | SB Member |
| Hon. Kristel P. Tecson | SB Member |
| Hon. Cesar R. Pedrigal | LnB President, Ex-Officio Member |

ABSENT:

NONE

MUNICIPAL ORDINANCE NO. 17-007

Series of 2017

AN ORDINANCE IMPLEMENTING PREEMPTIVE FORCED EVACUATION AS LAST RECOURSE WHEN A DISASTER OR EMERGENCY HAS BEEN DECLARED AND DANGER OF LOSS OF LIVES BECOMES IMMINENT, PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES

Be it ordained by the 13th Sangguniang Bayan of Loon, Bohol in session duly assembled:

SECTION 1. DECLARATION OF POLICY. It is the declared policy of Municipality of Loon to protect the lives of its residents at all times and whenever possible mitigates the effects of man-made and natural disasters within the locality.

SECTION 2. DEFINITION OF TERMS

2. 1. "Disaster"- means the result of a natural or human-made event which causes loss of life, injury, and property damage, including but not limited to natural disasters such as typhoon, hurricane, tornado, storm, flood, high winds, and other weather related events, and human-made disasters, including but not limited to nuclear power plant incident, hazardous materials incidents, oil spill, explosion, civil disturbances, public calamity, acts of terrorism, hostile military action, and other events related thereto;
- 2.2. "Imminent Danger" - means an immediate threat of harm;
- 2.3 "Evacuation" - means an operation whereby all or part of a particular population is temporarily relocated, whether individually or in an organized manner, from an area in which a disaster or emergency has been declared and is considered dangerous for health or safety of the public;
- 2.4 "Forced evacuation"- means an evacuation ordered as a recourse when a disaster or emergency has been declared and danger of loss of life is imminent, and conditions exist that critically imperil or endanger the lives of those in a defined area.

SECTION 3. TRAINING AND ORIENTATION ON DISASTER RISK REDUCTION AND MANAGEMENT –The Local Disaster Risk Reduction and Management Office (LDRRMO) shall

organize and conduct training, orientation and information dissemination on the possible natural hazards, vulnerabilities and climate change risks as well as knowledge management activities on disaster risk reduction and management within the locality at least once during summer or at the onset of the rainy season as declared by the Philippine Atmospheric and Geographical Astronomical Services Administration (PAGASA).

During the aforesaid trainings and orientations, the Municipal Disaster Risk Reduction and Management Office shall also discuss and highlights in local dialect RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010; DILG MC No. 2012-35 dated 21 February 2012 regarding the Guidelines in Ensuring Public Safety During Man-Made and Natural Disasters; Headquarters Philippine Coast Guard (HPCG) relevant circulars on vessel movements during heavy weather; this Ordinance and other laws, rules and regulations on disaster risk reduction and management.

The MDRRMO are also encouraged to conceptualize posters, newsletters, brochures and pamphlets regarding disaster risk reduction and management and cause the same to be posted at the conspicuous places of the municipality and/or if possible, disseminate through radio and TV advertisement.

SECTION 4. PROHIBITION OF FISHING VESSELS AND FISHING ACTIVITIES - Unless otherwise pronounced by the Headquarters Philippine Coast Guard (HPCG), the moment Public Storm Warning Signal (PSWS) No. 1 is raised by the PAGASA within destination, all vessels of 1,000 gross tons or below shall not sail except to take shelter.

SECTION 5. FORCED EVACUATION - If upon the assessment or determination of the Municipal Disaster Risk Reduction and Management Council (MDRRMC) or BDRRMC, preemptive or forced evacuation of local residents is already necessary, said Council shall immediately make recommendation to the Municipal Mayor or the Punong Barangay the assessment or determination. On the basis of such recommendation, the Municipal Mayor or the Punong Barangay shall immediately declare the implementation/enforcement of forced evacuation which shall include, but shall not be limited to, the following:

- a) The designated area where vehicles provided by the municipality and barangay governments are waiting to transport local residents to the identified evacuation centers;
- b) The necessity of the evacuated local residents to stay in the aforesaid evacuation centers until there be another issuance declaring that the imminent danger within the affected area is no longer there, if this is still, possible; and
- c) Measures ensuring the safety of local residents in the evacuation areas
- d) Immediately after declaration of evacuation but before actual implementation/enforcement thereof, the city or the barangay governments shall see to it that the local residents are informed in the local dialect the need to evacuate and that there is no other alternative way to ensure their safety. In case that the determination or assessment or forced or pre-emptive evacuation is declared by the Punong Barangay, the latter shall, within 24 hours, render written report of the same to the MDRRMC.

SECTION 6. ENLISTMENT OF ASSISTANCE OF OTHER GOVERNMENT AGENCIES - In declaring the implementation/enforcement of forced evacuation, the members of the PNP, BFP, AFP and Barangay Official assigned on the affected locality or area may be enlisted by the Mayor.

All emergency measures adopted shall be coordinative and collaborative efforts between the municipal government, PNP, BFP and units or the barangay/s concerned.

SECTION 7. REFUSAL OF LOCAL RESIDENTS TO ABIDE BY THE DECLARATION OF FORCED EVACUATION OR AFTER EVACUATING, GO BACK TO THEIR RESPECTIVE HOMES WITHOUT AN ORDER ALLOWING THEM TO DO SO - In the event that local residents refuse to leave their homes, insists on going to the sea; or after evacuating, go back to

their homes/affected areas without an order issued to this effect by the municipal government and of the members of the mobilized units of the PNP, BFP and AFP, such authorities may use physical force that is commensurate under the circumstances, without discrimination and with conscious attention to the need of vulnerable sectors such as children, women, elderly and person with disabilities, to safely secure their lives.

SECTION 8. PENALTY CLAUSE - Any person found violating any of the pertinent provisions of this Ordinance shall be fined Php 2, 500.00 or imprisonment of not less than 30 days but not exceeding 1 year, or both, at the discretion of the court.

If the violator is a public official, the foregoing penalty shall be without prejudice to administrative sanctions as may be imposed under existing laws, rules and regulations.

SECTION 9. REPEALING CLAUSE - Any ordinance, order, memorandum, rule and regulation which is inconsistent with the provisions of this Ordinance is hereby modified or repealed accordingly.

SECTION 10. EFFECTIVITY - This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation within the locality.

UNANIMOUSLY APPROVED.

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I hereby certify to the correctness of the above-quoted ordinance.

FIDELINO P. CORITICO, LLB
Secretary to the Sanggunian

ATTESTED:

LLOYD PETER M. LOPEZ, M.D.
Vice Mayor
Presiding Officer

APPROVED:

ELVI PETER L. RELAMPAGOS
Municipal Mayor

Date: _____

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LLOYD PETER M. LOPEZ, M.D.
Vice Mayor
Presiding Officer

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APPROVED:


ELVI PETER L. RELAMPAGOS
Municipal Mayor

Date: 07/24/17