



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF CAVITE  
MUNICIPALITY OF CARMONA

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 20<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CARMONA, CAVITE HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON 15 MAY 2018

PRESENT:

HON. CESAR L. INES JR.	.....	<i>Municipal Vice Mayor and Presiding Officer</i>
HON. CESAR M. LOYOLA	.....	<i>SB Member</i>
HON. BERNIE A. ORTIZ	.....	<i>SB Member</i>
HON. ROEL Z. MANARIN	.....	<i>SB Member</i>
HON. HUBERTO A. HUGO	.....	<i>SB Member</i>
HON. AMABLE M. LONTOK	.....	<i>SB Member</i>
HON. MAXIMO A. ACBAY	.....	<i>SB Member</i>

HON. MAXIMO A. ACBAY	.....	<i>SB Member</i>
HON. ALBERTO H. OCAMPO	.....	<i>SB Member</i>
HON. FERMIN M. LEVARDO	.....	<i>ABC President</i>

ABSENT: NONE

MUNICIPAL ORDINANCE NO. 07-2018

AN ORDINANCE MANDATING THE IMPLEMENTATION OF PREPMTIVE OR FORCED EVACUATION OF RESIDENTS AS A RESORT WHEN A DISASTER OR EMERGENCY HAS BEEN DECLARED AND DANGER OF LOSS OF LIVES IS IMMINENT WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPAL GOVERNMENT OF CARMONA, APPROPRIATING FUNDS THEREFOR, IMPOSING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES

*Sponsored by Hon. Bernie A. Ortiz and Hon. Cesar M. Loyola*

EXPLANATORY NOTE

**WHEREAS**, Section 2 (a) of RA 10121, otherwise known as the “Philippine Disaster Risk Reduction and Management Act of 2010” states to uphold the vulnerabilities of the public to disasters, strengthening the country’s institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters including climate change impact;

**WHEREAS**, the local government units (LGUs) are empowered under Section 16 of the Local Government Code of 1991, otherwise known as the General Welfare Clause to “xxx exercise the powers necessary, appropriate, or incidental for its efficient governance and those which are essential to the promotion of the general welfare”;

**WHEREAS**, Punong Barangays [Section 389 (b) (6)], Municipal Mayors [Section 444 (b) (viii), City Mayors [Section 455 (b) (vii), and Governors [Section 465 (b) (vii)] are all mandated under RA 7160 otherwise known as the Local Government Code of 1991, to carry out such emergency measures as may be necessary during and in the after-math of human-made and natural disasters and calamities;

MAXIMO A. ACBAY  
DR. DAHLIA A. LOYOLA

LONTOK  
S JR.

AMABLE M. LONTOK  
CESAR L. INES JR.

HUBERTO A. HUGO  
MARVIC M. PAKINGAN

ROEL Z. MANARIN  
FERMIN M. LEVARDO

BERNIE A. ORTIZ  
REBECCA L. REYES



CESAR M. LOYOLA  
ALBERTO H. OCAMPO



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF CAVITE  
MUNICIPALITY OF CARMONA

OFFICE OF THE SANGGUNIANG BAYAN

page 2 of 6, Mun. Ordinance No. 07-2018

  
MAXIMO A. ACBAY  
  
DR. DAHLIA A. LOYOLA



**WHEREAS**, the LGUs, through their local Sangguniang Bayan, are enjoined under DILG Memorandum Circular No. 2012-035 dated 21 February 2012 to cause the enactment of a local ordinance for the implementation of pre-emptive and forced evacuation when a disaster or emergency has been declared and danger of loss of lives is imminent within their area of jurisdictions;

  
M. LONTOK  
  
INES JR.

**WHEREAS**, as enunciated under Section 11 (b) (3) of RA 10121, one of the functions of the Local Disaster Risk Reduction and Management Councils (LDRRMCs) is to recommend the implementation of forced or preemptive evacuation of local residents, if necessary;

protecting the lives of its residents at all times and at  
man-made and natural disasters,  
natural disasters, in line with its vision  
its objective to have zero casualties;

mitigating the effects of  
mitigating the effects of man-made and nat  
to have disaster-resilient communities and

  
B. M. J.  
  
R. L. INE  
INGO  
INGAN

**IN REGULAR SESSION ASSEMBLED THAT:**

**SECTION 1. SHORT TITLE.** – This Ordinance shall be known and cited as the “Preemptive or Forced Evacuation Ordinance” of Carmona, Cavite.

**SECTION 2. DECLARATION OF POLICY.** – It is the declared policy of the Municipal Government of Carmona to protect the lives of its residents at all times and whenever possible mitigate the effects of man-made and natural disasters within the locality.

**SECTION 3. DEFINITION OF TERMS.** – As used in this Ordinance, the following terms are herein defined:

a. **“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 hurricane, tornado, storm, flood, high winds, and other weather related events, and human-made disasters including

human-made disasters including hazardous materials expansion, civil disturbances, public calamity, acts of military action, and other events related thereof;

with other weather related events, and incidents, oil spills, terrorism, hostile military action, and other events




whereby all or part of a particular whether individually or in an which a disaster or emergency has serious for health or safety of the

b. **“Imminent Danger”** - means an operation where population is temporarily relocated, organized manner, from an area in which has been declared and is considered dangerous to the public;

  
CESAR M. LOYOLA  
  
ALBERTO H. OCAMPO

evacuation ordered as a resort when a danger or loss of life is imminently imperil or endanger the lives

d. **“Forced evacuation”** - means an evacuation ordered when a disaster or emergency has been declared imminent, and conditions exist that critically imperil the lives of those in a defined area;

  
HUBERTO  
  
ROEL ZAMARRIN  
  
FERDINAND



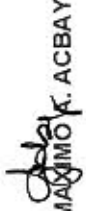
REPUBLIC OF THE PHILIPPINES



REPUBLIC OF THE PHILIPPINES  
PROVINCE OF CAVITE  
MUNICIPALITY OF CARMONA

OFFICE OF THE SANGGUNIANG BAYAN

page 4 of 6, Mun. Ordinance No. 07-2018

  
MAXIMO K. ACBAY  
DR. DAHLIA A. LOYOLA

However, immediately after declaration of evacuation but before actual implementation/enforcement thereof, the Municipal or the Barangay governments shall see to it that the local residents are informed in dialect known to them of the need to evacuate and that there is no other alternative way to ensure their safety.

  
AMABLE M. KONTOK  
CESAR L. INES JR.

In case that the determination or assessment of preemptive or forced evacuation is declared by the Punong Barangay, the latter shall, within 24 hours, render written report of the same to the MDRRMC.

The Municipal Mayor, upon the recommendation of the MDRRMC, shall issue an order that affected residents can already return to their respective homes after determination by the MDRRMC that danger/risk no longer exists therein.

  
HUBERTO A. HUGO  
MARIVIC M. PAKINGAN

The Municipal Government shall extend assistance to the affected families such as, but not limited to, relief goods, personal hygiene kits, clothing, livelihood projects, medical and nutrition services, and even financial assistance, if necessary, for their comfortable stay and rapid recovery.

**SECTION 6. OTHER CONSIDERATIONS TO BE TAKEN IN THE IMPLEMENTATION OF PREEMPTIVE OR FORCED EVACUATION. -**

- a. Preemptive or forced evacuation shall be carried out in a manner that is humane, respectful of the dignity of the persons, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and persons with disabilities (PWDs).
- b. All measures are taken to inform the evacuees, in a manner and language that, they can understand of the need for the evacuation, that there is no other alternative for their safety, the place where they will be sheltered and the duration of their stay.
- c. The Municipal Social Welfare and Development Office shall formulate, adopt and implement a comprehensive and strategic program of action to provide the children and pregnant and lactating mothers affected by disasters and other emergency situations with utmost support and assistance necessary for their evacuation and other acts prejudicial to their interest, survival, development and well-being.
- d. Such other rules as may be promulgated by the Commission on Human Rights (CHR) for the protection of human rights of all persons.

**SECTION 7. ENLISTMENT OF ASSISTANCE OF OTHER GOVERNMENT AGENCIES. -** In declaring the implementation/enforcement of preemptive or forced evacuation, the members of the PNP, BFP, and BJMP assigned within the municipality may be enlisted and called for by the Municipal Mayor. Assistance from the said national government agencies shall be maximized during the implementation thereof.



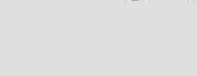
ort and  
pport and

and other acts prejudicial to their interest, survival, development and well-being.

d. Such other rules as may be promulgated by the Commission on Human Rights (CHR) for the protection of human rights of all persons.

SECTION 7. ENLISTMENT OF ASSISTANCE OF OTHER GOVERNMENT AGENCIES. - In declaring the implementation/enforcement of preemptive or forced evacuation, the members of the PNP, BFP, and BJMP assigned within the municipality may be enlisted and called for by the Municipal Mayor. Assistance from the said national government agencies shall be maximized during the implementation thereof.

TIZ  
EYES  
EY

  
BERNIE A. REYES  
  
CESAR M. LOYOLA  
  
ALBERTO H. OCAMPO  
REBECCA

