

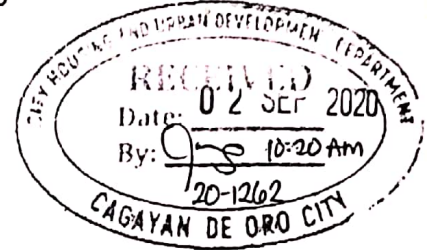


Republic of the Philippines
 CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL
 (088)857-4029; 857-4035; 857-2258; 857-4032



August 26, 2020

ENGR. ERMIN STAN B. PIMENTEL
 City Housing Urban & Development Officer
 City Housing Urban & Development Department
 Cagayan de Oro City



Sir:

Enclosed is a copy of **Ordinance No. 13901-2020**, current series, passed by the City Council, this City, in its Regular Session on the 29th day of June 2020, to wit:

“REQUIRING DEVELOPERS OF RESIDENTIAL AND COMMERCIAL CONDOMINIUMS, AND CONDOMINIUM HOTELS (CONDOTELS) TO SECURE PRELIMINARY SUBDIVISION DEVELOPMENT PLAN (PSDP) FROM THE CITY GOVERNMENT OF CAGAYAN DE ORO, AND FOR OTHER PURPOSES”

for your information and appropriate action.

Thank you very much.

Very truly yours,

RAUL G. MOLDEZ
 Assistant City Secretary

*grt

Published in Mindanao Philippines Sunday Journal issue/issues 3rd week of August 2020.

*Glen,
 Let us discuss
 with your district
 UPS, I think understand
 that CHROD is the primary
 implementer of this TM!
 [Signature]*



ORDINANCE NO. 13901-2020

AN ORDINANCE REQUIRING DEVELOPERS OF RESIDENTIAL AND COMMERCIAL CONDOMINIUMS, AND CONDOMINIUM HOTELS (CONDOTELS) TO SECURE PRELIMINARY SUBDIVISION DEVELOPMENT PLAN (PSDP) FROM THE CITY GOVERNMENT OF CAGAYAN DE ORO, AND FOR OTHER PURPOSES

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session duly assembled that:

SECTION 1. PALC, REQUIRED. - All developers of Residential and Commercial Condominiums and Condominium Hotels (CONDOTELS) in Cagayan de Oro City are hereby required to secure approval of their Preliminary Subdivision Development Plan (PSDP) (*formerly Preliminary Approval and Locational Clearance or PALC*), from the Sangguniang Panlungsod prior to starting any construction works thereof.

SECTION 2. REGULATIONS. -

- a) For this purpose, no building permit and occupancy permit shall be issued by the Office of the Building Official, this City, to Residential and Commercial Condominiums and Condotels without a valid Preliminary Subdivision Development Plan issued in accordance with this Ordinance.
- b) No building permit shall be issued for Residential and Commercial Condominium and Condotel projects unless compliance of the 5% housing balance requirement based on the condominium area or project cost is complied with within the City of Cagayan de Oro in accordance with the provisions of Section 18 (Balanced Housing Development) of Republic Act No. 7279, otherwise known as the Urban Housing and Development Act of 1992 (UDHA), as amended by Republic Act No. 10884; and/or Ordinance No. 10413-2006, entitled: An Ordinance Providing for the Guidelines Covering the Joint Venture Socialized Housing Project Between the City Government of Cagayan de Oro and Subdivision Developers in the City, And for Other *Purposes*.

SECTION 3. PSDP DOCUMENTARY REQUIREMENTS. The following documents shall be required from all developers/contractors requesting for PSDP, to wit:

- a) Applicant's Letter of Intent, for both main project and the socialized housing component, stating the projects' description, size and location;
- b) City Planning and Development Office (CPDO) Site Zoning Certification;
- c) Current/Valid Business Permit;
- d) Proposed Site Development Plan/Schematic Building Plan, showing the proposed layout; total project area and total development cost; number of saleable units, saleable area, selling price, average unit size; land allocation/area for Open Space (roads, alleys, parks, playground and community facilities)
- e) Vicinity Map, indicating the adjoining land uses, access, existing facilities and utilities at least 100 meters from the property boundaries of the project/s, drawn to scale;
- f) Right to Use or Deed of Sale or Right-of-Way Access Road and other Utilities when applicable;
- g) Certified True Copy of Land Title/s;
- h) City Treasurer's Office (CTO) Certification of updated Realty Tax Payment, with xerox copy of Tax Receipt/s;
- i) Statement of Proposed Mode of Compliance to Socialized Housing Development requirement under Section 18 of RA 7279.

These documentary requirements shall be submitted in three (3) sets inside folders with



marking "Documents for PSDP Application", plus the name and location of project, and the name of applicant or entity.

SECTION 4. PROCEDURES. All PSDP application by developers/contractors shall undergo the process enumerated hereunder:

- a) Applicant presents three (3) sets/folders of documentary requirements to the City Housing and Urban Development Department (CHUDD).
- b) CHUDD verifies the documents' completeness using triplicate copy of a Checklist of PSDP Requirements; if complete, CHUDD prepares four copies of Order of Payment for the processing and inspection fees, and issues one copy to the applicant.
- c) Applicant pays in full the processing and inspection fees at the City Treasurer's Office, and provides CHUDD two (2) certified xerox copy of the Official Receipt.
- d) CHUDD attaches copy of the verified Checklist, Order of Payment and certified xerox copy of the Official Receipt to each of the three folders containing the PSDP application documents, and stamps each Letter of Intent as officially received, immediately giving one folder of documents to the applicant as his/her file, forwarding another folder to the Sangguniang Panlungsod for its consideration, and retaining one folder for CHUDD technical evaluation. The original copy of the Official Receipt must be retained with the applicant.
- e) Sangguniang Panlungsod through its Committee on Subdivision & Landed Estate calls for a Committee Hearing for the purpose of evaluating the PSDP Application, inviting the following: the applicant with his/her technical staff; the CHUDD for its technical evaluation report; and other resource persons deemed necessary.
- f) Committee on Subdivision & Landed Estate, through an official report in the Sangguniang Panlungsod Regular Session, presents its disposition on the PSDP Application after a thorough evaluation and study which may include project site visit. Sangguniang Panlungsod, then, decides whether to grant or deny the PSDP Application.
- g) Should the Sangguniang Panlungsod decide to grant PSDP, an Ordinance shall be enacted for this purpose and shall be endorsed to the City Mayor. After the City Mayor approves the Ordinance, CHUDD prepares and issues to the applicant a PSDP Certificate. The applicant may request from Sangguniang Panlungsod Secretariat copy of the Ordinance.
- h) Should the Sangguniang Panlungsod decide to deny PSDP, the CHUDD shall be instructed to issue Notice of Deficiency/ies to the applicant within two (2) days after the Sangguniang Panlungsod decision is made.

SECTION 5. NON-USE OF PSDP. - Upon issuance of a Preliminary Subdivision Development Plan, the grantee thereof shall have one year, reckoned from the date of issuance thereof, within which to commence or undertake the use, activity or development covered by such clearance on his/her property. Non-use of said PSDP within said period shall result in its automatic expiration, cancellation and the grantee shall not proceed with his/her project without re-applying for a new Preliminary Subdivision Development Plan.

SECTION 6. INSPECTION & PROCESSING FEE – There is hereby imposed a PSDP Inspection and Processing Fee at a flat rate of ₱50,000.00 per application.

SECTION 7. PENALTY. – The following shall be the penalty or sanction against condominium developers who committed any of the prohibited acts under this Ordinance:

- a) An administrative fine of Five Thousand Pesos (₱5,000.00) per each day of violation.

SECTION 8. REPEALING CLAUSE. - All ordinances or executive orders or provisions thereof



which are inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly in so far as they are inconsistent with the provisions of this Ordinance.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect upon its approval and publication in at least one newspaper in Cagayan de Oro City.

UNANIMOUSLY APPROVED.

AUTHOR: COUNCILOR EDGAR S. CABANLAS

- Present:**
- | | | |
|---------------------------------|--|------------------------------------|
| 1st District: | - Councilor Edna M. Dahino | - Councilor Jay R. Pascual |
| | - Councilor Reuben R. Daba | - Councilor Zaldy O. Ocon |
| | - Councilor Roger G. Abaday | - Councilor Lordan G. Suan |
| | - Councilor Romeo V. Calizo | - Councilor George S. Goking |
| 2nd District: | - Councilor Joyleen Mercedes L. Balaba | - Councilor Maria Lourdes S. Gaane |
| | - Councilor Teodulfo E. Lao, Jr | - Councilor Jocelyn B. Rodriguez |
| | - Councilor Ian Mark O. Nacaya | - Councilor Edgar S. Cabanlas |
| | - Councilor Suzette G. Magtajas-Daba | - Councilor Enrico D. Salcedo |
| Ex-Officio: | - Councilor Yan Lam S. Lim | - Councilor John Michael L. Seno |

ENACTED this 29th day of June 2020 in the City of Cagayan de Oro.

I hereby certify to the correctness of the foregoing Ordinance.

ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Attested as duly enacted:

RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PRESIDING OFFICER

Approved:

OSCAR S. MORENO
CITY MAYOR

Attested:

TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR

PRESCRIBED INTO ORDINANCE
PER SEC 94, PAR. 6, CH III OF RA 7160
ON JULY 20, 2020
PER RECEIPT BY THE CITY MAYOR'S OFFICE
ON JULY 10, 2020

RAUL G. MOLDEZ
Asst. City Council Secretary