



Republic of the Philippines
CITY OF CAGAYAN DE ORO

OFFICE OF THE CITY COUNCIL

(08822) 724854; (088) 857-4029; 857-4035; 857-2258

OCT. 7, 2015



ORDINANCE NO. 9528-2005

AN ORDINANCE ADOPTING THE IMPLEMENTING RULES AND REGULATIONS OF ORDINANCE NO. 6854-99, "REGULATING THE CONSTRUCTION OR ERECTION OF ANY BUILDING, HOUSE, POST OR OTHER STRUCTURES IN THE CITY, PROVIDING PENALTY FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES"

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

SECTION 1. - The Implementing Rules and Regulations of Ordinance No. 6854-99, "Regulating the construction or erection of any building, house, post or other structures in the City, providing penalty for violation thereof, and for other purposes", is hereby adopted, to read in full as follows:

**"THE IMPLEMENTING RULES AND REGULATIONS OF
ORDINANCE NO. 6854-99**

Article 1. - Title.- These rules shall be known and cited as the Rules and Regulations implementing Ordinance No. 6854-99, *Regulating the Construction or Erection of Any Building, House, Post or Other Structures in the City, Providing Penalty for Violation Thereof And for Other Purposes.*

Article 2. - Purpose.- These rules are promulgated to prescribe the procedure for the implementation of Ordinance No. 6854-99 in order to facilitate compliance therewith.

Article 3. - Scope of Application.- (a) All persons, natural or juridical, including any agency or instrumentality of the government shall be prohibited to construct or erect any building, house, post or other structures in the City or cause the same to be done without first obtaining a building permit therefor from the Office of the Building Official, this City.

(b) Likewise, any government official or employee shall be prohibited from issuing a certificate or any document stating or declaring a parcel of land as timberland, public land, accretion land (sea or river), abandoned road or land, or dried up creek or river to any person or association which would be used by said person or association as his/their basis in entering into and/or occupying public or private land within the City of Cagayan de Oro.

Article 4. - Implementation.- The punong barangays of this City through their respective members of the Barangay Police Units shall be authorized and/or deputized to summarily stop and/or demolish all new constructions in all public and/or private lands in the City without building permits.

The following procedure shall govern the summary demolition of new constructions without building permits duly issued by the City Building Office:

- (a) **Verification.** - The punong barangay shall secure a certification from the Office of the Building Office that the new construction is not covered by a duly issued building permit.
- (b) **Notice.** - The punong barangay shall serve a notice of violation to the owner or person in charge of the new construction and advising him/her to voluntarily stop and/or demolish such illegal construction within ten (10) days from receipt of said notice; and furnishing copies thereof to the City Legal Office, and the Cagayan de Oro City Police Office.
- (c) **Demolition.** - After the lapse of ten (10) days as prescribed in the Notice of Violation, the punong barangay shall issue a Demolition Order stating therein the date and time of the demolition and the name of barangay officials and/or barangay police who will undertake the demolition; and furnishing copies thereof to the owner of the illegal construction/structure, the City Legal Office, the Office of



OFFICE OF THE CITY COUNCIL

(08822) 724854; (088) 857-4029; 857-4035; 857-2258

PAGE 2 OF 2, ORDINANCE NO. 9528-2005.

the Building Office and the Cagayan de Oro City Police Office at least 72 hours from the date of the scheduled demolition.

Article 5. - Penalty.- (a) Any person, officer or person in charge of a firm or corporation, or head of any agency or instrumentality of the government found violating the provisions of these Rules and Ordinance No. 6854-99 shall be penalized by an administrative fine of ₱3,000.00 and imprisonment of one (1) year, without prejudice to the demolition of the illegal construction.

(b) In addition to the above penalty, any person found violating any provision of Ordinance No. 6854-99, or any person found guilty of premature entry into any land of the City Government for relocation purposes shall not be eligible or shall be automatically disqualified as beneficiary of the Relocation Program of the City Government.

(c) The barangay officials found remiss in implementing par. (b) of Article 3 hereof shall be held administratively liable under R.A. 7160."

SECTION 2. This Ordinance shall take effect after 15 days following its publication in a local newspaper of general circulation.

UNANIMOUSLY APPROVED.

Present:

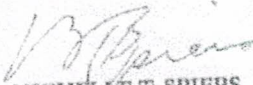
- Councilor Juan Y. Sia
- Councilor Edgar S. Cabanlas
- Councilor Alfonso C. Goking
- Councilor Caesar Ian B. Acenas
- Councilor Simeon V. Licayan
- Councilor Alexander S. Dacer
- Councilor Annie Y. Daba
- Councilor Ian Mark Q. Nacaya
- Councilor Reynaldo N. Advincula
- Councilor Maryanne C. Enteria
- Councilor Zaldy O. Ocon
- Councilor Benmarc P. Garcia

Out of the Session Hall: - Councilor Jose Benjamin A. Benaldo - Councilor Alvin R. Calingin

DONE in the City of Cagayan de Oro this 31ST day of January 2005.

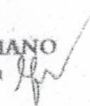
I hereby certify to the correctness of the aforesated Ordinance.

Attested as duly enacted:

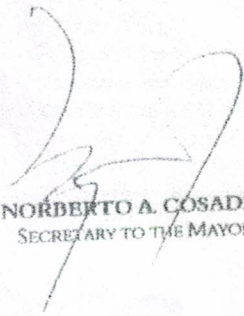

MICHELLE T. SPIERS
CITY VICE MAYOR
PRESIDING OFFICER


ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY

Approved:


VICENTE Y. EMANO
CITY MAYOR

Attested:


NORBERTO A. COSADIO
SECRETARY TO THE MAYOR