



Republic of the Philippines  
 Province of Cavite  
**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**  
 Trece Martires City



**EXCERPTS FROM THE MINUTES OF THE 25<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF CAVITE HELD ON 08 SEPTEMBER 2003 AT THE NEW SESSION HALL, CAPITOL BUILDING, TRECE MARTIRES CITY**

**PRESENT:**

Hon. Juanito Victor C. Remulla Jr.	Vice Governor/Presiding Officer
Hon. Bernard Michael I. Bautists	Majority Floor Leader
Hon. Strike B. Revilla	Minority Floor Leader
Hon. Iluminada F. Silao	Sanggunian Member
Hon. Alex L. Advincula	Sanggunian Member
Hon. Rafael S. Rodriguez	Sanggunian Member
Hon. Dominic R. Tolentino	Sanggunian Member
Hon. Arleen C. Arayata	ABC Prov'l Fed. Pres.
Hon. Sophia Marie G. Pagtakhan	SK Prov'l. Fed. Pres.

**ABSENT:**

Hon. Hermogenes C. Arayata III	Sanggunian Member
Hon. Hilda P. Mendoza	Sanggunian Member
Hon. Teodoro S. Sanchez	Sanggunian Member
Hon. Cesario R. Del Rosario	Sanggunian Member
Hon. Jose Rozel E. Hernandez	SB Prov'l. Fed. Pres.

**PROVINCIAL ORDINANCE NO. 2003-005**

**AN ORDINANCE REQUIRING ALL SUBDIVISION DEVELOPERS DOING BUSINESS IN THE PROVINCE OF CAVITE TO PROVIDE SLOPE PROTECTION, A ONE-METER PATH WALK AND TWO-METER PLANT STRIP, TO BE PLACED AT THE EDGE OF THE PROPERTY LINE OF THE THREE-METER EASEMENT, BEFORE COMMENCING CONSTRUCTION OF ANY HOUSING UNIT, AND PROVIDING PENALTIES FOR VIOLATION THEREOF**

**Sponsored by: Hon. Alex L. Advincula**

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**WHEREAS**, in support of the State to afford its inhabitants the requirement for decent human settlement, and to provide them with ample opportunities for improving their quality of life, Presidential Decree No. 957, which regulates the sale of subdivision lots and condominiums, was signed and approved by then President Ferdinand E. Marcos;

**WHEREAS**, pursuant to this, Batas Pambansa Blg. 220, *An Act Authorizing the Ministry of Human Settlements to Establish and Promulgate Different Levels of Standards and Technical Requirements for Economic and Socialized Housing Projects in Urban and Rural Areas From Those Provided Under Presidential Decree Nos. 957, 1216, 1096 and 1185*, was approved into law on March 25, 1992;



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**WHEREAS**, the enactment of these laws encouraged the development of subdivisions and condominiums, and economic and socialized housing projects, primarily by the private sector, in order to make available adequate housing units for above-income, middle-income and low-income earners in urban and rural areas;

**WHEREAS**, considering its strategic location and increasing number of population, the province of Cavite is one of the areas identified and chosen by these developers to have their subdivisions and socialized housing units developed, thus making their projects more feasible and marketable;

**WHEREAS**, the province has numerous subdivisions and housing units that were already sold and occupied and yet, a large number is still being developed;

**WHEREAS**, despite the fact that this development helps the local government in resolving the problem on housing, it is necessary that these developments be regulated with the end in view of ensuring that the environment is well protected and that the occupants are free from any harm and/or damage;

**WHEREAS**, it is necessary that slope protection be provided, existing creeks/waterways based on cadastral map be preserved, and a one-meter wide path walk and two-meter plant strip be constructed at the edge of the property line of the three-meter easement to prevent encroachment and acquisition of excess lots by lot owners, and to prevent squatting along existing waterways;

**WHEREFORE**, there is a need to enact an ordinance to this effect;

**NOW, THEREFORE**, be it ordained by the Sangguniang Panlalawigan in session assembled that:

**SECTION 1. SCOPE**

This ordinance covers all developers of potential subdivisions, including condominiums, low-cost and mass housing projects.

**SECTION 2. DEFINITION OF TERMS**

1. **Developer** – shall mean any person, natural or juridical, who develops or improves the subdivision and condominium projects, and economic and socialized housing projects for and in behalf of the owner thereof.

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2. **Slope Protection** – shall mean the natural slope of land, which shall be preserved as much as practicable to protect the existing vegetation and topsoil for erosion and flooding control. Where grading and ditching are necessary, these must follow the natural drainage way or contour, protected by plants, stone or concrete fill.
3. **Property Line or Lot Line** – shall mean line or demarcation between either public or private property.
4. **Easement or Setback** – shall mean an encumbrance imposed on an immovable for the benefit of another immovable belonging to a different owner.
5. **Path Walk** – shall mean a public way intended for the recreational activities of the homeowners such as jogging, walking or biking.
6. **Plant Strip** – shall mean an area exclusively intended for planting to control soil erosion and flooding, as well as to enhance the natural beauty of the place.

**SECTION 3. REQUIREMENTS**

1. Subdivision developers shall incorporate in their development plan the construction of slope protection, one-meter-path walk and two-meter plant strip.
2. Subdivision developers shall provide slope protection to prevent soil erosion through the construction of riprap or retaining wall along creeks/waterways and shall ensure that existing creeks/waterways based on cadastral map are preserved and their relocation or diversion not allowed.
3. Subdivision developers shall construct the one-meter path walk and two-meter plant strip at the edge of the property line of the three-meter easement before commencing construction of any housing unit.
4. The CPDO/MPDO shall ensure that the provision on path walk has been complied with before acceptance of deed of donation for open spaces, road lots and easements.

**SECTION 4. RESPONSIBILITIES OF CITY/MUNICIPAL PLANNING AND DEVELOPMENT OFFICE (CPDO/MPDO)**

1. The CPDO/MPDO shall be held responsible in studying the development plan of the developers and shall ensure that the requirement on the three-meter easement is included in the development plan.

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2. In the absence of this requirement in the subdivision's development plan, the CPDO/MPDO shall recommend to the concerned Sangguniang Panlungsod/Sangguniang Bayan the non-issuance of the development permit.
3. The CPDO/MPDO shall likewise monitor the construction of the project.

**SECTION 5. PENALTY**

Any person found guilty of violating this Ordinance shall pay a fine not exceeding Five Thousand Pesos (P5,000.00) or imprisonment not exceeding one (1) year, or both, at the discretion of the court.

However, while the project is ongoing and upon the developer is found to have violated any provision of this Ordinance, the Sangguniang Panglungsod/Sangguniang Bayan concerned shall have the authority to cancel and/or revoke the development permit, upon the recommendation of the CPDO/MPDO.

**SECTION 6. IMPLEMENTING RULES AND REGULATIONS**

The Provincial Planning and Development Office, within thirty (30) days from the effective date of this Ordinance, shall formulate the rules and regulations necessary to its implementation.

**SECTION 7. SEPARABILITY CLAUSE**

If, for any reason, any section or provision of this Ordinance shall be declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 8. EFFECTIVITY**

This Ordinance shall take effect immediately after its publication to any newspaper of national circulation.

**UNANIMOUSLY APPROVED.**

  
**JUANITO VICTOR C. REMULLA, JR.**  
*Vice-Governor/Presiding Officer*

  
**BERNARD MICHAEL I. BAUTISTA**  
*Majority Floor Leader*

**STRIKE B. REVILLA**  
*Minority Floor Leader*

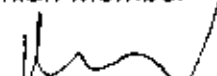


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**ILUMINADA F. SILAO**  
Sanggunian Member

  
**RAFAEL S. RODRIGUEZ**  
Sanggunian Member


  
**SOPHIA MARIE G. PAGTAKHAN**  
SK Prov'l. Fed. President

  
**ALEX L. ADVINCULA**  
Sanggunian Member

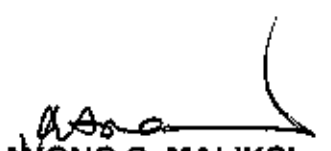
  
**DOMINIC R. TOLENTINO**  
Sanggunian Member

  
**ARLEEN C. ARAYATA**  
ABC Prov'l. Fed. President

ATTESTED:

  
**ROMEO C. MENDOZA**  
Provincial Secretary

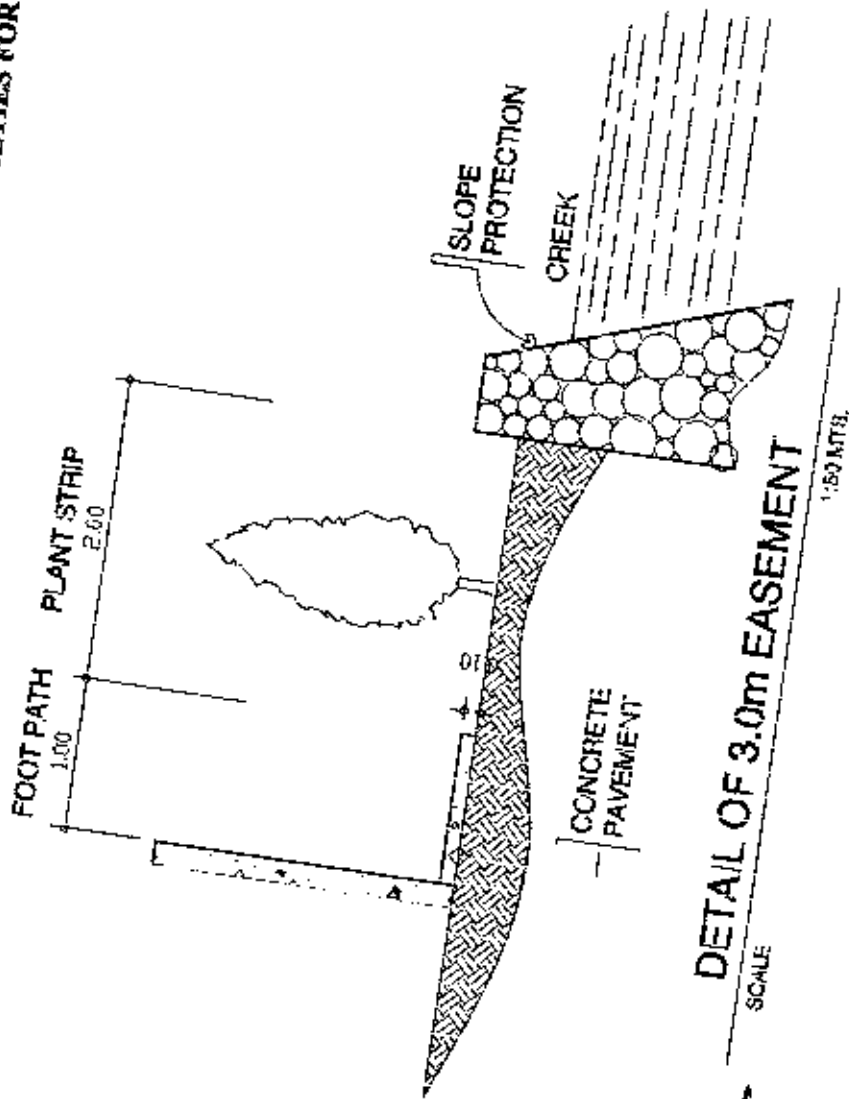
APPROVED:

  
**AYONG S. MALIKSI**  
Provincial Governor

RCM/lmc

**GENERAL ORDINANCE NO. 2003-005**

**REQUIRING ALL SUBDIVISION DEVELOPERS DOING BUSINESS IN THE PROVINCE OF CAVITE TO PROVIDE SLOPE PROTECTION, A FOOT PATH AND TWO-METER PLANT STRIP, TO BE PLACED AT THE EDGE OF THE PROPERTY LINE OF THE THREE-METER EASEMENT BEFORE COMMENCING CONSTRUCTION OF ANY HOUSING UNIT, AND PROVIDING PENALTIES FOR VIOLATION THEREOF**



Approved by:

**HON. ALEX L. ADVINCULA**  
Chairman, Committee on Public Works

Republic of the Philippines <b>PROVINCE OF CAVITE</b> <i>Trece Martires City</i> <b>PROVINCIAL ENGINEERING OFFICE</b>	Project Title / Location : <b>DETAIL OF 3.00 m EASEMENT</b>	Prepared by: <i>[Signature]</i> <b>GEMMA F. NARILE</b> CIVIL ENGINEER	Submitted by: <i>[Signature]</i> <b>ROBERT S. SMOULAVAN</b> JR. - II CIVIL ENGINEER	Checked by: <i>[Signature]</i> <b>PHILMO A. VINZON</b> ASST. PROVINCIAL ENGINEER	Approved by: <i>[Signature]</i> <b>LEOPOLDO G. CONTEMPRATO JR.</b> PROVINCIAL ENGINEER
	SCALE 1:50 MTR.				