



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



EXCERPTS FROM THE MINUTES OF THE 14th REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF CAVITE HELD ON 20 JUNE 2005 AT THE SESSION HALL, CAPITOL BUILDING, TRECE MARTIRES CITY

PRESENT:

Hon. Juanito Victor C. Remulla, Jr.	Vice-Governor/Presiding Officer
Hon. Recto M. Cantimbuhan	Pro-Tempore
Hon. Hermogenes C. Arayata III	Majority Floor Leader
Hon. Cesario R. del Rosario, Jr.	Minority Floor Leader
Hon. Eileen R. Beratio	Sanggunian Member
Hon. Dencito P. Campaña	Sanggunian Member
Hon. Iluminada F. Silao	Sanggunian Member
Hon. Luis T. Pagtakhan	Sanggunian Member
Hon. Rafael S. Rodriguez	Sanggunian Member
Hon. Arleen C. Arayata	ABC Prov'l. Fed. Pres.
Hon. Rodel R. Bacos	SB Prov'l. Fed. Pres.
Hon. Hilda P. Mendoza (On Official Leave)	Sanggunian Member

ABSENT:

Hon. Alex L. Advincula	Sanggunian Member
Hon. Sophia Marie G. Pagtakhan	SK Prov'l. Fed. Pres.

RESOLUTION NO. 227-S-2005

WHEREAS, Section 27 of Republic Act 7279 otherwise known as the Urban Development and Housing Act of 1992 mandates local government units to adopt measures to identify and curtail the nefarious and illegal activities of professional squatters;

WHEREAS, despite this mandate, there is a noticeable proliferation and maintenance of professional and illegal squatters in many towns and cities in the Province of Cavite;

WHEREAS, there is a need for an integrated mechanism down to the barangay level of the province by which the illegal activities of the professional and illegal squatters should be dismantled, stopped and totally curtailed;

WHEREAS, a local ordinance seem necessary in order to specifically and successfully carry out within the province the general mandate of Section 27 of Republic Act 7279 or the Urban Development Housing Act of 1992.

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

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Page 2: EXCERPTS, 14TH Regular Session
June 20, 2005 Res. # 227-S-2005

PROVINCIAL ORDINANCE NO. 2005-04

AN ORDINANCE TO CURTAIL ILLEGAL ACTIVITIES OF PROFESSIONAL AND ILLEGAL SQUATTERS IN THE PROVINCE OF CAVITE

Sponsored by: HON. RAFAEL S. RODRIGUEZ
Co-Sponsored by: HON. DENCITO P. CAMPAÑA,
HON. RECTO M. CANTIMBUHAN, HON. HERMOGENES C. ARAYATA III,
HON. ALEX L. ADVINCULA, and HON. CESARIO R. DEL ROSARIO JR.

SECTION 1. TITLE AND SCOPE – This Ordinance shall be entitled “*An Ordinance to Curtail Illegal Activities of Professional and Illegal Squatters within the Province of Cavite.*”

SECTION 2. DECLARATION OF PRINCIPLES– It is hereby declared that professional and illegal squatters are public nuisance and the local government units have the right and authority to abate it.

SECTION 3. DEFINITION OF TERMS. As used in this ordinance, the following shall mean:

1. **Professional and illegal squatters** - are those who occupy lands without the consent of landowners and those who construct house/s or structure/s of any kind thereon including public property without permits from the Building Officials of the appropriate City or Municipality.

SECTION 4. MECHANISM TO DISMANTLE, STOP AND CURTAIL ILLEGAL ACTIVITIES OF PROFESSIONAL AND ILLEGAL SQUATTERS

- 1) The Building Officials of towns and cities in the Province Of Cavite are hereby required and directed to identify professional and illegal squatters within their respective jurisdiction. The identification of professional and illegal squatters shall be done through the Barangay councils under the respective Barangay Chairmen. Once identified, the Building Officials are empowered and authorized to curtail the continuing activities of illegal squatters by removing and/ or stopping their illegal constructions, including houses or buildings or any other structures, which were built on public or private property without valid building permits. The Building Officials can summon the assistance of the local Philippine National Police (PNP) in order to carry out this mandate and obligation. The Provincial Director and Superintendents of the local Philippine National Police are required to lend assistance to the Building Officials upon prior written request of the latter.



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Province of Cavite
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Trece Martires City



Page 3: EXCERPTS, 14TH Regular Session
June 20, 2005 Res. # 227-S-2005

- 2) The Chairmen of all barangays in the Province of Cavite are required and directed to provide the Building Official of the locality, upon the latter's written request, with a list of existing professional and illegal squatters within their respective barangays. The Barangay Chairmen shall also have the responsibility of promptly reporting to the Building Official any or all constructions on either public or private property within their jurisdiction which are done or being done without the required building permits.

SECTION 5. ACTION AGAINST OFFENDERS

1. Apart from the summary eviction of offenders and demolition of their illegal constructions as set forth in Section 4, the Building Officials of towns and cities in the Province of Cavite can file a criminal complaint and/or action against the duly identified illegal and professional squatters before the proper Public Prosecutor's Office or such appropriate court of law within their respective jurisdiction.
2. Any private individual abetting or tolerating the commission of illegal squatting as set forth above can also be criminally charged by the concerned Building officials, along with the duly identified illegal and professional squatters.
3. A public official or employee who fails, neglects or refuses to carry out the provision or provisions of this Ordinance, or who abets and tolerates illegal squatting shall be dealt with in accordance with existing administrative laws, without prejudice to the filing by the Office of the Provincial Attorney of appropriate civil or criminal action against such erring public official or employee.

SECTION 6. PENALTY CLAUSE. – Any person who may be found by a court of law guilty of illegal squatting and/or found to have violated any provision or provisions of this Ordinance shall be meted the penalty of one (1) year imprisonment or a fine of Five Thousand Pesos (P5, 000.00) or both at the discretion of the court.

SECTION 7. SEPARABILITY CLAUSE. – The provisions of this Ordinance are hereby declared to be separable, and in the event one or more of such provisions are held unconstitutional, the validity of other provisions shall not be affected hereby.



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OFFICE OF THE SANGGUNIANG PANLALAWIGAN
 Trece Martires City



Page 4: EXCERPTS, 14TH Regular Session
 June 20, 2005 Res. # 227-S-2005

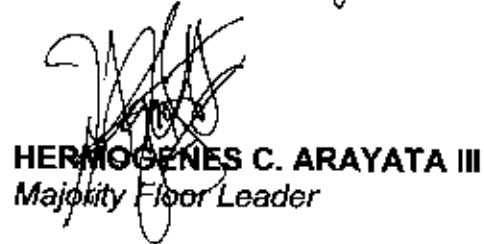
SECTION 8. EFFECTIVITY CLAUSE. – This ordinance shall take effect immediately upon compliance with posting and publication as set forth in Sec. 511 of R. A. No. 7160 otherwise known as the Local Government Code of 1991.

UNANIMOUSLY APPROVED.

I hereby certify to the correctness of the foregoing.


JOSE R. DE CASTRO, SR.
 Provincial Board Secretary


RECTO M. CANTIMBUHAN
 Pro-Tempore


HERMOGENES C. ARAYATA III
 Majority Floor Leader

CESARIO R. DEL ROSARIO, JR.
 Minority Floor Leader

EILEEN R. BERATIO
 Sanggunian Member

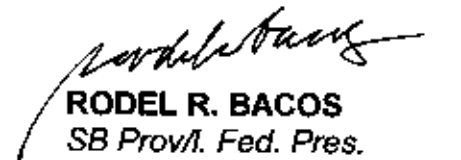

DENOTE F. CAMPAÑA
 Sanggunian Member


ILUMINADA F. SILAO
 Sanggunian Member

LUIS T. PAGTAKHAN
 Sanggunian Member


RAFAEL S. RODRIGUEZ
 Sanggunian Member

ARLEEN C. ARAYATA
 ABC Prov'l. Fed. Pres.


RODEL R. BACOS
 SB Prov'l. Fed. Pres.

ATTESTED:

APPROVED:


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


AYONG S. MALIKSI
 Provincial Governor