



Republic of the Philippines
MUNICIPALITY OF IBA
Province of Zambales

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF IBA, ZAMBALES HELD ON **OCTOBER 15, 2014** AT THE MUNICIPAL SESSION HALL.

PRESENT:

HON. BENJAMIN R. FARIN, JR., Vice Mayor and Presiding Officer

SANGGUNIANG BAYAN MEMBERS

HON. FRANCISCO P. ALDEA
HON. GENARO N. MONTEFALCON
HON. LANIE T. NENGASCA
HON. ALCADE R. FALLORIN
HON. SALVADOR R. REDONDO
HON. DANILO M. BALLESTEROS
HON. LILIA B. BUTARAN
HON. NOEL D. SARMIENTO
HON. EDGAR C. PAYUMO, ABC President

ABSENT:

N O N E

**ORDINANCE NO. 014
Series of 2014**

AN ORDINANCE IMPLEMENTING PREEMPTIVE EVACUATION OF RESIDENTS WHEN A DISASTER OR EMERGENCY HAS BEEN DECLARED IN THE MUNICIPALITY OF IBA, ZAMBALES WHERE DANGER OF LOSS OF LIVES BECOMES IMMINENT

Introduced by Kgd. Danilo Ballesteros

Be it ordained by the Sangguniang Bayan of Iba, Zambales

SECTION 1. Pursuant to the General Welfare Clause of the Local Government Code, It is hereby a declared policy of the Municipality of Iba to protect the lives of its residents at all times and whenever possible to mitigate the effects of man-made and natural disasters within the Municipality of Iba, Zambales.

SECTION 2. DEFINITION OF TERMS – As used in this Ordinance, the following terms shall mean:

As used in this Ordinance:

2.1 “Disaster” – means the result of a natural or man-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 man-made disasters, including but not limited to nuclear power plant incidents, hazardous materials incidents, oil spills, explosion, civil disturbances, public calamity, acts of terrorism, hostile military action, and other events related thereto;

2.2 “Imminent Danger” – means an immediate threat of harm;

2.3 “Evacuation” – means an operation whereby all or part of a particular population is temporarily or permanently relocated, whether individually or in an organized manner, from an area in which a disaster or emergency has been declared and is considered dangerous for health or safety of the public;

2.4 “Preemptive evacuation” – means an evacuation ordered when a disaster or emergency has been declared and danger of loss of life is imminent, and conditions exist that critically imperil or endanger the lives of those in a defined area that must be immediately implemented including physical removal of an affected population from an area identified as under imminent threat.

SECTION 3. TRAINING AND ORIENTATION ON DISASTER RISK REDUCTION AND MANAGEMENT – The Municipal Disaster Risk Reduction and Management Office (MDRRMO) shall organize and conduct training and orientation on the possible natural hazards, vulnerabilities and climate change risks as well as knowledge management activities on disaster risk reduction and management within the locality at least once during summer as declared by the Philippine Atmospheric and Astronomical Services Administrative (PAGASA).

The foregoing trainings, orientations, activities and information dissemination shall be intensified and made AS OFTEN AS NECESSARY at the onset of the rainy season as declared by PAGAS.

During the aforesaid trainings and orientations, the MDRRMO shall also discuss and highlight in local dialect understood by almost everyone RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010; DILG MC No. 2012-35 dated 21 February 2012 regarding the guidelines in ensuring public safety during man-made and natural disaster; this ordinance; and other laws, rules and regulations on disaster risk reduction and management.

The MDRRMO shall conceptualize posters, newsletters, brochures and pamphlets regarding disaster risk reduction and management and cause the same to be posted at the conspicuous places of the city/municipality and/or, if possible, disseminate through radio and TV advertisements.

SECTION 4. PREEMPTIVE EVACUATION – if upon the assessment or determination of the MDRRMC, a preemptive evacuation of local residents is already necessary, said Council shall immediately make recommendation of such assessment or determination.

On the basis of such recommendation, the Municipal Mayor shall immediately declare the implementation/enforcement of evacuation which shall not be limited to the following.

- a. The designated area where vehicles provided by the municipal government are waiting to transport local residents to the identified evacuation centers;
- b. Evacuation centers or such places where the evacuated local residents will be temporarily taken;
- c. The necessity of the evacuated local residents to stay in the aforesaid evacuation centers until there be another issuance declaring that the imminent danger within the affected area is no longer there, if this still possible; and
- d. Measures ensuring the safety of local residents in the evacuation areas.

However, immediately after declaration of forced evacuation but before actual implementation/enforcement thereof, the municipal government shall see to it that the local residents are informed in local dialect easily understood by almost everyone of the need for them to evacuate and that there is no other alternative way to ensure their safety.

SECTION 5. ENLIST OF ASSISTANCE OF OTHER GOVERNMENT AGENCIES – In declaring the implementation/enforcement of forced evacuation, the members of the PNP, AFP, BFP, and BJMP assigned within the affected locality may be established by the Municipal Mayor.

All emergency measures adopted shall be a coordinative and collaborative effort between the Municipal Government, BFP units and PNP units.

SECTION 6. Refusal of local residents to leave their homes or, after evacuating, go back therein without an order allowing them to do so – In the event that local residents refuse to leave their homes or after evacuating, go back to their homes/affected areas without an order issued to this effect, the municipal government as well as the members of the mobilized units of the PNP, AFP, BFP and BJMP may use force that is commensurate under the circumstances without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, elderly and persons with disabilities, that lives are safely secured.

SECTION 7. PENALTY CLAUSE – Any public official found to have violated any of the pertinent provisions of this ordinance shall be subjected to a fine not exceeding Php 2,500 or imprisonment not exceeding six months or both upon the discretion of the court, without prejudice to administrative sanctions as may be imposed under existing laws, rules and regulations.

SECTION 8. REPEALING CLAUSE – Any ordinance, order memorandum, rules and regulation inconsistent with the provision of this ordinance is hereby modified or repealed accordingly.

SECTION 9. EFFECTIVITY – This Ordinance shall take effect fifteen (15) days after its approval by the Sangguniang Panlalawigan

Enacted this 15th Day of October 2014

FRANCISCO P. ALDEA
SB Member

GENARO N. MONTEFALCON
SB Member

LANIE T. NENGASCA
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LILIA B. BUTARAN
SB Member

NOEL D. SARMIENTO
SB Member

EDGAR C. PAYUMO
ABC President

CERTIFIED CORRECT:

BENJAMIN R. FARIN, JR
Vice Mayor and Presiding Officer

ATTESTED:

NOLITO V. BASUL
Secretary to the
Sangguniang Bayan

Approved by his Honor, the Municipal Mayor of Iba, Zambales this _____ Day of March 2014.

APPROVED:

JUN RUNDSTEDT C. EBDANE
Municipal Mayor