



Republic of the Philippines
Province of Quezon
MUNICIPALITY OF POLILLO
-00000-

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 92nd REGULAR SESSION OF
THE SANGGUNIANG BAYAN OF POLILLO, QUEZON HELD AT THE
SESSION HALL OF THE MUNICIPAL BUILDING OF
POLILLO, QUEZON ON JUNE 11, 2018 AT 9:00 A.M.

PRESENT:

Honorable Loel F. Santoalla,	Municipal Vice Mayor & Presiding Officer,
Honorable Rudy S. Pumarada,	Municipal Councilor,
Honorable Efren C. Atendido,	Municipal Councilor,
Honorable Joel V. Asis,	Municipal Councilor,
Honorable Hubert Bismarck A. Espiritu,	Municipal Councilor,
Honorable Bella A. Correces,	Municipal Councilor,
Honorable Edwin P. Susa,	President-PPLB/Ex-Officio.

ABSENT:

Honorable Rufino Rene Q. Marquita,	Municipal Councilor,
Honorable Albert R. Agunias,	Municipal Councilor, (O.B.),
Honorable Walter P. Calleja,	Municipal Councilor, (O.B.).

RESOLUTION NO. 106-2018

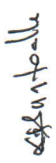
A RESOLUTION ENACTING AN ORDINANCE FORMULATING THE POLICIES AND GUIDELINES ON PRE-EMPTIVE OR FORCED EVACUATION IN RESPONSE TO MAN-MADE AND NATURAL DISASTER OF THE MUNICIPALITY OF POLILLO

WHEREAS, the Municipality of Polillo lies within the path of meteorological hazards (typhoons), within geological hazards (East Philippines Trench) and other man made calamities that threaten the lives and properties of it's people;

WHEREAS, Pursuant to RA 7160, otherwise known as the Local Government Code of 1991; RA 10121, otherwise known as the Philippine Risk Reduction Management Act of 2010; and DILG Memorandum Circular No. 2012-35 re: Guidelines in ensuring Public Safety during Man-made and Natural Disasters dated February 21, 2012 and in line with the Municipality of Polillo's objective for zero casualties and thus mitigate the effects of meteorological, geological, and man-made disasters and calamities hereby adopts these policies and guidelines for the adoption and implementation of necessary emergency measures such as pre-emptive evacuation in area declared to be in imminent danger;

WHEREAS, the Municipality of Polillo is mandated to carry out such emergency measures as may be necessary before, during, and in the aftermath of meteorological, geological, and man-made disasters and calamities, and strengthen it's capacity in mitigating and preparing for, responding to, and recovering from the impact of disasters;


ENGR. CRISTINA E. BOSQUE
Municipal Mayor


LOEL F. SANTOALLA
Municipal Vice Mayor &
Presiding Officer


MEDICINE C. ASIS
Secretary of the Sangguniang Bayan I




WHEREAS, for proper adoption and implementation of this Ordinance the Pre-emptive/Forced Evacuation Committee, which is composed of the following is hereby created:

Municipal Environment and Natural Resources Officer	Chairperson
Municipal Planning and Development Coordinator	Vice Chairperson
Local Disaster Risk Reduction and Management Officer	Member
SB Chairperson, Committee on Clean & Green/ Solid Waste Management/ Disaster Preparedness	Member
Local Chief of Police	Member
Local Fire Marshall	Member
Municipal Engineer	Member
Municipal Social Welfare and Development Officer	Member
Municipal Health Officer	Member
General Services Officer	Member
Department of Education Superintendent	Member
Concerned Barangay Disaster Risk Reduction and Management Council	Member
Philippine Coast Guard	Member
Armed Forces of the Philippines	Member

NOW THEREFORE, on motion from the Committee on Rules and Privileges/Ordinances & Legal Matters through its Vice Chairman, Municipal Councilor Bella A. Correces, be it:

RESOLVED, as it is hereby resolved, to Enact an Ordinance formulating the policies and guidelines on pre-emptive or forced evacuation in response to man-made and natural disaster of the Municipality of Polillo;


ENGR. CRISTINA E. BOSQUE
Municipal Mayor


LOEL F. SANTOALLA
Municipal Vice Mayor &
Presiding Officer


MEDICINE C. ASIS
Secretary to the Sangguniang Bayan I



MUNICIPAL ORDINANCE NO. 130-2018

AN ORDINANCE FORMULATING THE POLICIES AND GUIDELINES ON PRE-EMPTIVE OR FORCED EVACUATION IN RESPONSE TO MAN-MADE AND NATURAL DISASTER OF THE MUNICIPALITY OF POLILLO

Be it ordained by this Honorable Sangguniang Bayan in its regular session assembled that:


Section 1. TITLE - This ordinance shall be known as AN ORDINANCE FORMULATING THE POLICIES AND GUIDELINES ON PRE-EMPTIVE OR FORCED EVACUATION IN RESPONSE TO MAN-MADE AND NATURAL DISASTER OF THE MUNICIPALITY OF POLILLO.

Section 2. OBJECTIVE - This ordinance aims to provide policies and guidelines for the just and safe eviction in dangerous areas before a disastrous scenario is encountered in support of the Local Government of Polillo's obligation to its constituents to preserve their lives from imminent danger through decisive, although strictly limited, steps to remove them from hard.

Section 3. DEFINITION -

1. **Disaster** – means a 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 typhoon, tornado, floods, high winds, storm surge, and other weather events, and man-made events, including but not limited to power plant incidents, hazardous materials incidents, oil, spill, explosions, civil disturbances, public calamity, acts of terrorism, hostile military actions, and other events in relation thereto;
2. **Calamity** – a disastrous event marked by a great loss and lasting distress and suffering.
3. **Evacuation** – means an operation whereby all or part of a particular population is temporarily relocated, whether individually or in an organized manner, from an area in which a disaster or emergency has been declared and is considered for health or safety of the public.
4. **Evacuation Center/Place** – a place where evacuees are brought before, during and after calamities/disasters such as but not limited to typhoon, flood, landslides, earthquakes or fire for care, safety and protection.
5. **Evacuees** – people who are withdrawn from a dangerous place or circumstance and brought to a center/place for care, safety, and protection.
6. **Forced Evacuation** – means an evacuation ordered as a resort when a disaster or emergency has been declared and danger of loss of life is imminent, and conditions exist that critically imperil or endangered for health or safety of the public.


ENGR. CRISTINA E. BOSQUE
Municipal Mayor


LOEL F. SANTOALLA
Municipal Vice Mayor &
Presiding Officer


MEDICINE C. ASIS
Secretary to the Sangguniang Bayan I



7. **Hazard** – a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.
8. **Public Official** – is any person who, by direct provisions of law, popular election or appointment of competent authority, takes part in the performance of public functions in the government, duties as an employee, agent or subordinate official or any rank or class who is charged with the implementation of this ordinance.

Section 4. EARLY WARNING SYSTEM - A banner with specified color shall be installed in a prominent place of every barangay to serve as indicator and the use of siren as circumstances warrant:

Yellow – awareness/no sound

Orange – preparedness/voluntary evacuation/siren with interval

Red – forced evacuation/continuous siren

Section 5. TRAININGS AND ORIENTATIONS - The Municipal Disaster Risk Reduction and Management Office (MDRRMO) shall organize and conduct trainings and orientations 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 Geophysical and Astronomical Services Administration (PAG-ASA).

The foregoing trainings, orientations, activities, and information dissemination shall be intensified and made once a year or at the discretion of the MDRRMC.


During the aforesaid trainings and orientations, the MDRRMO shall also discuss and highlight in local dialect RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010; DILG MC No. 2012-35 dated February 21, 2012 regarding the Guidelines in Ensuring Public Safety During Man-Made and Natural Disasters; this Ordinance and other laws, rules and regulations and 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 Municipality and/or, if possible, disseminate through radio and TV advertisements.

Section 6. EVACUATION PLAN - It shall be incumbent upon the Barangay Risk Reduction and Management Committee (BDRRMC) to prepare an Evacuation Plan in their respective localities or areas of jurisdiction prior to hazard.

Every Barangay shall work out a Permanent Evacuation Center to be utilized in case of emergency/disaster.


ENGR. CRISTINA E. BOSQUE
Municipal Mayor


LOEL F. SANTOALLA
Municipal Vice Mayor &
Presiding Officer


MEDICINE C. ASIS
Secretary to the Sangguniang Bayan I



In extreme cases, the LGU shall have the authority to negotiate with owners of buildings with strong/safe structures to be made as temporary evacuation center.

Section 7. ENLISTMENT OF ASSISTANCE OF OTHER GOVERNMENT AGENCIES - In declaring the implementation/enforcement of pre-emptive and forced evacuation, the Municipal Mayor may also enlist the assistance of the members of the PNP, AFP, BFP, and PCG assigned within the municipality; as well as accredited volunteers, civil society organizations and private sector groups with the capability and training in such emergency situation.

Every barangay may implement temporary evacuation plan. Public school classrooms maybe used as temporary evacuation center and duplicate key of rooms may be availed of by the Punong Barangay for accessibility.

All emergency measures adopted shall be a coordinative and collaborative effort between the municipal government and the assisting agencies.

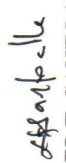
Section 8. IMPLEMENTATION OF FORCED OR PRE-EMPTIVE EVACUATION - Upon the recommendation of the Municipal Disaster Risk Reduction and Management Council, the Municipal Mayor may, in coordination with the Barangay Disaster Risk Reduction and Management Council, direct the implementation of the pre-emptive or forced evacuation in case of disaster or calamity.

The Municipal Mayor, upon the recommendation of the Municipal Disaster Risk Reduction Management Council, may determine the period when the affected residents may be allowed to return or go back to their homes, if this is possible.

On the basis of such recommendation, the Municipal Mayor shall immediately declare the implementation/enforcement of pre-emptive and forced evacuation which shall include but not limited to the following:

1. The designated area where vehicles provided by the Municipal Government are waiting to transport local residents to the identified evacuation centers;
2. Evacuation centers or such places where the evacuated local residents will be temporarily taken will be at the municipal hall, public schools, barangay halls, or such other place at the MDDRMC may deem it fit;
3. 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 is still possible; and
4. 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 of the need for them to be evacuated and that there is no other alternative way to ensure their safety.
5. The members of the Philippine National Police, Armed Forces of the Philippines, Bureau of Fire Protection, and Philippine Coast Guard are enlisted to provide assistance to affected areas;


ENGR. CRISTINA E. BOSQUE
Municipal Mayor


LOEL F. SANTOALLA
Municipal Vice Mayor &
Presiding Officer



MEDICINE C. ASIS
Secretary to the Sangguniang Bayan I



6. The Municipal Disaster Risk Reduction and Management Council in coordination with the Barangay Disaster Risk Reduction and Management Council and Philippine National Police shall ensure strict enforcement of forced evacuation or the prohibition of fishing activities in areas declared by PAGASA under PSWS No. 1 or higher, such as when a resident/fisherman refused to leave the area, despite declaration by the local chief executive of forced evacuation, or when residents/fisherman go back to their homes/affected areas without an order issued to this effect;
7. Forced evacuation should be carried out in a manner that is humane, respectful of the dignity of persons, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and persons with disabilities;
8. The Municipal Social Welfare and Development Office (MSWDO) should ensure that shelter and relief especially for the sick and elderly is provided for the evacuees on the evacuation centers.
9. Members of the Barangay Disaster Risk Reduction and Management Council should go house to house to ensure that all citizens are evacuated and to convince further those who refuse to evacuate impressing on them the gravity of the risk and that the Municipal might not be able to reach them in case of grave danger.
10. Personnel of the Municipal Health Office should be utilized in the course of evacuation to ensure that all health concerns and emergencies are provided. The same personnel should also be designated in the evacuation centers to prevent epidemics from occurring. Medical assistance shall also be provided for the sick, the elderly, and the disabled.
11. In cases that residents in disaster risk areas refuse to evacuate their residences, even after all efforts to inform them of the dangers are exhausted, the Municipal Government of Polillo shall have the power to mandatorily evacuate the residents by any means but which will not degrade or harm the residents.
12. Evacuated local fishermen or local residents shall not be allowed to return to their respective homes unless storm signal warnings were lowered by the PAGASA or the Mayor issues an order to this effect.
13. The Committee on Forced/Pre-Emptive Evacuation shall be responsible in determining the assistance needed for the recovery of the evacuees.

Section 9. MANNER/MANAGEMENT OF FORCED EVACUATION - In the event that local residents refuse to leave their homes even after notice/order 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 PCG may use such physical force that commensurate under the circumstances, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and persons with disabilities, with the end view that lives are safely secured.


ENGR. CRISTINA E. BOSQUE
Municipal Mayor


LOELF. SANTOALLA
Municipal Vice Mayor &
Presiding Officer


MEDICINE C. ASIS
Secretary to the Sangguniang Bayan I



Section 11. IMPLEMENTING RULES AND REGULATION - To further understand this ordinance, the MDRRMC shall formulate the necessary IRR.

Section 12. PENALTY CLAUSE - Any private individual/person or public official mandated who fails to implement this Ordinance shall be subjected to a fine not exceeding Two Thousand Five Hundred Pesos (Php2,500.00) or imprisonment not exceeding six (6) months or both at the discretion of the court, without prejudice to administrative sanctions as may be imposed under existing laws, rules, and regulations.

Section 12. SEPARABILITY CLAUSE - If, for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 13. REPEALING CLAUSE. - All ordinances, as well as pertinent rules and regulations thereof, which are inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.

Section 14. EFFECTIVITY - This ordinance shall take effect immediately after its posting at conspicuous places in the Municipality for at least three (3) consecutive weeks

APPROVED UNANIMOUSLY.
June 11, 2018

X-----X

*Pursuant to Section 54 and 469 of the Local Government Code of 1991, I hereby certify that **Resolution No. 106-2018 (Municipal Ordinance No. 130-2018)** was adopted by the Sangguniang Bayan on the date mentioned above.*

mich.
MEDICINE C. ASIS
Secretary to the Sangguniang Bayan I

**ATTESTED AND CERTIFIED TO
HAVE BEEN DULY ADOPTED:**

afesantalla
LOEL F. SANTOALLA
Municipal Vice Mayor & Presiding Officer

APPROVED:


ENGR. CRISTINA E. BOSQUE
Municipal Mayor

Excerpted on:
June 18, 2018