

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION ROOM, MUNICIPAL HALL ON TUESDAY, NOVEMBER 29, 2016

Present: Vice-Mayor William P. Cura, Presiding Officer
Councilor Johnny M. Sales
Councilor Ernesto M. Salting
Councilor Alvin Dale M. Sibal
Councilor Danilo L. Lugtu
Councilor Reynaldo L. Pangilinan, Sr.
Councilor Ariel S. Alimurong
Councilor Ernesto P. Go
Councilor Jose M. Salting, Jr. President Liga ng mga Barangay

Absent: Councilor Noel Rivera, on leave

EXPLANATORY NOTE

WHEREAS, ABC President & Councilor Jose M. Salting, Jr. has sought the approval of the Sangguniang Bayan for the reclassification of his 7, 409 sq.m. property located in Barangay Dela Cruz from agricultural into commercial/industrial use, to serve as site for gas refilling station;

WHEREAS, the Sangguniang Barangay of Dela Cruz thru its Resolution No. 028 series of 2016 has indorsed the land reclassification and proposed project of ABC President/Councilor Salting in that barangay which is accompanied by a proof of social acceptability;

WHEREAS, RA 7160 otherwise known as the Local Government Code of 1991 empowers the Sangguniang Bayan to re-classify agricultural lands into other uses provided that there is an approved Comprehensive Land Use Plan (CLUP) and Zoning Ordinance;

WHEREAS, the SB Committee on Housing & Land Utilization after conducting the required administrative review and committee meetings has reported that the application for reclassification satisfies the requirements of Rule VII of the Implementing Rules and Regulations of RA 7160, the Malacañang Memo Circular No. 54, the CLUP and Zoning Ordinance of the Municipality;

NOW THEREFORE, acting favorably on the report and recommendation of the Committee, it was resolved, to enact:

SPECIAL ORDINANCE NO. 44-2016

AN ORDINANCE RECLASSIFYING THE 7,409 SQUARE METER PROPERTY OF COUNCILOR JOSE M. SALTING, JR. LOCATED AT BARANGAY DELA CRUZ FROM AGRICULTURAL TO COMMERCIAL/INDUSTRIAL USE TO SERVE AS SITE FOR GAS REFILLING STATION

Sponsored by Councilor Ernesto P. Go, Vice-Chairman, Committee on Housing & Land Utilization

Be it enacted by the Sangguniang Bayan in session assembled, that:

Section 1. **COVERAGE OF APPROVAL.** The application of ABC President/Councilor Jose M. Salting, Jr. for reclassification of his Seven Thousand Four Hundred Nine (7,409) square meter property in Barangay Dela Cruz from agricultural into commercial/industrial use, with TCT No. 043-2011001276 is hereby APPROVED.

COUN. ALVIN DALE M. SIBAL

COUN. ERNESTO M. SALTING

COUN. JOHNNY M. SALES

COUN. JOSE M. SALTING, JR.

COUN. REYNALDO L. PANGILINAN, SR.

COUN. ERNESTO P. GO

COUN. DANILO L. LUGTU

COUN. ARIEL R. ALIMURONG

COUN. ALVIN DALE M. SIBAL

COUN. ERNESTO M. SALTING

COUN. JOHNNY M. SALES

COUN. REYNALDO L. PANGILINAN, SR.

COUN. DANILO L. LUGTU

COUN. JOSE M. SALTING, JR.

COUN. ERNESTO P. GO

COUN. ARIEL R. ALIMURONG

SECTION 2. **LEGAL BASIS.** This reclassification is in accordance with pertinent provisions of RA 7160, the CLUP and Zoning Ordinance of the Municipality.

Section 3. **DEVELOPMENT OF THE RE-CLASSIFIED LAND.** Within one (1) year upon reclassification, the owner or proponent of herein identified project shall introduce development of the property, subject to the fulfillment of requirements or clearances from certain national government agencies, otherwise this ordinance shall be deemed revoked.

Section 4. **PROHIBITION.** The herein re-classified land shall not in any way be used for purposes other than its approved use.

Section 5. **HIRING OF PERSONNEL/LABORERS.** The management must give priority to qualified applicants/resident of Barangay Dela Cruz in hiring construction workers for the project and personnel of the establishment.

Section 6. **DUTY OF THE MUNICIPAL ASSESSOR.** The Municipal Assessor shall immediately record in the real property assessment roll the change in the use of the subject properties herein re-classified for tax assessment purposes.

Section 7. **PERMIT/CLEARANCE.** A locational/zoning clearance and site development permit for the identified project subject to existing regulations shall be issued in favor of the applicant.

Section 8. **SEPARABILITY CLAUSE.** If there is any portion or provision of this ordinance held to be unconstitutional or invalid, the other parts or provisions hereof which are not affected shall continue to be in full force and effect.

Section 9. **EFFECTIVITY.** This special ordinance shall take effect upon approval by the Municipal Mayor.

Certified correct:

MARLENE C. PANGILINAN
SB Secretary

ATTESTED:

WILLIAM P. CURA
Municipal Vice-Mayor & Presiding Officer