



Republic of the Philippines
Region IV-A (CALABARZON)

Province of Cavite

CITY OF GENERAL TRIAS

OFFICE OF THE SANGGUNIANG PANLUNGSOD

CITY ORDINANCE NO. 21-44 (GENERAL)

Author : SP Member Jonas Glyn P. Labuguen
Chair, Committee on Land Use

Sponsors : SP Member Richard R. Parin
SP Member Gary A. Grepo
SP Member Walter C. Martinez
SP Member Vivencio Q. Lozares, Jr.
SP Member Hernando M. Granados
SP Member Clarissel J. Campaña-Moral
SP Member Jowie S. Carampot
SP Member Kristine Jane M. Perdito-Barison
SP Member Isagani L. Culanding
SP Member J-M Vergel M. Columna
SP Member Florencio D. Ayos
SP Member Alfredo S. Ching
SP Member Reienel R. Ferrer

ADOPTING THE LOCAL CHIEF EXECUTIVE ORDER NO. 09 SERIES OF 2017 ENTITLED "AN ORDER CREATING THE LOCAL COMMITTEES AGAINST SQUATTING SYNDICATES, PROFESSIONAL SQUATTERS (LCASSPS) AND ESTABLISHING MECHANISM TO CURTAIL THE ACTIVITIES OF PROFESSIONAL SQUATTERS AND BARANGAY OFFICIALS TOLERATING THE SAME WITHIN THE CITY OF GENERAL TRIAS".

WHEREAS, considering General Trias as the youngest City in the country with its fast-growing economy, a number of informal settlers grow annually due to the migration of people seeking better livelihood and employment opportunities;

WHEREAS, the incessant nefarious construction of illegal structures of professional squatters and squatting syndicates in both public and private lands in the different barangays of the City may continue to proliferate to the great prejudice, damage, and disadvantage of the registered landowners and legitimate barangay inhabitants;

WHEREAS, pursuant to Urban Development and Housing Act of 1992 (UDHA), there is a need to effect the Identification and registration of the rightful beneficiaries who will be affected by the urgent infrastructure projects of the government as against professional squatters and squatting syndicates;

WHEREAS, Republic Act No. 7279 mandates the Local Government Units (LGUs) the Department of Interior and Local Government (DILG), and the Presidential Commission for the Urban Poor (PCUP), to identify and effectively curtail the nefarious and illegal activities of professional squatters and squatting syndicates, as well as, to implement relocation and resettlement procedures;

WHEREAS, Section 16 of R.A. 7160, otherwise known as the Local Government Code of 1991, explicitly provides that Local Government Units shall exercise the powers expressly granted, those necessarily implied therefrom, as well as power necessary or appropriate to maintain peace and order, and preserve the comfort and convenience of their inhabitants;

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WHEREAS, Section 27, Article VII of Republic Act No. 7279, otherwise known as the Urban Development and Housing Act of 1992, states that:

Section 27. Action Against Professional Squatters and Squatting Syndicates. The local government units, in cooperation with the Philippine National Police, the Presidential Commission for the Urban Poor (PCUP), and the PCUP-accredited urban poor organization in the area, shall adopt measures to identify and effectively curtail the nefarious and illegal activities of professional squatters and squatting syndicates, as herein provided. Any person or group identified as such shall be summarily evicted and their dwelling or structures demolished, and shall be disqualified to avail of the benefits of the Program.

WHEREAS, the Punong Barangay and members of the Sangguniang Barangay, as persons in authority, being primarily responsible in the maintenance of peace and order, and in protecting private and public interest, should spearhead the eradication or curtailment of the construction of illegal structures, the same being a clear violation of the National Building Code, and other pertinent laws;

WHEREAS, it is imperative to establish a mechanism that shall ensure compliance with the provisions of the UDHA and its implementing rules and regulations relative to demolition and eviction;

WHEREFORE, on motion of SP Member Jonas Glyn P. Labuguen, duly seconded by SP Member Richard R. Parin, be it ordained that,

Section 1. TITLE - This Ordinance shall be known as "An Ordinance Creating the Local Committees Against Squatting Syndicates, Professional Squatters (LCASSPS) and Establishing Mechanism to Curtail the Activities of Professional Squatters and Barangay Officials Tolerating the Same Within the City of General Trias".

Section 2. DEFINITION OF TERMS - In accordance with the Urban Development Housing Act of 1992 (RA 7279) the following are hereby defined:

1. Professional Squatters" refers to individuals or groups who occupy lands without the express consent of the landowner and who have sufficient income for legitimate housing. The term shall also apply to persons, who have previously been awarded homelots or housing units by the Government but who sold, leased or transferred the same and settled illegally in the same place or in another urban area, and non bona fide occupants and intruders of lands reserved for socialized housing. The term shall not apply to individuals or groups, who simply rent land and housing from professional squatters or squatting syndicates,
2. Squatting syndicates refers to groups of persons engaged in the illegal business of squatter housing for profit or gain,
3. Dwelling - refers to a self-contained unit of accommodation used by one or more households as a home, such as a house, apartment, mobile home, or other substantial structure,

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4. **On-going construction** - refers to the actual, present, and new construction of structure herein defined. It does not include the renovation or repair of the structure already constructed or finished prior to the effectivity of this Ordinance,
5. **Registered landowner** - refers to the owner of the land whose name appears in the land title registered in the appropriate Registry of Deeds,
6. **Structure** - refers to all types of building, improvement, residential unit, wall, fence, and other structures of similar character or nature which are adhered to the soil but shall not include trees, plants, and growing fruits, and other fixtures that are mere superimpositions on the land, and
7. **Summary eviction** - refers to the eviction accomplished through a simplified legal procedure, without the formalities of a formal trial.

Section 3. DECLARATION OF POLICY - It shall be the policy of the City of General Trias to suppress and eradicate the nefarious illegal activities of professional squatting syndicates and squatters, and to discourage informal settling and construction of illegal structures and dwellings.

Section 4. COMPOSITION - The LCASSPS shall be composed of the followings:

- a. **Chairman: City Mayor**
- b. **Co-Chairman: LNB / ABC President**
- c. **Members:**
 1. **City Administrator,**
 2. **City Director Philippine National Police or equivalent,;**
 3. **City Director, DILG or equivalent,**
 4. **City Director, Philippine National Red Cross or equivalent,**
 5. **Department Head, City Social Welfare and Development
Chairman,**
 6. **Department Head, City Engineers Office,**
 7. **Department Head, Office of the Building Official,**
 8. **Chairperson, Committee on Peace, Public Safety and Order,**
 9. **Chairperson, Committee on Urban Poor,**
 10. **Chairperson, Committee on Barangay Affairs,**
 11. **Chairperson, Committee on Land Use, Zoning and Urban
Development**
 12. **Representative from the Private Sector (To be chosen by the
members). and**
 13. **Housing and Homesite Regulation Officer Representative**

Section 5. FUNCTIONS - The Committee, shall have the following functions:

1. **Adopt necessary measures to identify and effectively curtail the activities of professional squatters and squatting syndicates, including the name of public officials and/or private individuals or companies allowing, abetting or tolerating the commission of the act,**

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2. Provide assistance to the victims of professional squatters/syndicates and make available a consolidated list of squatting syndicates and professional squatters,
3. File the necessary charges against professional squatters and squatting syndicates before the court or Prosecutor's Office,
4. Conduct investigation involving illegal activities of professional squatters and squatting syndicates and recommend appropriate actions on the same to the Sangguniang Panlungsod,
5. Monitor demolition and eviction activities, hence, it shall draw up and establish its monitoring system,
6. Provide assistance to Barangay concerned in the conduct of eviction and demolition of illegal dwellings and structures,
7. Perform other functions which are necessary, inherent and implied to realize the objective of this Ordinance.
8. Submit reports to the proper authorities or copy furnish concerned agencies involved in the Implementation of Republic Act No. 7279, and
9. Request for assistance from any government entity, if necessary.

Section 6. PROHIBITED ACTS - It shall be unlawful for any person or group of persons who:

- a. With the use of force, intimidation or threat, stealth or strategy, or taking advantage of the absence or tolerance of the registered owner, occupies or possesses the property of the later against his will for dwelling or business or any other purposes,
- b. Have previously been granted or awarded with lands or home lots, or housing units by the government whether local or national, but who sold, leased or transferred the same to settle illegally or in another urban area, and non-bona fide occupants and intruders of lands reserved for socialized housing, and
- c. Constructs and/or builds any structures in public or privately owned land without the express consent/approval of the registered owner and the necessary permit duly issued by the Office of the Building Official.

Any person or group identified as such shall be summarily evicted and their dwelling or structures demolished, and shall be disqualified to avail of the benefits for legitimate relocations.

Section 7. PENALTIES - For purposes of this Ordinance, any and all violation of this Ordinance shall be the following fines and penalties:

1. The imposable penalty shall be a fine of not less than Five Thousand Pesos (Php 5 000.00) or one (1) year imprisonment or both, at the discretion of the Court,
2. For Barangay Officials who directly or indirectly permit professional squatters or members of squatting syndicates to occupy public or privately owned lands or allow, abet or otherwise tolerate the construction of any structure in

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- violation of the preceding section within their territorial or administrative jurisdiction shall be meted with administrative sanctions as provided for in the Administrative Code of 1987, R.A. 6713 otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees; R.A. 3019 or the Anti-Graft and Corrupt Practices Act; R.A. 7279 or the Urban Development and Housing Act of 1992, after the observance of substantive and procedural due process provided by law, and
3. For registered landowners, juridical personalities/public utilities through their officers who directly or indirectly permit professional squatters or members of squatting syndicates to occupy privately owned lands or allow the availment of public utility services such as electricity and water supply within their territorial or administrative jurisdiction shall be penalized in accordance with existing laws after the observance of substantive and procedural due process the law so provides.

Section 8. MANDATE OF PUNONG BARANGAYS AND BARANGAY TASK FORCE ON ILLEGAL STRUCTURES AND INFORMAL SETTLERS - All Punong Barangays are hereby mandated to prohibit informal settling and putting up of illegal structures along public and privately owned lots and summarily evict all persons engaged in any construction of any structure within the territorial jurisdiction of the Barangay concerned, without the express consent of the registered landowner and the necessary permit from the City Government and to demolish such structure as necessary pursuant to Republic Act No. 7279.

Pursuant to this, Punong Barangays are ordered to create the Barangay Task Force on Illegal Structures and Informal Settlers which would assist the Committee to monitor and investigate any activities of professional squatters and squatting syndicates, and the construction of illegal structures and dwellings.

Section 9. SELF-DEMOLITION AND REMOVAL OF VALUABLE THINGS - Upon discovery or receipt of a complaint or report of the on-going illegal construction of dwelling or structure, the Office of the Punong Barangay concerned or the Office of the Building Official shall, motu proprio, conduct an investigation and summon the owner or builder of the structure to appear in person within 36 hours from receipt of hereof. And, if evidence so warrants, the Office concerned shall notify the owner/builder of the illegal structure to dismantle it, and to vacate the premises and bring with him all his valuable, materials and debris within thirty (30) days from receipt of notice.

Section 10. SUMMARY EVICTION AND DEMOLITION - In case of non-compliance with the provisions of the immediately preceding paragraph, summary eviction and demolition shall be executed jointly by the barangay concerned and LCASSPS without need of a court order subject however, to the following mandatory conditions:

- a. The LCASSPS and/or the barangay council through a resolution finds grounds for and recommend summary eviction of

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- b. professional squatters/syndicates; or demolition of illegal construction of dwellings or structures,
- c. The dwelling or structure is constructed or built in the land not owned by the builder or owner of the materials,
- d. The construction of the dwelling or structure is without the consent/approval of the owner of the land or home lot,
- e. The construction of the dwelling or structure has no necessary permit issued by the City Government,
- f. The construction of the dwelling or structure is ON-GOING or newly constructed,
- g. Notice upon the owner of the materials or builders at least three days prior to the date of eviction and demolition,
- h. All persons taking part in the summary eviction or demolition must wear Proper uniforms and identification cards during the demolition or eviction,
- i. The Barangay Public Safety Officers (BPSO) and police officers from the nearest police station shall be deployed in the area to maintain peace and order, and to observe proper disturbance control procedure,
- j. Presence of any members of Anti-Squatting Task force, Official or representative of the Barangay Concerned and City official,
- k. Eviction or demolition may be executed only during regular office hours from Mondays to Fridays and during good weather, and
- l. No heavy equipment shall be used for the demolition, except for structures that are permanent and made of concrete materials.

Section 11. CONFISCATION OF MATERIALS - Construction materials of the demolished structure shall be confiscated in favor of the barangay should the owner fail to claim the same within a period of three (3) days after the conduct of demolition.

Section 12. JOINT ACTIVITY REPORT - The Punong Barangay concerned and the City Engineer shall submit a Joint Activity Report to the Office of the City Mayor, briefly stating the vital information and the circumstances surrounding the demolition or eviction.

Section 13. SEPARABILITY CLAUSE - If for any reason a provision of this Ordinance is declared invalid or unconstitutional, all other provisions hereof not affected thereby shall continue to remain in full force and effect.

Section 14. REPEALING CLAUSE - All ordinances, rules, and regulations, or parts thereof, in conflict with or inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

Section 15. EFFECTIVITY - This Ordinance shall take effect after the approval of the said document.

APPROVED under THIRD/FINAL READING on 14 JUNE 2021.


 JONAS GLYN P. LABUGUEN
 SP Member


 GARY A. GREPO
 SP Member


 CLARISSSEL O. CAMPAÑA-MORAL
 SP Member

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JOWIE S. CARAMPOT
SP Member


KRISTINE JANE M. PERDITO-BARISON
SP Member


ISAGANI L. CULANDING
SP Member

~~J.M. VERGEL M. COLUMNA~~
SP Member


WALTER C. MARTINEZ
SP Member



FLORENCIO D. AYOS
SP Member


VIVENCIO Q. LOZARES, JR.
SP Member

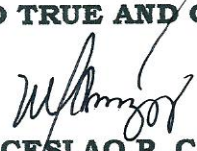

RICHARD R. PARIN
SP Member


HERNANDO M. GRANADOS
SP Member


ALFREDO S. CHING
SP Member/LNB President


REINEL R. FERRER
SP Member/SKF President

CERTIFIED TRUE AND CORRECT:


WENCESLAO P. CAMINGAY
Secretary to the Sanggunian

ATTESTED:


MAURITO C. SISON
City Vice Mayor/Presiding Officer

APPROVED:


ANTONIO A. FERRER
City Mayor

wpc/jrp/app/dga

