

EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON AUGUST 16, 2022

PRESENT:

Vice Mayor Jan Marianne R. Fontelera	- Presiding Officer
Councilor Michelle S. Segundera	- Presiding Officer Pro-Tempore
Councilor Carolyn D. Sison	- Majority Floor Leader
Councilor Kelvin Theus O. Humilde	- Minority Floor Leader
Councilor Verna S. D. Rabago	- Assistant Majority Floor Leader
Councilor Arthur C. Celeste, Jr.	- Member
Councilor Apple Joy B. Tolentino	- Member
Councilor Joselito O. Fontelera	- Member
Councilor Raul B. Bacay	- Member
Councilor Dahlia M. de Leon	- Member
Councilor Oscar A. Boling, Sr.	- Member
LBP Salvador P. Dona	- Ex-Officio Member
PPSKP Lovely V. Bernabe	- Ex-Officio Member

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ORDINANCE NO. 2022-11

ORDINANCE RECLASSIFYING THREE (3) PARCELS OF LAND SITUATED AT BRGY. PALAMIS, THIS CITY, REGISTERED UNDER THE NAMES OF ERWIN JED T. RACHO, ERNSWELL JOHN T. RACHO, ERICKA JHEN T. RACHO AND SPS. ERNESTO RACHO AND JULIE T. RACHO MORE PARTICULARLY DESCRIBED, TO WIT:

- 1. A PARCEL OF LAND DECLARED UNDER TAX DECLARATION NO. 2018-22-01180, WITH AN AREA OF THREE THOUSAND THREE HUNDRED NINETEEN SQUARE METERS (3,319 SQ.M.) WITH CADASTRAL LOT NO. LOT 6149, BOUNDED ON THE NORTH: NW-LOT-6790 AND 1668; ON THE EAST: NE-LOT-1 CSD-002959; SOUTH: SE-LOT-8 CSD-002959; AND WEST: SW-LOT-14143-B-2**
- 2. A PARCEL OF LAND DECLARED UNDER TAX DECLARATION NO. 2018-22-01884 WITH AN AREA OF ONE THOUSAND FIVE HUNDRED SQUARE METERS (1,500 SQ.M.) WITH CADASTRAL LOT NO. 6149 PART, BOUNDED ON THE NORTH: NE-LOT 6144; ON THE EAST: SE-LOT 8; ON THE SOUTH: SW-LOT 2; AND ON THE WEST: NW-LOT 1168**
- 3. A PARCEL OF LAND DECLARED UNDER TAX DECLARATION NO. 2018-22-02110 WITH AN AREA OF TWO THOUSAND SQUARE METERS (2,000 SQ.M.) WITH CADASTRAL LOT NO. 14143 PART, BOUNDED ON THE NORTH: SE-LOT-8 CSD-1-002959; ON THE EAST: NW AND NE-LOT-14143-B; ON THE SOUTH: SW-LOT-7 CSD-1-002959; AND ON THE WEST: FROM AGRICULTURAL USE TO COMMERCIAL USE**

WHEREAS, a request for the reclassification of parcels of land owned by Ernesto Racho, Erwin Jed Racho, Ernswell John Racho and Ericka Jhen Racho was submitted to the august body for consideration on June 10, 2022, containing an area of Six Thousand Eight Hundred Nineteen Square Meters (6,819 sq. m.), covered by Tax Declaration No. 2018-22-01180, Tax Declaration No. 2018-22-01884 and Tax Declaration No. 2018-22-02110 situated at Barangay Palamis, this city, from agricultural use to commercial use;

WHEREAS, Section 20 of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991,” states:

Section 20. Reclassification of Lands – (a) A city or municipality may, through an ordinance passed by the sanggunian after conducting public hearings for the purpose, authorize the reclassification of agricultural lands and provide for the manner of their utilization or disposition in the following cases: (1) when the land ceases to be economically feasible and sound for agriculture purposes as determined by the Department of Agriculture or (2) where the land shall have substantially greater economic value for residential, commercial or industrial purposes as determined by the sanggunian concerned: Provided, that such reclassification shall be limited to the following percentage of the total agricultural land area at the time of the passage of the ordinance xxx;

WHEREAS, ART. 99 of the Implementing Rules and Regulations of Republic Act 7160, otherwise known as the “Local Government Code of 1991,” provides that *the Sangguniang Panlungsod, as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants xxx and shall:*

(2) Generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the city as provided in Section 18 of the Code, with particular attention to agro-industrial development and citywide growth and progress, and relative thereto shall:

(viii) Reclassify agricultural lands within the jurisdiction of the City subject to the provision of Rule VII of these rules;

WHEREAS, the City of Alaminos, Pangasinan is currently the center of commerce, trade and tourism in Western Pangasinan and thus requires additional lands for urban expansion to accommodate the increase in population and other socio-economic activities;

WHEREAS, since the subject portion of land is classified as unirrigated/irrigated/pasture rice land, it is imperative that once reclassified to commercial use it shall have substantially greater economic value;

WHEREAS, in compliance with the provisions of Section 20 of Republic Act 7160, a public hearing for the purpose was conducted on July 28, 2022 at the Barangay Auditorium/Covered Court, Brgy. Palamis, Alaminos City, Pangasinan;

WHEREAS, the representatives of the City Assessor and City Zoning Officer of the City of Alaminos informed the body during the public hearing that said properties are outside the Network of Protected Areas for Agricultural and Agro-Industrial Development in the City and is still within the allowable limit of ten percent of the total agricultural land as provided for in the City Comprehensive Land Use Plan;

WHEREAS, the subject reclassification meets all the provisions of Rule VII of the Implementing Rules and Regulations of Republic Act No. 7160;

NOW, THEREFORE, on motion of Councilor Joselito O. Fontelera, duly seconded by all the members present,

BE IT ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN, IN SESSION ASSEMBLED, that:

SECTION 1. GENERAL POLICY- The portions of three (3) parcels of land situated at Brgy. Palamis, this city registered under the names of Erwin Jed T. Racho, Ernswell John T. Racho, Ericka Jhen T. Racho and Sps. Ernesto Racho and Julie T. Racho more particularly described, to wit:

1. A parcel of land declared under Tax Declaration No. 2018-22-01180, with an area of Three Thousand Three Hundred Nineteen Square Meters (3,319 sq.m.) with Cadastral Lot No. lot 6149, bounded on the North: NW-LOT-6790 and 1668; on the East: NE-Lot-1 CSD-002959; South: SE-Lot-8 CSD-002959; and West: SW-Lot-14143-B-2;
2. A parcel of land declared under Tax Declaration No. 2018-22-01884 with an area of One Thousand Five Hundred Square Meters (1,500 sq.m.) with Cadastral Lot No. 6149 part, bounded on the North: Ne-Lot 6144; on the East: Se-Lot 8; on the South: SW-Lot 2; and on the West: NW-Lot 1168;
3. A parcel of land declared under Tax Declaration No. 2018-22-02110 with an area of Two Thousand Square Meters (2,000 sq.m.) with Cadastral Lot No. 14143 part, bounded on the North: SE-Lot-8 CSD-1-002959; on the East: NW And NE-Lot-14143-B; on the South: SW-Lot-7 CSD-1-002959; and on the West:

ARE HEREBY RECLASSIFIED FROM AGRICULTURAL USE TO COMMERCIAL USE.

SECTION 2. EFFECTIVITY- This ordinance shall take effect upon approval.

SO ORDAINED/ENACTED....

I HEREBY CERTIFY to the correctness of the foregoing ordinance consisting of three (3) pages including this page.

LUZ B. VALE
Secretary

ATTESTED:

JAN MARIONNE R. FONTELERA
City Vice Mayor/Presiding Officer

MICHELLE S. SEGUNDERA
Presiding Officer Pro-Tempore

CAROLYN D. SISON
Majority Floor Leader

KELVIN THEUS O. HUMILDE
Minority Floor Leader

VERNA S. D. RABAGO
Assistant Majority Floor Leader

ARTHUR C. CELESTE, JR.
Member

APPLE JOY B. TOLENTINO
Member

JOSELITO O. FONTELERA
Member

RAUL B. BACAY
Member

DAHLIA M. DE LEON
Member

OSCAR A. BOLING, SR.
Member

SALVADOR P. DONA, LBP
Ex-Officio Member

LOVERLY V. BERNABE, PPSKP
Ex-Officio Member

APPROVED BY:

ARTH BRYAN C. CELESTE
City Mayor

Date