

EXCERPT TAKEN FROM THE JOURNAL OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ALAMINOS, PANGASINAN HELD ON DECEMBER 06, 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

-----oOo-----

ORDINANCE NO. 2022-19

RECLASSIFYING A PORTION OF LAND CONTAINING AN AREA OF THREE THOUSAND SQUARE METERS (3,000 SQ. M.) OWNED BY JETTI PETROLEUM, INCORPORATED SITUATED AT BRGY. MAGSAYSAY, THIS CITY DECLARED UNDER TAX DECLARATION NO. 2018-20-01596 FROM AGRICULTURAL USE TO COMMERCIAL USE PRIMARILY FOR THE ESTABLISHMENT OF A FUEL RETAIL STATION

Sponsor:

Councilor Joselito O. Fontelera

WHEREAS, a request for the reclassification of a portion of land owned by Jetti Petroleum, Inc. was submitted to the august body for consideration on September 22, 2022, containing an area of three thousand square meters (3,000 sq.m.), covered by Tax Declaration No. 2018-20-01596 situated at Barangay Magsaysay, 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, Memorandum Circular No. 54, prescribes the guidelines governing Section 20 of RA 7160 authorizing cities and municipalities to reclassify agricultural lands into non-agricultural uses;

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 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 November 11, 2022 at the Covered Court of Brgy. Magsaysay, 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 and Memorandum Circular No. 54, series of 1993;

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

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

SECTION 1. GENARAL POLICY — The portion of land containing an area of Three Thousand Square Meters (3,000 sq. m.) owned by Jetti Petroleum, Incorporated situated at Brgy. Magsaysay, this city declared under Tax Declaration No. 2018-20-01596 is hereby reclassified from agricultural use to commercial use primarily for the establishment of a fuel retail station.

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