



AN ORDINANCE AMENDING SECTION 5 (G) OF ARTICLE II, SECTIONS 6 (E), (G) AND (K), 7 (D), (E), AND (G) OF ARTICLE III, AND SECTION 24 (B) , OF ARTICLE IX, ORDINANCE NO. 2008-079 BY ADDING A PROVISIO THERETO AND/OR REVISING THE SAME, AND FOR OTHER PURPOSES:-

AUTHOR: Hon. City Councilor Mila S.D. Raquid Arroyo

EXPLANATORY NOTE

The development of residential subdivisions, when involving big tracts of land has been considered as an environmentally critical projects which therefore requires Environmental Clearance Certificate from the Environmental Management Bureau of the Department of Environment and Natural Resources. For small subdivision projects, however, particularly the socialized housing projects undertaken by, or in partnership with, the City Government of Naga, the assessment by the City ENRO, it being the City's environment expert, on the environmental aspect of the project, should be sufficient in order to expedite the implementation of these projects. The pertinent ordinance of the City, which is Ordinance No. 2008-079, however, does not reflect this reality. Likewise, certain provisions of this Ordinance pertaining to environmental protection need to be stated in more details to achieve the purposes thereof. Thus this amendatory ordinance.

ORDINANCE NO. 2018-012
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AN ORDINANCE AMENDING SECTION 5 (G) OF ARTICLE II, SECTIONS 6 (E), (G) AND (K), 7 (D), (E), AND (G) OF ARTICLE III, AND SECTION 24 (B) , OF ARTICLE IX, ORDINANCE NO. 2008-079 BY ADDING A PROVISIO THERETO AND/OR REVISING THE SAME, AND FOR OTHER PURPOSES:-

AUTHOR: Hon. City Councilor Mila Raquid Arroyo

Be it enacted by the Sangguniang Panlungsod of Naga that:

Section 1. **Amendment to Section 5(G), Article II, Ordinance No. 2008-079.** Section 5(G), Article II of Ordinance No. 2008-079 is hereby amended now to read as follows:

“ARTICLE II – Preliminary Approval for Locational Clearance (PALC)

“Xxx.

“Section 5. **Procedures.** Xxx”

“Xxx.

“G. CLU immediately calls for a Committee Hearing for the purpose of evaluating the PALC application, inviting the following: the applicant with his/her technical staff; the CPDO for its technical evaluation report; the ENRO for its project's environmental evaluation report; and other resource persons deemed necessary.”

“Xxx.

Section 2. **Amendment to Section 6 (E)(c), (G) and (K) Section 7(D)2, (E) and (G), Article III, Ordinance No. 2008-079.** Section 6 (E)(c), (G), and (K) and Section 7 (D)2, (E) and (G), Article III of Ordinance No. 2008-079 are hereby amended now to read as follows:

“ARTICLE III – Development Permit (DP)

“Section 6. DP Documentary Requirements. Xxx”

“Xxx.

“E. Xxx.

“Xxx.

“c. Sewage Treatment System Plan and Drainage Plan duly signed and sealed by a licensed Sanitary Engineer or Civil Engineer, which shall include (1) detailed and complete plan of sewage treatment plant/facility, (2) the profile showing the hydraulic gradients and properties of the sewage and storm drainage lines including structures in relation with the road grade line, and (3) the details of sewage and storm drainage lines and miscellaneous structures such as various types of manholes, catch basins, inlet (curb, gutter and drop), culverts and channel linings

“Xxx.

“G. Waste Management Plans, for both solid wastes and wastewater;

“Xxx.

“K. DENR Environmental Compliance Certificate (ECC), or Certificate of Non-Coverage (CNC), whichever is applicable, provided, however that when the subdivision project is a socialized housing project undertaken by, or in partnership with, the City Government of Naga under its Kaantabay sa Kauswagan Program, the environmental clearance issued by the City ENRO shall suffice when the total project area is less than five (5) hectares. The City ENRO clearance shall be based on the following criteria:

- i. The project conforms with the existing and duly approved land-use plan of the area;
- ii. The technology that will be used in undertaking the project shall not require or emit toxic or hazardous materials;
- iii. The waste management plan meets the standards required by existing laws and regulations, national or local, as certified to by the City ENRO and the City SWMO.

“Xxx.

“Section 7. **Procedure.** Xxx.

“Xxx.

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"D. Xxx.

"Xxx.

"2. Two (2) sets for the CPDO for its technical evaluation, for the ENRO, CEO
and SWMO for individual evaluation. Xxx.

"Xxx.

"G. After a week, CLU calls for a Committee Hearing for the purpose of evaluating
the DP Application, inviting the following: the applicant with his/her technical staff; the CPDO for its CER; the evaluators or representatives of CEO, ENRO, MNWD, CASURECO II, and the SWMO; Xxx.

Section 3. **Amendment to Section 24 (B), Article IX, Ordinance No. 2008-079.** Section 24 (B), Article IX, Ordinance No. 2008-079 is hereby amended now to read as follows:

"ARTICLE IX – Grounds for Denial and Revocation of PALC and DP

"Xxx.

"Section 24. Xxx.

"Xxx.

"B. Non-compliance to the conditions set forth in the ENRO Environmental Clearance.

Section 4. **Effectivity.** This ordinance shall take effect immediately upon its approval.

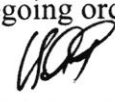
ENACTED: February 12, 2019


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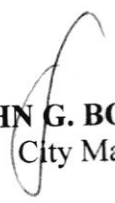
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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.


GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod


GREGORIO R. ABONAL
City Councilor &
Acting Presiding Officer

APPROVED:


JOHN G. BONGAT
City Mayor

2/18/19