



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 9 S. 2019

AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

SPONSOR : COUN. GERARDO A. DELA ROCA

WHEREAS, the Philippines is vulnerable to natural disasters such as typhoons, earthquake and landslides. While it is settled that the government is under obligation to protect human lives at all times, experiences tell us that a disaster of such severity and magnitude renders effective response beyond the capabilities of the government;

WHEREAS, the geographical location of the City of Batangas as well as its status as an industrial center make it vulnerable to typhoons, flooding, landslide, storm surge, fire as well as to various man-made disasters;

WHEREAS, the City of Batangas, in line with its objective for zero casualties and thus mitigate the effects of man-made and natural disasters and pursuant to RA 7160, otherwise known as the Local Government Code of 1991; RA 10121 otherwise known as the Philippine Disaster Risk Reduction Management Act of 2010, and DILG Memorandum Circular No. 2012-35 re: Guidelines in Ensuring Public Safety during man-made and Natural Disasters dated February 21, 2012, hereby adopts these guidelines for the adoption and implementation of necessary emergency measures such as pre-emptive or forced evacuation in areas declared to be in imminent danger.

WHEREAS, the City of Batangas is mandated to carry such emergency measures as may be necessary during and in the aftermath of natural disasters and calamities and strengthens its capacity in mitigating and preparing for, responding to and recovering from the impact of disasters within their areas of jurisdiction;

WHEREAS, the City Government of Batangas is highly concerned with and committed of protecting the lives of its residents at all times and mitigating the effects of man-made and natural disasters;

NOW THEREFORE, be it ordained by the Sangguniang Panlungsod in session duly assembled that:



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod
Tel. No. 723-2175

2

Continuation of Ordinance No. 9 S. 2019

AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

SECTION 1. TITLE. - This ordinance shall be known as "An Ordinance Enacting the Guidelines on Pre-Emptive or Forced Evacuation in Response to Man-made and Natural Disasters".

SECTION 2. DEFINITION OF TERMS.

- 2.1 **Designated Area** - shall mean barangay halls or outposts as pick - up points.
- 2.2 **Disaster** - A sudden event that seriously disrupts the function of a community or society; may be due to a natural event such as, but not limited to typhoon, flooding, landslide, storm surge, tsunami, earthquake and other geophysical events; as well as epidemics, outbreaks, fire, hazardous material-related incidents, acts of terrorism and other concerns which may cause human, material, economic and/or environmental losses that exceed the community's or society's ability to cope using its own resources.
- 2.3 **Evacuation** - Temporary but rapid removal of all or part of a particular population from a building or certain area wherein a disaster or emergency has been declared and is considered dangerous to the health or safety of the public, whether individually or in an organized manner, as a rescue or precautionary measure.
- 2.4 **Evacuation Sites/Centres** - Pre-identified public buildings such as government buildings, elementary and high school buildings, halls, sports facilities, covered courts, auditoriums, or private facilities with permission from the owner of the facility.
- 2.5 **Forced Evacuation** - Evacuation ordered as a resort when a disaster or emergency has been declared and danger of loss of life is imminent, conditions exist that critically imperil or endanger the lives of those in the affected area.



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod
Tel. No. 723-2175

3

Continuation of Ordinance No. 9 S. 2019

AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

- 2.6 **Forecasted/Expected Risk** - The existence of an identified risk which could be expected to cause disruption to the normal function of society and may cause damage to life, livelihood and property without proper intervention.
- 2.7 **Imminent Danger** - the existence of an immediate threat which could reasonably be expected to cause death and/or serious physical harm.
- 2.8 **Pre-emptive Evacuation** - Evacuation ordered in response to a forecasted threat or emergency which may cause disruption to the normal function of society, there is risk to the lives, livelihood and properties of the persons living in the affected area.
- 2.9 **Response Team** - shall mean any concerted effort by two (2) or more agencies, public or private, to provide assistance or intervention before, during or immediately after a disaster to meet the life preservation and basic subsistence needs of those people affected and in the restoration of public activities and facilities.
- 2.10 **Vulnerable or Marginalized Groups** - Individuals or group of people that face higher exposure to disaster risk and poverty including but not limited to women, especially pregnant women, youth, children, especially orphans or unaccompanied children, differently-abled people, indigenous people, disadvantaged families and individuals living in high risk areas and danger zones.

SECTION 3. TRAINING AND ORIENTATION. - The City Mayor shall ensure that trainings and orientation on the possible natural hazards, vulnerabilities and climate change risks as well as knowledge management activities on disaster risk reduction and management are organized and conducted by CDRRMC and Barangay Disaster Risk Reduction and Management Council as the case may be.



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod
Tel. No. 723-2175

4

Continuation of Ordinance No. 9 S. 2019

AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

During the training and orientation, the CDRMO shall discuss and highlight RA 10121, otherwise known as "The Philippine Disaster Risk Reduction and Management in Ensuring the Public Safety during Man-made and Natural Disasters", this ordinance and other laws, rules and regulations on disaster risk reduction and management.

The CDRMO shall also conceptualize posters, newsletters, brochures and pamphlets regarding disaster risk reduction and management and cause the same to be posted at conspicuous places in the city and disseminate through radio and tv advertisements.

SECTION 4. IMPLEMENTATION OF FORCED OR PRE-EMPTIVE EVACUATION. Upon recommendation of the Response Committee and/or Incident Management Team, the City Mayor may, after due consultation, coordination, reference with the members of the City Disaster Risk Reduction and Management Council, will order pre-emptive evacuation when a disaster or emergency has been forecasted and the disruption and risk to life, livelihood and property is expected or imminent within the area of jurisdiction of the City of Batangas.

The City Mayor, upon the recommendation of the City DRRMO, may determine the period when the affected residents may be allowed to return or go back to their homes, if this is still possible.

SECTION 5. CONSIDERATIONS IN THE IMPLEMENTATION OF FORCED OR PRE-EMPTIVE EVACUATION. - The rules to be observed in the implementation of pre-emptive or forced evacuation shall include but shall not be limited to the following:

5.1 PRE-EMPTIVE EVACUATION

5.1.1 The order for pre-emptive evacuation shall be announced to the vulnerable or marginalized groups in the area who will be affected at least three (3) hours before the commencement



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod
Tel. No. 723-2175

5

Continuation of Ordinance No. 9 S. 2019

AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

of the pre-emptive evacuation operation to give the affected individuals or groups time to prepare their needs or belongings.

- 5.1.2 Vulnerable or marginalized groups in the identified danger zones or areas that are to be affected by the incoming typhoon or any other identified situation or event that may cause a disaster shall be temporarily relocated to evacuation sites or centres.
- 5.1.3 Assistance from the private sector such as private schools and/or barangays shall be secured if the situation warrants. Particularly, temporary use of their halls, sports facilities or auditorium may be requested if the need arises and if a shortage of evacuation sites exists.
- 5.1.4 Each barangay, as per their approved DRRM and Contingency Plans, shall have a pick-up point from which they will be transported to their designated evacuation center.
- 5.1.5 Evacuation Cluster which will be lead by the PNP will ensure the safety and security of the affected residents and enforce the pre-emptive evacuation before the disaster or calamity situation.
- 5.1.6 Evacuation Cluster will also enlist the assistance of its supporting agencies, the GSD, DSS, TDRO, CEO, CDRMO, CSWDO, and BDRMC in transporting the affected residents to evacuation sites or centres, vehicles used shall have the necessary banners or signs/logos for immediate identification.



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

6

Continuation of Ordinance No. 9 S. 2019

AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

- 5.1.7 The City Government of Batangas may mobilize individuals or organize volunteers to augment their respective personnel and logistical requirements in the conduction of pre-emptive evacuation activities.
- 5.1.8 Strict enforcement of the pre-emptive measure shall be done in the area/s to be affected by the man-made or natural disaster. The BDRRMC, as much as possible will be responsible in disseminating information to the community and guiding the members of the Evacuation Team, to ensure that the pre-emptive evacuation commences smoothly, and that persons are not allowed to return to the affected area without an order issued to this effect.
- 5.1.9 Once the pre-emptive evacuation has commenced, priorities shall be given the following:
- i. The sick and elderly people
 - ii. Differently-abled people
 - iii. Pregnant women and children
 - iv. Indigenous people
- 5.1.10 Camp Coordination and Management Cluster shall be on standby in the designated evacuation centres/sites to monitor the evacuees and provide services and necessary food and non-food materials based on the Camp Management Protocols.
- 5.1.11 Medical personnel shall also be on standby at the evacuation sites to provide medical assistance to the vulnerable and marginalized groups, as well as the response team and other persons that may need medical attention. In the aftermath of the calamity and/or man-made or natural disaster, the City Government of Batangas shall extend any assistance that it can provide to the victims for their rapid recovery.



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod
Tel. No. 723-2175

7

Continuation of Ordinance No. 9 S. 2019

AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

5.1.12 Residents shall only be allowed to return or go back to their homes upon the order of the City Mayor upon recommendation of the City Disaster Risk Reduction and Management Council and/or the Incident Management Team in consultation with different government agencies concerned and field personnel, after it has been determined that the danger no longer exists therein.

5.2 FORCED EVACUATION

5.2.1 Forced Evacuation procedure will be resorted to in cases where the residents of the affected area have refused to leave their homes, if the forecasted impact of disaster is within less than 4 hours and/or there is imminent danger to life, livelihood and property within the area of jurisdiction.

5.2.2 Forced Evacuation may be conducted upon the recommendation of the City Disaster Risk Reduction and Management Office and/or the current Incident Commander after due consultation/coordination/reference with the members of the Incident Management Team when a disaster or emergency has been declared and the danger of loss of lives and damage to livelihood and property is imminent within the area of jurisdiction of the City of Batangas.

5.2.3 Forced evacuation shall be carried out in a manner that is humane, respectful of the dignity of a person, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and persons with disabilities.



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

8

Continuation of Ordinance No. 9 S. 2019

AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

- 5.2.4 Personnel and volunteers carrying out the forced evacuation shall ensure that all measures are taken to inform the evacuees, in a manner and language that they can understand, of the need for the evacuation, and the lack of other alternative for their evacuation.
- 5.2.5 Personnel and volunteers carrying out the forced evacuation shall comply with other rules being promulgated by the Commission on Human Rights (CHR) for the protection of human rights of all persons.

SECTION 6. COORDINATION

- 6.1 All emergency measures adopted shall be a coordinative and collaborative effort between the Batangas City DRRMC, the Barangay DRRMC and the members of the Incident Management Team.
- 6.2 The Evacuation and Camp Management guidelines and flow of operation stated in the Contingency Plans and Standard Operating Procedures shall be followed.

SECTION 7. RULES AND REGULATIONS. - The City Risk Reduction and Management Council shall prescribe the necessary rules and regulations for the efficient implementation of this ordinance.

SECTION 8. SEPARABILITY CLAUSE. - If for any reason, any section of this Ordinance is declared illegal or unconstitutional, other sections hereof which are not affected shall continue to be in full force and effect.

SECTION 9. REPEALING CLAUSE. - All previous issuances, ordinance, rules and regulations, provisions or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance, are hereby repealed and modified accordingly.



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod
Tel. No. 723-2175

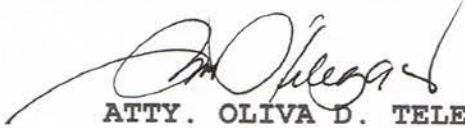
9

Continuation of Ordinance No. 9 S. 2019

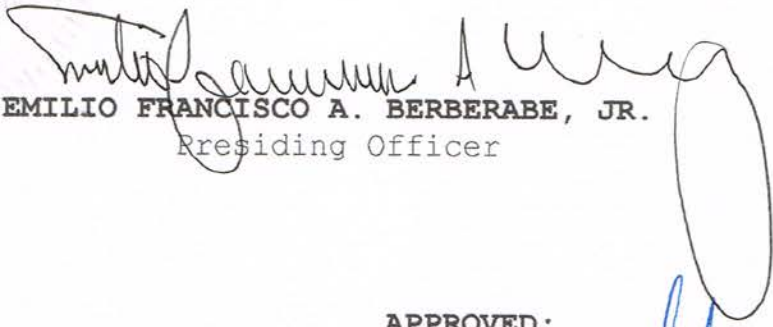
AN ORDINANCE MANDATING THE ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS AND PROVIDING GUIDELINES THEREOF

SECTION 10. EFFECTIVITY CLAUSE. - This ordinance shall take effect (15) fifteen days after its publication in a newspaper of general circulation.

ENACTED by the Sangguniang Panlungsod of Batangas City this 8th day of April, 2019.


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE, JR.
Residing Officer

APPROVED:


BEVERLEY ROSE A. DIMACUHA
City Mayor

Date Approved: APR 15 2019

**REPUBLIC OF THE PHILIPPINES
BATANGAS CITY**

OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE
MEMBERS OF THE SANGGUNIANG PANLUNGSOD OF BATANGAS CITY
ON APRIL 8, 2019 AT THE SANGGUNIAN SESSION HALL**

PRESENT:

Hon. Emilio Francisco A. Berberabe Jr.,	Presiding Officer
Hon. Aileen Grace A. Montalbo,	Councilor
Hon. Sergie Rex M. Atienza,	“
Hon. Hamilton G. Blanco,	“
Hon. Alyssa Renee A. Cruz,	“
Hon. Oliver Z. Macatangay,	“
Hon. Armando C. Lazarte,	“
Hon. Karlos Emmanjuel A. Buted,	“
Hon. Julian B. Villena,	“
Hon. Gerardo A. Dela Roca,	“
Hon. Nestor E. Dimacuha,	“
Hon. Nelson J. Chavez,	“
Hon. Julian Pedro M. Pastor,	“
Hon. Angelito “Dondon” A. Dimacuha,	ABC-Rep.
 Hon. Marjorie A. Manalo,	 SK-Fed. Pres.

“On motion of Councilor Dela Roca seconded by Councilor Blanco, the following Resolution was Adopted:

RESOLUTION NO. 116 S. 2019

**ADOPTING THE REPORT OF THE JOINT COMMITTEES ON LAWS, RULES
AND REGULATIONS, ENVIRONMENT, URBAN DEVELOPMENT, LAND USE AND
ZONING AND ENGINEERING AND PUBLIC WORKS AND APPROVING ON
SECOND AND FINAL READING THE ORDINANCE MANDATING THE
ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING
EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS
AND PROVIDING GUIDELINES THEREOF**

RESOLVED, to adopt the report of the Joint Committees on Laws, Rules and Regulations, Environment, Urban Development, Land Use and Zoning and Engineering and Public Works and the recommendations stated therein on the proposed ordinance entitled: “An Ordinance Mandating the Enforcement of Pre-Emptive and Forced Evacuation During Emergency Situations Caused by Natural or Man-made Disasters and Providing Guidelines Thereof”.

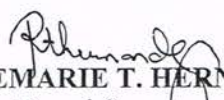
RESOLVED FURTHER, to approve the same on Second and Final Reading.

UNANIMOUSLY APPROVED.”

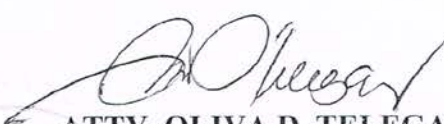
Continuation of Resolution No. 116 S. 2019

**ADOPTING THE REPORT OF THE JOINT COMMITTEES ON LAWS, RULES
AND REGULATIONS, ENVIRONMENT, URBAN DEVELOPMENT, LAND USE AND
ZONING AND ENGINEERING AND PUBLIC WORKS AND APPROVING ON
SECOND AND FINAL READING THE ORDINANCE MANDATING THE
ENFORCEMENT OF PRE-EMPTIVE AND FORCED EVACUATION DURING
EMERGENCY SITUATIONS CAUSED BY NATURAL OR MAN-MADE DISASTERS
AND PROVIDING GUIDELINES THEREOF**

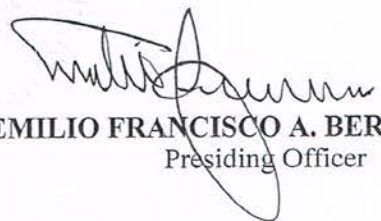
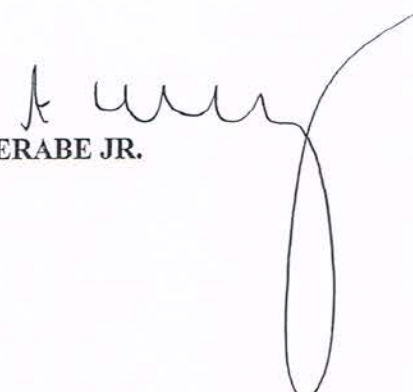
I hereby certify that the foregoing Resolution No. 116 S. 2019 was approved by the Sangguniang Panlungsod of Batangas City during its Regular Session held on April 8, 2019.


ROSEMARIE T. HERNANDEZ
Board Secretary IV
Sangguniang Panlungsod

NOTED:


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:

 
EMILIO FRANCISCO A. BERBERABE JR.
Presiding Officer

ODT/RTH/ystingchuy...

REPUBLIC OF THE PHILIPPINES
BATANGAS CITY

OFFICE OF THE SANGGUNIANG PANLUNGSOD

COMMITTEE REPORT

TO : The Honorable Presiding Officer
And Members of the Sangguniang Panlungsod

FROM : The Joint Committees on Laws, Rules and Regulations,
Committee on Environment, Urban Development, Land
Use and Zoning and Committee on Engineering and
Public Works

SUBJECT : Proposed Ordinance entitled: "An Ordinance Mandating
the Enforcement of Pre-Emptive and Forced Evacuation
During Emergency Situations Caused by Natural or
Man-made Disasters and Providing Guidelines Thereof

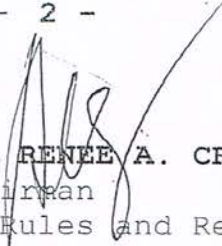
There is a request for the passage of an ordinance mandating the enforcement of pre-emptive and forced evacuation during emergency situations caused by natural or man-made disasters. The said request was referred to the Joint Committees on Laws, Rules and Regulations, Environment, Urban Development, Land Use and Zoning and Engineering and Public Works for study, comments and recommendations during the Regular Session held on February 18, 2019.

As per Republic Act No. 10121, the Local Disaster Risk Reduction Management Council is tasked to develop policies and plans and implement actions and measures pertaining to all aspects of disaster risk reduction and management, including good governance, risk assessment and early warning, knowledge building and raising awareness, reducing underlying risk factors, and preparedness for effective response and early recovery to ensure the safety and security of the residents.

Having no legal impediment for the approval of the proposed ordinance, the Joint Committees recommends the following:

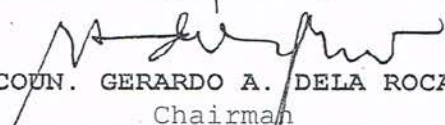
1. Adoption of the Committee Report
2. Approval of the proposed ordinance for Second and Final Reading.

Respectfully submitted, April 8, 2019.


COUN. ALYSSA RENEE A. CRUZ

Chairman

Committee on Laws, Rules and Regulations


COUN. GERARDO A. DELA ROCA

Chairman

Committee on Environment, Urban Development

Land Use and Zoning

Committee on Engineering and Public Works


COUN. SERGIO REX M. ATIENZA

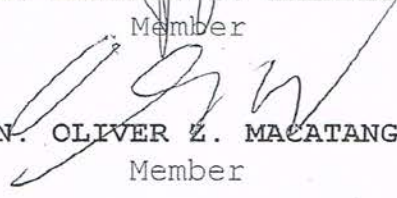
Member


COUN. ARMANDO C. LAZARTE

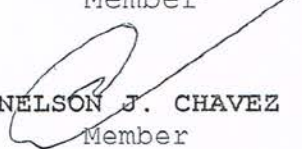
Member

COUN. JULIAN B. VILLENA

Member


COUN. OLIVER Z. MACATANGAY

Member


COUN. NELSON J. CHAVEZ

Member

COUN. MARJORIE A. MANALO

Member