



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
MUNICIPALITY OF SAN PABLO
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 15TH REGULAR SESSION OF THE 11TH MUNICIPAL COUNCIL (Under the Local Government Code of 1991) HELD AT THE MULTI-PURPOSE BUILDING, SAN PABLO, ZAMBOANGA DEL SUR ON NOVEMBER 9, 2022.

**MUNICIPAL ORDINANCE NO. 13-11
Series of 2022**

"AN ORDINANCE DECLARING UNPATENTED LOTS WITHIN ALIENABLE AND DISPOSABLE LANDS CONTAINING AN AREA OF ONE THOUSAND (1,000) SQUARE METERS AND BELOW AS RESIDENTIAL LOT."

WHEREAS, the local government role in the land administration and management has been expanding and evolving with the enactment of Republic Act 10023 *"An Act Authorizing the Issuance of Free Patents to Residential Lands"*,

WHEREAS, Section 3(g) of the Local Government Code provides the Local Government Unit (LGU) with an opportunity to participate in the implementation of the national programs and projects;

WHEREAS, Republic Act 10023 mandates the LGU to participate in the issuance of residential titles to lands through an approved zoning ordinance and issuance of special patents to LGU land for public use or purpose;

WHEREAS, DENR Administrative Order No. 2011-06 dated May 23, 2011 was issued *"Prescribing the Guidelines for the Implementation of Public Land Titling in Partnership with Local Government Units"*;

WHEREAS, DILG Memorandum Circular No. 2011-117 dated August 17, 2011 addressed to all Governors, City Mayors, Municipal Mayors, DILG Regional Directors and the Regional Governor of the ARMM to cause the integration of land titling in local government programs;

WHEREAS, the LGU of San Pablo believes that the titling program of all unpatented residential lot/s within Alienable and Disposable Land accelerated pursuant to the requirements of Section 1 and 2 of RA 10023, thus;

BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG BAYAN OF SAN PABLO, ZAMBOANGA DEL SUR, in session duly assembled that:

ARTICLE I – TITLE AND POLICIES

SECTION 1. Title – This Ordinance shall be known as the San Pablo Residential Free Patent Ordinance of 2022.

SECTION 2. Declaration of Policy – It is hereby declared the policy of LGU to improve the socio-economic condition of the municipality and its constituents by providing security of tenure on the land by integration of land titling activities in the LGU plans and programs for effective governance.

ARTICLE II – DEFINITIONS

SECTION 3. Definition of Terms – As used in this Ordinance, the following terms shall be defined as follows:

3.1 Alienable and Disposable Lands – Lands of public domain classified as agricultural subject to alienation and disposition by the state in accordance to the Public Land Act (CA141, as amended), and other related laws, that may be acquired through grant or confirmation of imperfect or incomplete titles.

3.2 Residential lands – All lands that have been identified and zoned as residential through the appropriate ordinance. This includes residential lands within areas zoned as mixed residential and commercial or mixed residential and industrial.

3.3 Local Government Unit (LGU) – Refers to the municipality of *San Pablo, Zamboanga del Sur*.

3.4 Ordinance – A law or regulation made by the LGU government.

3.5 Use for Public Service – Utilization of Parcels of Land exclusively by the government or any of its instrumentalities in providing basic services to the general public, such as, but not limited to, market places, town, city, provincial or barangay halls; hospitals, clinics, and health centers; police stations; outpost; jails; and the like.

3.6 Public Use – Utilization of parcels of land for structures which are open to the general public, including, but not limited to, public plazas, parks, resorts, roadways, recreational facilities, libraries, meeting places, playgrounds, public parking lots and the like.

ARTICLE III - OBJECTIVES

Section 4. This Ordinance aims to help the constituents in fast tracking the acceptance, processing and approval of the residential free patent application filed in the Community Environment and Natural Resources (CENR) Office.

ARTICLE IV – COVERAGE

Section 5. This Ordinance shall cover all lands of the public domain with the following status/condition:

- 5.1 must be an Alienable and Disposable (A&D) Land/s;
- 5.2 outside the residential zone of Comprehensive Land Use Plan (CLUP) of the municipality
- 5.3 the area is not more than 1,000 square meters;
- 5.4 not needed for public service – public use;
- 5.5 no patent or decree has been issued by the concerned agencies; and
- 5.6 must be provided by a road/alley at least five (5) meters in wide.

ARTICLE V – FINAL PROVISIONS

Section 6. Separability Clause. If for any reason, any part or provisions of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected shall continue to be in full force and effect.

Section 7. Repealing Clause. All ordinances and administrative regulations or parts thereof which are inconsistent with any provisions of this Ordinances are hereby repealed or modified accordingly.

Section 8. Effectivity – This Ordinance shall take effect after fifteen (15) days from its posting in the bulletin board of the Municipal Hall, Public Market and Official Facebook Page of this municipality.

ENACTED by the SANGGUNIANG BAYAN OF SAN PABLO, ZAMBOANGA DEL SUR, this 9TH day of November, 2022, at San Pablo, Zamboanga del Sur.

"UNANIMOUSLY APPROVED".

Verified:

ANDRES M. VILLANUEVA, III
Floor Leader

Attested:

ATTY. FLAVIO P. CORDERO, JR.
Municipal Vice Mayor

Approved:

DANILO A. TAUCAN
Municipal Mayor

I HEREBY CERTIFY that the foregoing is accurate and a true excerpt of the Minutes of the Session specified above per available records of this office.

NELITA P. SUMBI
Sanggunian Secretary