



Republic of the Philippines
Caraga Region XIII
Province of Surigao del Norte
Municipality of Alegria

SANGGUNIANG BAYAN OF ALEGRIA

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ALEGRIA, SURIGAO DEL NORTE, HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON DECEMBER 5, 2017.

PRESENT:

Hon. Nimfa N. Sagaral	-	SB Member
Hon. Arnold L. Dagcuta	-	SB Member
Hon. Gerry Z. Bacud	-	SB Member
Hon. Ernesto C. Odjinar, Sr.	-	SB Member, Presiding Officer
Hon. Eldy S. Gabeligno	-	SB Member
Hon. Ryan T. Abarico	-	SB Member
Hon. Emalyn S. Micompal	-	SB Member
Hon. Erlinda B. Silvosa	-	SB Member
Hon. Cheryl A. Woolery	-	LNMB President

ABSENT:

Hon. Dominador G. Esma, Jr. - Mun. Vice Mayor (OT TO VMLP)

MUNICIPAL ORDINANCE NO. 09

Series of 2017

"AN ORDINANCE INSTITUTIONALIZING THE DISASTER RISK REDUCTION AND MANAGEMENT SYSTEM IN THE MUNICIPALITY OF ALEGRIA, SURIGAO DEL NORTE"

Introduced by: Hon. Gerry Z. Bacud

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF ALEGRIA, SURIGAO DEL NORTE THAT:

SECTION 1. TITLE OF THE ORDINANCE

This Ordinance shall be known as the "Disaster Risk Reduction and Management Ordinance of Alegria, Surigao del Norte."

SECTION 2. PRINCIPLE

It shall be the governing principle of the municipality that "while it is the duty of the State to ensure the safety and welfare of its citizens against the risk of any disasters, it shall be the reciprocal duty of every citizen to obey all laws and orders of the duly constituted Government designed for their safety and welfare".

SECTION 3. LEGAL BASIS

Consistent with the constitutionally declared policy, this Ordinance is in accordance with the mandates of the following statutes:

- a) RA 10121, the Philippine Disaster Risk Reduction Management Act of 2010;
- b) RA 9729, the Philippine Climate Change Act of 2009;
- c) Section 16 and 17 of RA 7160, the Local Government Code of 1991;
- d) Article II, Section 16 of the 1987 Constitution.



SECTION 4. MUNICIPAL POLICIES ON DISASTER RISK REDUCTION AND MANAGEMENT

Consistent with RA 10121, it is hereby declared the policy of the municipality in disaster risk reduction and management to:

- a) Adopt a disaster risk reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socio-economic and environmental impacts of disasters including climate change, and promotes the involvement and participation of all sectors and all stakeholders concerned in the municipality;
- b) Institutionalize arrangements and measures for reducing disaster risks, including projected climate risks, and enhancing disaster preparedness and response capabilities at all levels within the municipality;
- c) Adopt and implement a coherent, comprehensive, integrated, efficient and responsive disaster risk reduction program incorporated in the development plan at various levels of government adhering to the principles of good governance such as transparency and accountability within the context of poverty alleviation and environmental protection;
- d) Mainstream disaster risk reduction and climate change in development processes such as policy formulation, socio-economic development planning, budgeting, and governance, particularly in the areas of environment, agriculture, water, health, education, poverty reduction, land-use and urban planning, and public infrastructure and housing, among others;
- e) Institutionalize the policies, structures, coordination mechanisms and programs with continuing budget appropriation on disaster risk reduction towards building a disaster-resilient communities;
- f) Ensure that disaster risk reduction and climate change measures are gender responsive, sensitive to indigenous knowledge systems, and respectful of human rights;
- g) Strengthen the capacities of the Barangay LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters;
- h) Engage the participation of civil society organizations (CSOs), the private sector and volunteers in the government's disaster risk reduction programs towards complementation of resources and effective delivery of services to the citizenry;



- i) Develop and strengthen the capacities of vulnerable and marginalized groups to mitigate, prepare for, respond to, and recover from the effects of disasters;
- j) Enhance and implement a program where humanitarian aid workers, communities, health professionals, government aid agencies, donors, and the media are educated and trained on how they can actively support breastfeeding before and during a disaster and/or an emergency;and
- k) Provide maximum care, assistance and services to individuals and families affected by disaster, implement emergency rehabilitation projects to lessen the impact of disaster, and facilitate resumption of normal social and economic activities.

SECTION 5. DEFINITION OF TERMS.

For purposes of this Ordinance the following shall refer to:

- a) **"Calamity"** - a state of extreme distress or misfortune produced by some adverse circumstances or event or any misfortune or cause or loss or misery caused by natural forces.
- b) **"Disaster"** - a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources.
- c) **"Disaster Risk"** - the potential disaster losses in lives, health status, livelihood, assets and services, which could occur to a particular community or a society over some specified future time period.
- d) **"Early Warning System"** - the predetermined set of capacities needed to generate and disseminate timely and meaningful warning information from monitoring, detection, dissemination and community response to enable individuals, communities and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss.
- e) **"Emergency"** - unforeseen or sudden occurrence, especially danger, demanding immediate action.
- f) **"Forced Evacuation"** - an order from competent authority to forcibly evacuate residents of a Barangay to an appropriate evacuation destination to protect their lives during the onslaught of disaster.



- g) **"Hazard"** - a dangerous phenomenon due to a substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.
- h) **"Mitigation"** - structural and non-structural measures undertaken to limit the adverse impact of natural hazards, environmental degradation, and technological hazards and to ensure the ability of at-risk communities to address vulnerabilities aimed at minimizing the impact of disasters.
- i) **"Pre-emptive Evacuation"** - an order from competent authority to legally evacuate resident of a Barangay to an appropriate evacuation destination to forestall their exposure to an imminent disaster.
- j) **"Preparedness"** - pre-disaster actions and measures being undertaken within the context of disaster risk reduction and management and are based on sound risk analysis as well as pre-disaster activities to avert or minimize loss of life and property such as, but not limited to, community organizing, training, planning, equipping, stockpiling, hazard mapping, insuring of assets, and public information and education initiatives.
- k) **"Protocol"** - a set of standardized procedures governing the communication, and operation of the different organized groups or teams to effectively deliver the needed information, resources and services in the event of disaster.
- l) **"Rehabilitation"** - measures that ensure the ability of affected communities/areas to restore their normal level of functioning by rebuilding livelihood and damaged infrastructures and increasing the communities organizational capacity.
- m) **"Response"** - any concerted effort by two (2) or more agencies, public or private, to provide assistance or intervention during or immediately after a disaster to meet the life preservation and basic subsistence needs of those people affected and in the restoration of essential public activities and facilities.
- n) **"Risk"** - the combination of the probability of an event and its negative consequences.
- o) **"Vulnerability"** - susceptibility of a community, system or asset to the damaging effects of a hazard.



SECTION 6. MUNICIPAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL.

a) The Municipal Disaster Risk Reduction and Management Council is hereby reorganized or MDRRMC chaired by the **Municipal Mayor** and composed of the following member:

- 1) Municipal Planning and Development Officer;
- 2) Municipal Social Welfare and Development Officer;
- 3) Municipal Health Officer;
- 4) Municipal Agricultural Officer;
- 5) Head of the Gender and Development Office;
- 6) Municipal Engineer;
- 7) Municipal Budget Officer;
- 8) Municipal Environment and Natural Resources Officer;
- 9) District Head/Supervisor of Public Schools of the DepED;
- 10) The highest-ranking officer of the Armed Forces of the Philippines (AFP) assigned in the area;
- 11) Municipal Chief of the Police (COP) of the Philippine National Police;
- 12) Municipal Fire Marshall of the Bureau of Fire Protection (BFP);
- 13) President of Liga ng mga Barangay;
- 14) The representative from the Philippine National Red Cross (PNRC);
- 15) SB Chairmen on Peace and Order and Environment;
- 16) Municipal Local Government Operations Officer of DILG;
- 17) Head of the Philippine Coast Guard assigned in the area;
- 18) At least Four (4) accredited CSOs or NGOs; and
- 19) At least One (1) private sector representative.

b) The MDRRMC shall have the following powers, duties and functions:

- 1) Formulate, monitor and evaluate the implementation of the Municipal Disaster Risk Reduction and Management Plans (MDRRMPs) and regularly review and ensure the plan consistent with other national and provincial planning programs;
- 2) Ensure the integration of disaster risk reduction and climate change adaption into local development plans, programs and budgets as a strategy in sustainable development and poverty reduction; and
- 3) Recommend the implementation of forced or pre-emptive evacuation of local residents at risk, if necessary.

c) Meeting, Quorum, Presiding Officer and Secretariat:

- 1) The regular meeting of the MDRRMC shall be held once every three (3) months or oftener on dates and place determined by the Council. The majority of all the members of the MDRRMC shall constitute a quorum in order to transact business and conduct meetings.
- 2) The Chairman or the majority of all its members may call for a special meeting as maybe deem necessary. The MDRRMC shall promulgate its internal rules to govern the conduct of its meetings.



- 3) The Chairman shall be the Presiding Officer while the MDRRMO, referred to in Sec. 6 of this Ordinance shall serve as the Secretariat.

SECTION 7. MUNICIPAL DISASTER RISK REDUCTION AND MANAGEMENT OFFICE

- a) There is hereby created a Municipal Disaster Risk Reduction and Management Office (MDRRMO) under the control and supervision of the Office of the Mayor and a Barangay Disaster Risk Reduction and Management Committee (BDRRMC) in every Barangay to be headed by the Punong Barangay.
- b) The MDRRMO shall be managed by a Disaster Risk Reduction and Management Officer (DRRMO) who shall be a Head of Office assisted by three (3) staff responsible for: (1) administration and training; (2) research and planning; and (3) operations and warning.
 - 1) The budgetary source, compensation and hiring procedure for the MDRRMO shall conform to the rules and policies of the CSC and the DBM, among others.
 - 2) The MDRRMO shall have the following qualifications:
 - i. Must be a resident of the LGU;
 - ii. Must be a civil service eligible (professional or its equivalent);
 - iii. Preferably with civil defense/DRM experience
- c) The MDRRMO or BDRRMCs, in coordination with concerned national agencies and instrumentalities, shall perform the following duties and functions:
 1. Design, program, and coordinate disaster risk reduction and management activities consistent with the National Council's standards and guidelines;
 2. Facilitate and support risk assessments and contingency planning activities at the local level;
 3. Consolidate local disaster risk information which includes natural hazards, vulnerabilities, and climate change risks, and maintain a local risk map;
 4. Organize and conduct training, orientation, and knowledge management activities on disaster risk reduction and management at the local level;
 5. Operate a multi-hazard early warning system, linked to disaster risk reduction to provide accurate and timely advice to national or local emergency response organizations and to the general public, through diverse mass media, particularly radio, landline communication within rural communities;



6. Formulate and implement a comprehensive and integrated MDRRMP in accordance with the national, regional and provincial framework, and policies on disaster risk reduction in close coordination with the municipal development council (MDC);
7. Prepare and submit to the local Sanggunian through the MDRRMC and the MDC the annual MDRRMO Plan and budget, the proposed programming of the MDRRMF, other dedicated disaster risk reduction and management resources, and other regular funding source/s and budgetary support of the MDRRMO/BDRRMC;
8. Conduct continuous disaster monitoring and mobilize instrumentalities and entities of the LGUs, CSOs, private groups and organized volunteers, to utilize their facilities and resources for the protection and preservation of life and properties during emergencies in accordance with existing policies and procedures;
9. Identity, access and manage the hazards, vulnerabilities and risks that may occur in their locality;
10. Disseminate information and raise public awareness about those hazards, vulnerabilities and risks, their nature, effects early warning signs and counter measures;
11. Identity and implement cost-effective risk reduction measures/strategies;
12. Maintain a database of human resource, equipment, directories, and location of critical infrastructures and their capacities such as hospitals and evacuation centers;
13. Develop, strengthen and operationalized mechanisms for partnership or networking with the private sector, CSOs, and volunteer groups;
14. Take all necessary steps on a continuing basis to maintain, provide, or arrange the provision of, or to otherwise make available, suitably-trained and competent personnel for effective civil defense and disaster risk reduction and management in its area;
15. Organize, train, equip and supervise the local emergency response teams and the ACDVs, ensuring that humanitarian aid workers are equipped with basic skills to assist mothers to breastfeed;
16. Respond to and manage the adverse effects or emergencies and carry out recovery activities in the affected area, ensuring that there is an efficient mechanism for immediate delivery of food, shelter and medical supplies for women and children, endeavor to



- create a special place where internally displaced mothers can find help with breastfeeding, feed and care for their babies and give support to each other;
17. Within its area, promote and raise public awareness of and compliance with this Ordinance and RA 10121 and legislative provisions relevant to the purpose of this Ordinance and RA 10121;
 18. Serve as the secretariat and executive arm of the MDRRMC;
 19. Coordinate other disaster risk reduction and management activities;
 20. Establish linkage/network with other LGUs for disaster risk reduction and emergency response purposes;
 21. Recommend through the MDRRMC the enactment of ordinances consistent with the requirements of this Ordinance and RA 10121;
 22. Implement policies, approved plans and programs of the MDRRMC consistent with the policies and guidelines laid down in this Ordinance and RA 10121;
 23. Establish a Municipal Disaster Risk Reduction and Management Operations Center;
 24. Prepare and submit, through the MDRRMC and the MDC, the report on the utilization of the MDRRMF and other dedicated disaster risk reduction and management resources to the local Commission on Audit (COA), copy furnished the regional director of the OCD and the Local Government Operations Officer of the DILG; and
 25. Act on other matters authorized by the MDRRMC.
- d) The BDRRMCs shall be a regular committee of the existing Barangay Development Council and shall be subject thereto. The Punong Barangay shall facilitate and ensure the participation of at least two (2) CSO representatives from existing and active community-based people's organizations representing the most vulnerable and marginalized groups in the Barangay.
- e) The sanggunian shall appropriate funds for the operation and management of the MDRRMO subject to existing laws and regulations.



SECTION 8. DISASTER OPERATIONS CENTER.

- a) There is hereby created a Disaster Operations Center or OpCen under the control and supervision of the Municipal Mayor and managed by the DRRM Officer. It shall serve as the nerve or command center for coordination of all units and service sectors and other agencies of the municipal government as well as NGO's and private sectors at the onset, during and post disaster activities.
- b) The OpCen shall be activated on the onset of a disaster by the Municipal Mayor or DRRMO as Emergency Operations Center or EOC to serve as the nerve center for:
 - 1) Disaster and alert monitoring,
 - 2) Multi-agency operational coordination,
 - 3) Response resource mobilization,
 - 4) Information management and
 - 5) Program coordination for operations capability upgrade.
- c) As a matter of protocol and as may be required by the MDRRMCC through the DRRMO, pre-designated personnel from MDRRMC member offices or agencies shall render duty (24/7) at the EOC.
- d) The operational procedures of the OpCen shall be set forth in the Manual to be formulated under Section 13 of this Ordinance.

SECTION 9. DISASTER RISK REDUCTION AND MANAGEMENT PLANS AND PROGRAMS.

- a) The Disaster Risk Reduction and Management Plans and Programs (DRRMPP for brevity) shall complement the mandates of RA 10121 otherwise known as the "Philippines Disaster Risk Reduction Management Act of 2010" to authorize a program for pre-disaster mitigation; to provide for the direction and coordination of disaster preparations, response, and recovery; to streamline the administration of disaster relief; to appropriate and/or control the municipality costs of disaster assistance and for other purposes.
- b) The DRRMP shall provide a blue print for the municipality's prevention, mitigation, preparedness, and response protocols in the event of a disaster to minimize the destructive effects of disasters within the municipality.
- c) The DRRMPP shall be formulated by the MDRRMC-TWG and in close coordination with the Municipal Development Council (MDC) to ensure the integration of the DRRMPP into the municipal development plans and budgets.



year of LGU lifelines as well as all local government infrastructure projects and public buildings relative to their strength, rigidity and resistance to wind and seismic loadings. The OME, in coordination with the DRRMO, shall formulate the mechanics and procedures in the conduct of the public infrastructure audit or inspection in accordance with the mandates of the National Building Code and other relevant laws and directives to be integrated in the Manual as referred in Sec. 12 of this Ordinance.

- b) In the event external expertise is required, the MDRRMC is encouraged to communicate with the nearest DPWH Office.

SECTION 13. MANUAL ON DISASTER RISK REDUCTION AND MANAGEMENT.

- a) The MDRRMC, with the assistance of the DRRMO, shall formulate a Manual on Disaster Risk Reduction and Management or Manual for brevity within a period of six (6) months immediately after the approval of this Ordinance.
- b) The Manual shall prescribe the different protocols in the operation, coordination and management of the different service sectors in the event of disaster. It shall also focus on the procedures and strategies at the onset, during and immediately after the disaster to ensure that lives and properties are protected and saved.
- c) The Manual shall be reviewed every three (3) years after its adoption by the Sanggunian to evaluate its relevance and effectiveness.

SECTION 14. PUBLIC EDUCATION AND COMMUNITY PREPAREDNESS.

- a) The municipal government shall undertake, but not limited to the following activities to alert the community to local hazards and provide information on preparedness and risk reduction strategies in order to protect lives and properties:
- 1) Provide an area within its jurisdiction where hazards maps and contingency plans for major hazards are prominently displayed;
 - 2) Disseminate information through internet and printed materials such as newsletters, brochures and pamphlets;
 - 3) Conduct public awareness programs or activities advising the community about local characteristics of potential hazards and possible impacts such as for a, symposium among others;
 - 4) Provide public education on how individuals can prepare themselves for disaster events;



- d) The MDRRMC shall, in close coordination with the DRRMO, update any existing disaster management or risk mitigation plan of the municipality, outline the current disaster management system and structure that is in place including any propose enhanced system and/or structure in the future and define the responsibilities of individual members, sectors and units at each level of the structure.
- e) The MDRRMC shall identify list of disaster programs and projects from the duly approved BDRRMP of every barangays to be integrated in the DRRMPP with preference to those disaster-prone barangays that can be highly affected in the event of disaster.
- f) The updated and comprehensive DRRMPP should provide for the coordination of disaster planning, preparedness, response and recovery by the different service sectors and specify the disaster management roles and responsibilities of each service sector including the national government agencies, non-government organizations and private sector.
- g) The DRRMPP shall be reviewed annually as to its relevance, comprehensiveness and effectiveness.

SECTION 10. DECLARATION AND TERMINATION OF STATE OF CALAMITY.

The declaration and lifting of the state of calamity may be issued by the **Sangguniang Bayan** upon recommendation of the MDRRMC, based on the results of the damage assessment and needs analysis pursuant to Sec. 16 of RA 10121.

SECTION 11. MANDATORY EARLY WARNING SYSTEM.

- a) In coordination with PAGASA and other line agencies, the MDRRMC shall institutionalize an Early Warning System (EWS) that shall be people-centered that comprises four (4) key elements: knowledge of the risks; monitoring, analysis and forecasting of the hazards; communication or dissemination of alerts and warnings; and local capabilities to respond to the warnings received.
- b) The warning to be provided by the EWS shall be *timely* warning so as to provide the community enough lead-time for responding, *reliable* so that those responsible for responding to the warning will feel confident taking action, and *simple* so as to be understood.

SECTION 12. MANDATORY INSPECTION OF LOCAL GOVERNMENT INFRASTRUCTURE PROJECTS AND PUBLIC BUILDINGS.

- a) The MDRRMC shall require the Office of the Municipal Engineer (OME) to conduct a mandatory inspection every



- 5) Have an information dissemination plan; and
 - 6) Allow and encourage public access to the protocols and strategies embodied in the Manual.
- b) A DRRM Training Center shall cater to trainings of public and private individuals and organizations in disaster risk reduction and management, including emergency response, search and rescue operations, and capacity-building programs, among others. Suitable location for the establishment of the Center shall be determined by the MDRRMC in consultation with the MDC and other concerned stakeholders.
- c) All secondary and tertiary schools, including the National Service Training Program (NSTP), whether private or public, including formal and non-formal, technical-vocational, indigenous learning, and out of school youth courses and programs, under the supervision of either DepEd, CHED or TESDA, in coordination with the OCD, the National Youth Commission (NYC), the DOST, the DENR, the DILG-BFP, the DOH, the DSWD and other relevant agencies, shall integrate disaster risk reduction and management education in the school curricula pursuant to Section 14 of RA 10121.
- d) The BDRRMCs and the SK councils shall encourage community, specifically the youth participation in disaster risk reduction and management activities, such as organizing quick response groups, particularly in identified disaster-prone areas, as well as the inclusion of disaster risk reduction and management programs as part of the SK programs and projects.

SECTION 15. LOCAL DISASTER MITIGATION POLICIES.

- a) It shall be the policy of the Municipality to prohibit activities that may hasten or aggravate the impact of disaster such as, but not limited to, the following:
- 1) Littering, throwing, dumping of waste matters in public places such as roads, sidewalks, canals, esteros or parks and establishment or causing or permitting the same;
 - 2) The open burning of agricultural wastes such as rice straws and solid waste;
 - 3) Squatting in any high risk areas;
 - 4) Construction of any establishment in high risk areas;
 - 5) Open dumping, burying of biodegradable or non-biodegradable materials in flood prone areas
- b) Violations of these provisions are subject to fines, penalties or imprisonment as may be provided by the Revised Penal Code, RA 9003 and other existing laws.

SECTION 16. EVACUATION.

- a) It shall be the responsibility of the municipality to establish, maintain and manage evacuation centers in strategic, accessible but safe places. The standards and



guidelines to establish maintain and manage evacuation centers shall be set forth in the Manual to be formulated under Section 13 of this Ordinance.

- b) In the event that a Emergency Evacuation Centers shall be needed to lessen the risk of transporting evacuees, the Municipal Mayor or Punong Barangay is empowered to convert any private vacant lot or building for this purpose in case the owner refuses to allow the use only for the duration of the evacuation.
- c) Forced Evacuation shall be enforced upon orders of the following competent authorities:
 - 1) President of the Philippines or any Cabinet Secretaries upon order by the President or any legitimate National or Regional DRRMC;
 - 2) Chairman of the Provincial/ Municipal upon recommendation of the P/M DRRMC;
 - 3) Punong Barangay being the Chairman of the BDRRMC upon recommendation of the BDRRMC and after assessment of the situation, there is a need to undertake the pre-emptive or forced evacuation to ensure the safety of the residents against imminent danger in the event of a disaster provided that the Punong Barangay shall immediately inform the MDRRMC Chairman through fastest means.
 - 4) The Municipal Mayor and/or Punong Barangay or their authorized representative acting upon their direct order shall not be liable during the enforcement of forced evacuation. Provided, however, that no use of excessive force and bad faith to forcibly evacuate affected residents to a safer ground, pick-up points and/or appropriate evacuation destination.
 - 5) The Municipal Mayor and/or Punong Barangay may order any person who has the capacity and capability to assist in the implementation of forced evacuation provided that it will not endanger the life of said person. Any person who refused to assist, upon order of competent authority, shall be arrested and charged for violation of the Revised Penal Code if the refusal resulted to the death and serious injury of the person in danger intended to be assisted.

SECTION 17. NON-COMPLIANCE TO FORCED EVACUATION

Any person who willfully and deliberately disregard or opposed the order of forced evacuation issued by the Municipal Mayor or Punong Barangay or competent authorities shall release the latter from any liability for the former's injury or death attributed to his disobedience. During evacuation, priority shall be given to those persons or residents who willfully comply with the order of forced evacuation.



SECTION 18. MUNICIPAL DISASTER RISK REDUCTION AND MANAGEMENT FUND

- a) Annually, the Municipality shall set aside not less than five percent (5%) of the estimated revenue from regular sources as the Municipal Disaster Risk Reduction and Management Fund (MDRRMF) to support disaster risk management activities such as, but not limited to, pre-disaster preparedness programs including training, purchasing life-saving rescue equipment, supplies and medicines, for post-disaster activities, and for the payment of premiums on calamity insurance and construction of evacuation centers.

The MDRRMC shall monitor and evaluate the use and disbursement of the MDRRMF based on the MDRRMPP incorporated in the local development plans and annual work and financial plan. Upon the recommendation of the DRRMO and approval of the Sanggunian, the MDRRMC may transfer the said fund to support disaster risk reduction work of other LDRRMCs which are declared under state of calamity.

- b) Of the amount appropriated for MDRRMF, thirty percent (30%) shall be allocated as Quick Response Fund (QRF) or stand-by fund for relief and recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, calamities, epidemics, or complex emergencies, may be normalized as quickly as possible.
- c) Unexpended MDRRMF shall accrue to a special trust fund solely for the purpose of supporting disaster risk reduction and management activities of the MDRRMC within the next five (5) years. Any such amount still not fully utilized after five (5) years shall revert back to the general fund and will be available for other social services to be identified and prioritized by the MDC.

SECTION 19. PROHIBITED ACTS.

- a) Any person, group or corporation who commits any of the following prohibited acts provided under Section 19 of RA 10121 shall be held liable and be subjected to the penalties as prescribed in Section 20 of the said Act:
- 1) Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;
 - 2) Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment, accessories, disaster teams/experts;



- 3) Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other aid commodities which are intended for distribution to disaster affected communities;
- 4) Buying, for consumption or resale, from the receipt disaster affected persons any relief goods, equipment or other aid commodities received by them;
- 5) Selling of relief goods, equipment or other aid commodities which are intended for distribution to disaster victims;
- 6) Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;
- 7) Diverting or misdelivery of relief goods, equipment or other aid commodities to persons other than the rightful receipt or consignee;
- 8) Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor signed to him/her;
- 9) Misrepresenting the source of relief goods, equipment or other aid commodities by:
 - i) Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;
 - ii) Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency or persons;
 - iii) Making false verbal claim that the goods, equipment or other aid commodity in its unhampered original containers actually came from another agency or persons or was released upon the instance of a particular agency or persons;
- 10) Substituting or replacing relief goods, equipment or other aid commodities with the same items or inferior/cheaper quality;
- 11) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the NDRRMC;
- 12) Deliberate use of false or inflated data in support of the request for funding, relief goods, equipment or other aid commodities for emergency assistance or livelihood projects; and



- 13) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia.
- b) In addition to the enumerated prohibited acts under paragraph (a) of this Section, it shall be unlawful for any person to willfully obstruct, hinder or delay any emergency services or loot the dwellings, properties and livestock's of evacuees.
- c) Any individual who commits any of the prohibited acts provided for in this section shall be arrested by any person who has knowledge about the commission of the offense or witnessed the commission. Arrested violators shall be surrendered to the PNP within twelve (12) hours upon arrest.

SECTION 20. MANDATORY REVIEW

It shall be mandatory for the **Sangguniang Bayan** to review this Ordinance five (5) years after its approval, in order to evaluate its relevance and propose any appropriate changes.

SECTION 21. MISCELLANEOUS PROVISIONS

- a) The municipal government shall immediately establish and maintain contact with the PDRRMC, the Philippine National Red Cross, and other pertinent agencies during a disaster.
- b) The municipal government shall provide a temporary site for the municipal government offices whenever a disaster may destroy municipal government facilities and infrastructures in order to continue government operations.
- c) The municipal government shall establish inter-local cooperation with adjacent local governments in the event of the occurrence of a disaster.
- d) The municipal government shall coordinate and work with the BDRRMC in the organization of zones where a cluster of Barangays may be grouped together for better coordination of disaster response.
- e) Upon the declaration of a state of calamity in the Municipality, the Municipal Price Coordinating Council shall be automatically activated to prevent overpricing/profitteering and hoarding or prime commodities, medicines and petroleum products.



SECTION 22. SEPARABILITY CLAUSE

If any provision, section or part of this Ordinance is declared invalid, suspended or revoked by a court of competent jurisdiction the remaining provisions shall continue to be in full force and effect.

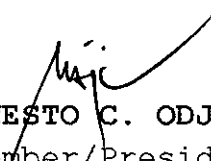
SECTION 23. EFFECTIVITY


This Ordinance shall take effect fifteen (15) days from the date of review of the Sangguniang Panlalawigan and posting in at least three (3) conspicuous places in the municipality or publication in newspaper of general circulation whichever occurs later.

ADOPTED AND APPROVED. DECEMBER 5, 2017 on motion of Hon. Gerry Z. Bacud duly seconded by mass.

Let copies of this ordinance be forwarded to the Sangguniang Panlalawigan of Surigao del Norte for appropriate review and approval.

CERTIFIED TRUE AND CORRECT:


ERNESTO C. ODJINAR, SR.
SB Member/Presiding Officer


ATTESTED: MA. ELENA J. BUCONG
SB/Secretary

APPROVED:


RENE G. ESMA, M.E.
Municipal Mayor

DEC 8, 2017

Date Signed