



Republic of the Philippines
HOUSE OF REPRESENTATIVES

Quezon City, Metro Manila

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 4642

Introduced by Honorable Evelina G. Escudero

EXPLANATORY NOTE

This bill seeks to authorize the punong barangay and the city or municipal mayor to remove from their area of jurisdiction illegal dwelling units or structures in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways and in other public places such as sidewalks, roads, parks, and playgrounds, amending for the purpose Section 30 of Republic Act (RA) No. 7279, otherwise known as the "*Urban Development and Housing Act of 1992*."

The existence of informal settlements in danger areas and other public places is a complex social and economic problem in the Philippines. This is so because informal settlers are afforded protection by our laws, hence, it is difficult for authorities to remove them from the danger areas and public places they occupy. This measure seeks to resolve the proliferation of informal settlers in danger areas such as esteros, railroad tracks, garbage dumps, riverbanks, shorelines, waterways and other public places such as sidewalks, roads, parks, and playgrounds. Being more knowledgeable and well-informed of what is happening in and around their locality, the punong barangay and the city or municipal mayor are in the best position to address the problem of informal settlers in their area of jurisdiction.

At present, Section 30 of RA 7279 empowers the barangay, municipal and city government units to prevent the construction of any kind of illegal dwelling units or structures within their respective localities. Likewise, it categorically states the liability of the head of any local government unit who allows, abets or otherwise tolerates the construction of any structure in violation of Section 30 of RA 7279.

This measure clearly puts the responsibility where it falls and expressly authorizes the punong barangay and the city or municipal mayor to remove illegal dwelling units or structures from danger areas. This proposed bill takes into consideration the clandestine manner that informal settlers build their settlements. The removal of illegal dwelling units or structures already built in danger areas and other public places shall now be the responsibility of the punong barangay and the city or municipal mayor.

The failure of the punong barangay and the city or municipal mayor to perform the mandate under this measure shall be a ground for administrative sanctions under existing laws and to penal sanctions provided for in the proposed measure. With this mandate, it is expected that these local chief executives will finally resolve the problem of informal settlements in danger areas and other public places in their area of jurisdiction and eventually eradicate the same.

In view of the foregoing, approval of this bill is earnestly requested.



EVELINA G. ESCUDERO



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AN ACT

AUTHORIZING THE PUNONG BARANGAY AND THE CITY OR MUNICIPAL MAYOR TO REMOVE ILLEGAL DWELLING UNITS OR STRUCTURES FROM DANGER AREAS AND OTHER PUBLIC PLACES IN THEIR LOCALITIES, AMENDING FOR THE PURPOSE SECTION 30 OF REPUBLIC ACT NO. 7279, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992"

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 30 of Republic Act No. 7279 is hereby amended to read as follows:

"SEC. 30. Prohibition Against [New] Illegal Structures;

AUTHORITY TO REMOVE. – It shall be unlawful for any person

to construct any structure in areas mentioned in the preceding

section.

After the effectivity of this Act, the barangay, municipal or

city government units shall prevent the construction of any kind of

illegal dwelling units or structures within their respective localities.

1 TO ENSURE THE EFFECTIVE IMPLEMENTATION OF
2 THIS ACT, THE PUNONG BARANGAY AND THE CITY OR
3 MUNICIPAL MAYOR ARE AUTHORIZED TO REMOVE
4 ILLEGAL DWELLING UNITS OR STRUCTURES FROM
5 DANGER AREAS SUCH AS ESTEROS, RAILROAD TRACKS,
6 GARBAGE DUMPS, RIVERBANKS, SHORELINES,
7 WATERWAYS AND OTHER PUBLIC PLACES SUCH AS
8 SIDEWALKS, ROADS, PARKS, AND PLAYGROUND IN
9 THEIR LOCALITIES.

10 The head of any local government unit concerned who
11 allows, abets or otherwise tolerates the construction of any
12 structure in violation of this section AND FAILS TO REMOVE
13 ILLEGAL DWELLING UNITS OR STRUCTURES IN DANGER
14 AREAS AND OTHER PUBLIC PLACES IN THE AREA OF
15 JURISDICTION shall be liable to administrative sanctions under
16 existing laws and to penal sanctions provided for in this Act.”

17 SEC. 2. All laws, decrees orders, rules and regulations and other
18 issuances or parts thereof which are inconsistent with the provisions of this Act
19 are hereby repealed, amended or modified accordingly.

20 SEC. 3. This Act shall take effect fifteen (15) days after its publication in
21 the *Official Gazette* or in a newspaper of general circulation.

22 Approved,