

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Nineteenth Congress
First Regular Session

HOUSE BILL NO. **4531**



Introduced by Honorable Mark O. Go

EXPLANATORY NOTE

This bill seeks to rectify several vague provisions in Republic Act No. 11689 or the “Revised Charter of the City of Baguio” to better reflect the intention of the Eighteenth Congress in passing the Revised Charter.

It is proposed that Section 23, paragraph C, number 4 of the Revised Charter be deleted as it makes reference to Section 56 of the Local Government Code of 1991 which only applies to component cities and municipalities. The City of Baguio is a highly-urbanized city, and is independent from any provincial government. As such, the Secretary to the Sangguniang Panlungsod should not be required to forward copies of the approved ordinances of the city government to any Sangguniang Panlalawigan for the review of such ordinances.

Section 50 of the Revised Charter is amended to clarify that proceeds from the sale of lands within the Baguio Townsite Reservation shall accrue to the City Government of Baguio and not to the National Government, although a portion of the proceeds shall be used to defray the operating expenses incurred by the DENR in facilitating the Townsite Sales Applications.

Section 52 of the Revised Charter is amended to limit the participation of the John Hay Management as a member of the Special Committee on Lands only insofar as lands within the Camp John Hay Reservation are concerned. This proposed amendment better reflects the intended involvement of the John Hay Management Corporation which shall not be as far-reaching as to affect lands outside the scope of the jurisdiction of the John Hay Management Corporation.

Section 55 of the Revised Charter is likewise amended to reflect the land area transferred to the Bases Conversion and Development Authority as provided for in Republic Act No. 7227 or the Bases Conversion and Development Act of 1992. The amendment of the figure provided in the Revised Charter shall in no way prejudice the conduct of a final survey which shall determine the exact area of the Camp John Hay Reservation.

Hence, approval of this bill is earnestly requested.


MARK O. GO

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AN ACT
PROVIDING FOR OMNIBUS AMENDMENTS TO REPUBLIC ACT NO. 11689,
OTHERWISE KNOWN AS THE “REVISED CHARTER OF THE
CITY OF BAGUIO”

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

SECTION 1. Section 23 of Republic Act No. 11689 or the “Revised Charter of the City of Baguio” is hereby amended to read as follows:

“Sec.23. Secretary to the Sangguniang Panlungsod. — (a) There shall be a Secretary to the Sangguniang Panlungsod who shall be a career official with the rank and salary equal to a head of a department or office.

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“(c) The Secretary to the Sangguniang Panlungsod shall take charge of the office of the Sangguniang Panlungsod, and shall:

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“[(4) Forward to the Sangguniang Panlalawigan copies of duly approved ordinances in the manner provided in Sections 56 and 57 of the Local Government Code of 1991, as amended;]

“[(5)] (4) Furnish, upon the request of any interested party, certified copies of records of public character in custody, upon payment to the City Treasurer of such fees as may be prescribed by ordinance;

“[(6)] (5) Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sangguniang Panlungsod, with the dates of passage and publication thereof;

“[(7)] (6) Keep the office and all non-confidential records therein open to the public during usual business hours;

“[(8)] (7) Translate into the dialect used by the majority of the inhabitants all ordinances and resolutions immediately after their approval and cause the publication of the same together with the original version in the manner provided under the Local Government Code of 1991, as amended;

“[(9)] (8) Take custody of the local archives and where applicable, the local library, and annually account for the same; and

“[(10)] (9) Perform other duties and functions, and exercise such other powers as provided under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance.”

SEC. 2. Section 50 of Republic Act No. 11689 or the “Revised Charter of the City of Baguio” is hereby amended to read as follows:

“Section 50. Alienable and Disposable Lands. — All alienable and disposable lands within the Baguio Townsite Reservation shall be disposed of and awarded by the DENR through the grant of residential free patent, townsite sales, or other modes of disposition pursuant to Republic Act No. 10023; Commonwealth Act No. 141, otherwise known as "The Public Land Act," as amended; Republic Act No. 11573; and such other laws authorizing the disposition of the lands to qualified applicants.

“TOWNSITE SALES APPLICATIONS (TSA) SHALL BE CLEARED JOINTLY BY DENR AND THE CITY GOVERNMENT. PROCEEDS FROM TOWNSITE AND MISCELLANEOUS SALES SHALL ACCRUE TO THE CITY GOVERNMENT AND A PORTION OF WHICH SHALL BE ALLOCATED TO DENR FOR OPERATING EXPENSES.

“The application of Republic Act No. 10023 shall always consider the zoning ordinance and the city land use plan. Hence, alienable and disposable public land covered by a townsite sales application filed with the DENR covering areas exceeding two hundred (200) square meters may be subdivided for processing under a residential free patent application, and the excess area thereof shall be processed through townsite sales.

“Alienable and disposable lands between roads and titled properties and lands adjoining legal easements along creeks and rivers with an area of two hundred (200) square meters, or less, and which are not occupied by houses nor covered by vested rights, shall be immediately delineated, marked and corners monumented not later than twelve (12) months from the effectivity of this Act, and shall form part of the greenbelt areas of Baguio City and not to be awarded to private individuals.”

SEC. 3. Section 52 of Republic Act No. 11689 or the “Revised Charter of the City of Baguio” is hereby amended to read as follows:

“Section 52. Special Committee on Lands. — There shall be created a Special Committee on Lands to assist the DENR and to serve as venue for the resolution of all land-related issues in the City. It shall protect the interest of the City and its long-time occupants, especially in the review of (i) all ancestral land claims but such review

shall not include the delineation processes facilitated by the National Commission on Indigenous Peoples (NCIP) pursuant to Republic Act No. 8371, otherwise known as "The Indigenous Peoples' Rights Act of 1997"; (ii) the conversion of lands; and (iii) the disposition of public lands including, if possible, the streamlining of the modes of disposition to those most appropriate for the City in order to achieve a balanced development while ensuring land tenure security and equity.

The Special Committee on Lands shall be chaired by the City Mayor, City Vice Mayor, or the City Committee on Urban Planning, Lands, and Housing, with the DENR as co-chair; the NCIP as vice-chair, [and the John Hay Management Corporation (JHMC)] and the Department of Human Settlements and Urban Development (DHSUD) as members. THE JOHN HAY MANAGEMENT CORPORATION (JHMC) SHALL BE INCLUDED AS AN ADDITIONAL MEMBER OF THE SPECIAL COMMITTEE INsofar AS LANDS WITHIN THE CAMP JOHN HAY RESERVATION ARE CONCERNED."

SEC. 4. Section 55 of Republic Act No. 11689 or the "Revised Charter of the City of Baguio" is hereby amended to read as follows:

Section 55. Camp John Hay Reservation. — The Camp John Hay Reservation covering a total land area of FIVE HUNDRED SEVENTY HECTARES (570 has.) [six million two hundred fifty-four thousand one hundred five square meters (6,254,105 sqm.)] subject to final survey, which was transferred to the BCDA by virtue of Republic Act No. 7227, as amended, otherwise known as the "Bases Conversion and Development Act of 1992," as amended, is not part of the Baguio Townsite Reservation."

SEC. 5. Separability Clause. — If any part or provision of this Act is declared invalid or unconstitutional, the other parts or provisions hereof shall remain valid and effective

SEC. 6. Repealing Clause. – All laws, decrees, orders, rules and regulations, or other issuances or parts inconsistent with the provisions of this Acts are hereby repealed or modified accordingly.

SEC. 7. Effectivity. – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,

