

ORIGINAL

FILE

A-113
PROVINCIAL
ORDINANCE

Republic of the Philippines
PROVINCE OF BENGUET
La Trinidad
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

REGULAR MEETING - November 18, 1996

- PRESENT :
- HON. WASING D. SACLA, Provincial Vice Governor, Presiding Officer
 - HON. VICTORINA P. ALIPIT, Board Member
 - HON. JAMES M. MALAYA, Board Member
 - HON. FRANCISCO E. GOLINGAB, JR., Board Member
 - HON. BIAL A. PALAEZ, Board Member
 - HON. MARCIANO T. INSO, SR., Board Member
 - HON. SAMSON C. PARAM, Board Member
 - HON. AGOSTO P. SANTOS, Board Member
 - HON. DANIO L. BOLISLIS, Board Member
 - HON. FERNANDO M. ARITAO, Board Member
 - HON. JAIME A. GALASGAS, Board Member
 - HON. LIMSON A. OGAS, Liga ng mga Brgy. Pres., Member
 - HON. DOMINGO B. BAY-AN, PCL President, Member
 - HON. REDENTOR P. EDOC, SKF President, Member

ABSENT : NONE

ORDINANCE NO. 96 - 26

MANDATING THAT PUBLIC BUILDINGS, ROADS, OR OTHER GOVERNMENT INFRASTRUCTURES OF THE PROVINCE, ERECTED, CONSTRUCTED, OR BUILT ON A LOT DONATED BY A PRIVATE INDIVIDUAL, CLAN, FAMILY, HEIR, ORGANIZATION OR ASSOCIATION, OR ANY PRIVATE ENTITY, SHALL BE NAMED IN FAVOR OF THE DONOR.

EXPLANATORY NOTE

This measure seeks to encourage private individuals into voluntarily donating their lands to be utilized for government projects.

It was the practice before that donors of lands where public infrastructures were built like schools, hospitals, and roads were named after the donor of the property or a prominent deceased individual who had some attachment to the land donated or who comes from the place where the land is located. Many of these government properties now bears the names of the donors. Problems, however, arises when instead of the donor being named to the public infrastructure, another person more prominent than the former is named. The problem complicates when the donor or his relative initiate to retrieve the land donated, especially if the same was not covered by a deed of donation or any written instrument to prove the donation. This is true since most earlier donations were not written.

It is, therefore, the purpose of this ordinance to seek solutions of similar problems and to give recognition to benevolent individuals who donates their hard-earned real properties for public use, unless the donor refuses to be named.

The Local Government Code of 1991 gave the power to the local government units to name their own public place or building like schools, buildings, roads, and other projects. It, however, limits the power as stated under Section 13 of the Local Government Code and Article 20 and 23 of the IRR for the provinces.

NOW THEREFORE, as proposed by Hon. Samson. C. Paran and Hon. Agosto P. Santos, be it

ORDAINED by the Sangguniang Panlalawigan of Benguet in session assembled, the following :

- SECTION 1.** Provincial roads, streets, avenues, boulevards, thoroughfares, bridges, public vocational or technical schools, and other post-secondary and tertiary schools or school buildings, including provincial hospitals, health centers, and other health facilities, and any other public place or building owned by the province, built, constructed, or erected on a private land or lot donated by a private individual, clan, family, heir/s, organization or association, or any private entity, shall be named in favor of the donor ; PROVIDED, however, that the pertinent conditions enumerated under Section 13 of the Local Government Code of 1991 and its implementing rules and regulations, specifically Article 23, thereof, has been complied with ; and PROVIDED, further, that for organizations, associations, or other groups, the name to be used shall be provided by them through a resolution ;
- SECTION 2.** The donation of the land shall be covered by a deed of donation or any other legal document in favor of the province. The deed shall be duly registered with the proper authorities ;
- SECTION 3.** In cases where there are two or more donors, the province shall be given the option to choose the name to be utilized, but preference shall be given to the donor with a larger area of land donated. It shall also utilize any name it prefers when the donor or donors waive their rights, under this ordinance, in writing ;
- SECTION 4.** Names to be utilized for public infrastructures shall not besmirched the reputation or put into shame any individual, dead or living. The same shall not also be revolting to the senses or put in bad light the good name of the province ;

SECTION 5 Any ordinance, resolution, or local issuances such as administrative orders, executive orders, and the like, or part thereof, which is contrary or inconsistent with any provision herewith are hereby repealed or amended accordingly;

SECTION 6 This ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

CARRIED . (Nine (9) voted In favor ; Three (3) against and One (1) abstained).

VICTORINA P. ALPIT
Board Member
(abstained)

JAMES M. MALAYA
Board Member
(not in favor)

FRANCISCO E. GOLINGAB, JR.
Board Member
(in favor)

BIAL A. PALAEZ
Board Member
(in favor)

MARCIANO T. INSO, SR.
Board Member
(in favor)

SAMSON C. PARAN
Board Member
(in favor)

AGOSTO P. SANTOS
Board Member
(in favor)

DANIO L. BOLISLIS
Board Member
(not in favor)

FERNANDO M. ARITAO
Board Member
(in favor)

JAME A. GALASGAS
Board Member
(not in favor)

LIMSON A. OGAS
Liga ng mga Brgy. Pres., Member
(in favor)

DOMINGO B. BAY-AN
PCL President, Member
(in favor)

REDENTOR P. EDOC
SKF President, Member
(in favor)

CERTIFIED CORRECT :

ATTESTED :
NOEL S. SABOG
Sangguniang Panlalawigan
Secretary

WASING D. SACLA
Provincial Vice Governor
Presiding Officer

APPROVED :
RAUL M. MOLINTAS
Provincial Governor

Date : 15 JAN 1997