



Republic of the Philippines  
PROVINCE OF ZAMBOANGA DEL NORTE  
Municipality of Siayan



**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN  
OF SIAYAN, ZAMBOANGA DEL NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 30<sup>TH</sup>  
DAY OF MAY, 2016.

**PRESENT:**

Hon. Norma R. Labastida, SB Member (Presiding Officer)	Acting Municipal Vice Mayor
Hon. Primitivo D. Castillo,	Sangguniang Bayan Member
Hon. Oliver A. Romero,	-do-
Hon. Felizardo I. Gayapa, Sr.,	-do-
Hon. Raul P. Dominise,	-do-
Hon. Rico V. Jamisola,	-do-
Hon. Ma. Roselyn G. Secretario,	-do-
Hon. Emelyn P. Alumbre,	-do-
Hon. Alberto J. Bongcawel, ABC President,	-do-

**ABSENT:**

None

**"MUNICIPAL ORDINANCE NO. 16-07**

Series of 2016

AN ORDINANCE PRESCRIBING THE GUIDELINES IN THE IMPLEMENTATION OF PRE-EMPTIVE EVACUATION AS A LAST RESORT WHEN A DISASTER OR EMERGENCY HAS BEEN DECLARED IN THE MUNICIPALITY OF SIAYAN AND/OR WHEN DANGER OF LOSS OF LIVES AND PROPERTIES ARE BECOME IMMINENT, PROVIDING PENALTIES THEREFOR AND FOR OTHER PURPOSES.

*Whereas*, Section 2(a) of Republic Act 10121, otherwise known as the "Philippine Risk Reduction and Management Act of 2010", upholds as a national policy the people's constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster reduction and management, and building the resilience of local communities to disasters, including the impacts of climate change;

*Whereas*, Section 16 of Republic Act 7160, otherwise known as the "Local Government Code", authorizes local government units to exercise the powers necessary, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare of its inhabitants;

*Whereas*, local government officials, including municipal mayors, are mandated under Section 444(b)(1)(vii) of Republic Act 7160, otherwise known as the "Local Government Code", to enforce such emergency measures as maybe necessary during and in the aftermath of natural disasters, calamities and man-made or human induced emergencies;

*Whereas*, through Memorandum Circular No. 2012-35, dated February 21, 2012, local government units are enjoined by the Department of the Interior and Local Government (DILG) to cause the enactment of a local ordinance for the implementation of forced evacuation plan as a resort in times of disaster or emergency and when loss of lives, injuries and damage to properties are imminent within their area of jurisdiction;

*Whereas*, the *Sangguniang Bayan* of Siayan is duty bound to protect and promote the welfare of its inhabitants;

*NOW, THEREFORE*, be it ordained by the *Sangguniang Bayan* of Siayan in session assembled, that:

**Section 1. Short Title** - This Ordinance shall be known and cited as the Pre-emptive Evacuation Ordinance of Siayan, Zamboanga del Norte.

**Section 2. Declaration of Policy** - It is the declared policy of the Municipal Government of Siayan to protect the lives and properties of its people at all times and whenever possible, mitigate and manage the effects of human-induced and natural disasters within the locality.

**Section 3. Definition of Terms** - As used in this Ordinance, the following terms are hereby defined:

a. **Disaster** - a serious disruption of the functioning of the society or a community involving widespread of human material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of the exposure to a hazard; the conditions of vulnerability that are present; and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation;

b. **Evacuation** - means an operation whereby all or part of a particular population is temporarily relocated, whether voluntarily or in an organized manner, from an area that has been or is about to be struck by a disaster, to a place considered not dangerous to public health or safety;

c. **Forced Evacuation** - refers to the removal of people from a dangerous or potentially dangerous area to a safer place by force usually effected upon a lawful order from a competent authority;

d. **Human-induced Emergency** - an imminent danger caused by the planning and acts of man;

e. **Imminent Danger** - means any condition in any place such that danger exists which could reasonably be expected to cause death or serious physical harm immediately upon or before the occurrence of any human-induced or natural disasters;

f. **Incident Action Plan (IAP)** - refers to the plan of action to be carried-out in the implementation of the pre-emptive evacuation or in responding to emergencies and/or calamities;

g. **Incident Commander (IC)** - refers to the person responsible for all aspects of an emergency response including quickly developing incident objectives, managing all incident operations, application of resources as well as responsibility for all persons involved;

h. **Incident Command Center (ICC)** - refers to the office where all plans and programs relative to the on-going emergency response operations are being planned and conceptualized, and all commands and directives relative thereto shall emanates therefrom.

i. **Incident Command System (ICS)** - refers to the on-scene incident management where a set of personnel, policies, procedures, facilities, and equipment were integrated into a common organizational structure designed to improve emergency response operations of all types and complexities without being hindered by jurisdictional boundaries;

j. **Local Residents** - refers to individuals living or dwelling in areas exposed to imminent dangers caused by natural disasters or human-induced emergencies and are subject to forced or preemptive evacuation;

k. **Pre-emptive Evacuation** - an anticipatory movement or removal of local residents from a dangerous or potentially dangerous place to safe places or areas to forestall their exposure to imminent disaster;

l. **Pre-emptive Evacuation Order** - an order from competent authority to forcibly evacuate residents to an appropriate evacuation destination to protect their lives during the onslaught of disaster;

m. **Scene of the Incident** - refers to the actual site of emergency or the place hit by the calamity or human-induced disaster; and



n. *Scene of the Incident Response Team (SIRT)* – refers to a group or group of fully trained individuals or volunteers stationed to respond and assists the residents or victims in times of calamities or human-induced disasters. They may also be known as "First Responders".

*Section 4. Installation of Early Warning Device* – Upon official declaration of the Philippine Atmospheric and Astronomical Services Administration (PAGASA) that the Municipality of Siayan or any of its component barangays will be hit by a typhoon or the moment Public Storm Warning Signal (PSWS) is hoisted over any or all areas of responsibility (AOR) of Siayan or in the event of man-made induced hazards, the Municipal Disaster Risk Reduction and Management Council (MDRRMC), through the Municipal Disaster Risk Reduction and Management Office (MDRRMO), shall immediately install a flag as an early warning device coupled with the sounding of a siren in areas already determined as potentially prone to risk or hazard to warn the residents of the imminent danger as follows:

<u>Color</u>	<u>Siren Sound Duration</u>	<u>Activity/What To Do</u>
a. Yellow	Every 3 minutes interval	Prepare for Evacuation
b. Blue	Every 1 minute interval	Voluntary Evacuation
c. Red	Continuous siren	Force-evacuation

*Section 5. Issuance of a Pre-Emptive Evacuation Order* – Upon assessment or determination that a pre-emptive evacuation is necessary due to imminent danger of lives and limbs, the Municipal Mayor, with the recommendation of the Municipal Disaster Risk Reduction and Management Officer (MDRRMO), shall immediately issue an Executive Order directing the enforcement of a pre-emptive evacuation of all affected residents in the locality.

However, immediately after the declaration of forced evacuation but before actual enforcement thereof, the Incident Commander shall see to it that the residents subjected to forced evacuation are informed, in a dialect understood and spoken by them, of the need for them to evacuate and that there is no other alternative way to ensure their safety.

The Executive Order to be issued shall contain, among others, the following:

- Establishment of evacuation centers or such places where the internally displaced persons will be temporarily sheltered;
- Designation of areas where vehicles provided by the Municipal government are on stand-by to transport local residents to the identified evacuation centers;
- Establishment of measures ensuring the safety and security of local residents in the evacuation areas;
- Establishment of measures to secure their properties from looting, theft, robbery, etc. in the concerned area;
- The necessity of the evacuated residents to stay in the evacuation centers until an order shall be issued declaring that danger feared from no longer exists and that the affected residents are already cleared to return to their abode;
- Mobilize the Municipal Veterinarian's Office personnel to take custody of and transport the affected animals to any government animal control facility.

*Section 6. Conversion of the Municipal Disaster Risk Reduction and Management Office into an Incident Command Center* – Upon the issuance of an Executive Order directing the enforcement of the pre-emptive evacuation, the Office of the Municipal Disaster Risk Reduction and Management Office (MDRRMO) shall automatically be converted into an Incident Command Center (ICC) where all plans and programs in the conduct of emergency response operations shall be planned and conceptualized therein and all commands and directives relative thereto shall emanate therefrom.

*Section 7. Establishment of Incident Command System (ICS) and its Nature* – An emergency command system is hereby established in the Municipality of Siayan to be known as the Incident Command System (ICS) which shall be automatically activated in times of calamity and emergency, both natural and man-made, in order to establish an effective command, control and coordination of response by establishing a common hierarchy of command within and among the multiple responding agencies.

*Section 8. The Incident Command System; Structure and its Composition* -The Incident Command System shall be headed by the Municipal Mayor as the Incident Commander with the Municipal Disaster Risk and Reduction Management Officer as the Deputy Incident Commander. He shall be assisted by a Safety Officer, an Information Officer and a Liaison Officer as the command staff.

Under the Command Staff are four (4) ICS General Sections essential for effective emergency response operation, namely: Operation Officer, Planning Officer, Logistics Officer and Finance and Administration Officer.

The organization structure of the Incident Command System of the Municipality of Slayan is hereby attached as Annex "A" of this Ordinance.

*Section 9. The Incident Commander; Duties and Functions* - the Incident Commander shall be responsible for the over-all implementation of the Incident Action Plan (IAP) and shall set priorities and defines the organization of the Scene of the Incident Response Teams (SIRT), otherwise known as the first responders. In addition, the Incident Commander shall:

- a. Establish immediate priorities especially the safety of the SIRT or First Responders, bystanders and other people involved in the incident;
- b. Stabilize the incident by ensuring life and safety, and managing the resources efficiently and cost-effectively;
- c. Determine the incident strategy to achieve the objectives;
- d. Establish and monitor the incident organization;
- e. Approve the implementation of written or oral Incident Action Plan; and
- f. Ensure that adequate health and safety measures are in place.

*Section 10. The Incident Command Staff; Duties and Functions* - The Incident Command Staff shall be responsible for public affairs, health and safety and liaison activities of the incident command structure who shall report directly to the Incident Commander.

The Information Officer shall be responsible in releasing information about the incident to the media, incident personnel and other appropriate agencies or volunteer organizations.

The Safety Officer shall be responsible in recommending measures to the Incident Commander on actions and matters pertaining to the health and safety of SIR Teams or first responders and other volunteer personnel at the incident area including the assessment of, and anticipating, hazardous and unsafe situations. The Safety Officer shall also develop the Site Safety Plan, reviews the Incident Action Plan for safety implications, and provides timely, complete, specific, and accurate assessment of hazards and required controls.

The Liaison Officer shall serve as contact person for assisting and coordinating activities between the Incident Commander and volunteer groups or government agencies, including but not limited to Congressional personnel, local government officials, and criminal investigating bureaus and investigators arriving on the scene.

*Section 11. The ICS General Section; Duties and Functions* - The ICS General Section shall provide support and directly report to the Incident Commander. The Operation Officer shall be responsible for all operations necessary and directly applicable to the response of the System in every emergency or calamity in the municipality.

The Planning Officer shall be responsible in the collection, evaluation and dissemination of tactical information related to the incident, and in the preparation and documentation of the Incident Action Plan. He shall be assisted by a deputy planning officer.

The Logistics Officer shall be responsible in providing the necessary facilities, services, and materials needed in emergency or calamity response operation. He shall be supported by a Medical Officer and Food/Supply Officer.

The Finance and Administration Officer shall be responsible for all financial, administrative and cost analysis aspect of the emergency and calamity response operation of the System.



*Section 12. Assumption to the Role of the Incident Commander* - At the scene of the incident, the role of the Incident Commander may be assumed by any senior or higher qualified officer who first arrives at the scene or at the place of emergency or calamity, as the situation dictates. Even if subordinate positions are not assigned, the position of the Incident Commander shall always be designated or assumed by the next-in rank officer who thereafter arrives at the scene. The subordinate officer assuming the role of the IC shall brief his superior officer of the progress of the incident and the actions taken thereon, upon assumption of the role by the former from the latter.

The Incident Commander may, at his own discretion, assign individuals, who may be from the same agency or from assisting agencies, to specific positions for the duration of the emergency.

*Section 13. Mobilization of Other Government Agencies* - In declaring the enforcement of forced evacuation and/or when danger to lives and properties is imminent, personnel of national government agencies such as the members of the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), the Bureau of Fire Protection (BFP), the Department of Public Works and Highways (DPWH) and National Irrigation Authority (NIA), assigned in the municipality of Siayan or stationed in the affected locality may be mobilized by the Municipal Mayor.

*Section 14. Refusal of Local Residents to Abide by the Declaration of Forced Evacuation, or To Return to their Dwellings Without an Order or Clearance to Return, or Refusal of the Residents to Abide to the Order of the Incident Commander in Times of Emergencies and when Danger of Loss of Lives and Properties Becomes Imminent.* - In the event that local residents refuse to leave their homes or, after evacuating, go back to their homes/affected areas without an order issued to this effect, or in times of emergencies danger of loss of lives and properties are imminent, members of the Scene of the Incident Team as well as the members of the mobilized units of the AFP, PNP and other local or national law enforcement agencies may use such reasonable force that is commensurate under the circumstances, to evacuate them from the area or effectively prevent them from returning to their homes/affected areas, or persuade them to stay in a secured area without discrimination and with conscious attention to the needs of vulnerable and marginalized sectors such as children, women, the elderly and persons with disabilities, with the end view that lives are safely secured.

During the conduct of evacuation, priority shall be given to those persons or residents who willfully comply with the order of forced evacuation.

Any person who willfully and deliberately disregard or opposed to the order of forced evacuation or return to their dwellings or farmlands without the order issued by the Municipal Mayor shall release the latter from any liability for the former's injury or death attributed to his disobedience.

*Section 15. Reportorial Requirement* - Within twenty four (24) hours upon the declaration of pre-emptive or forced evacuation, the Municipal Mayor shall immediately convene the Municipal Disaster Risk Reduction and Management Council (CDRRMC) and report to the members thereof the current status of the on-going calamity or hazard, the status of the pre-emptive or forced evacuation operation already undertaken, the extent of the effect or damage brought about by the calamity or hazard, and discuss with the council members all possible actions to contain, suppress or cushion the effects of the emergency or calamity to the lives and properties of the affected residents, including the amount of the calamity funds to be released therefor.

The Municipal Mayor shall also report to the Sangguniang Bayan on the immediate session day on all actions taken during or in the aftermath of the calamity including the funds released therefor.

*Section 16. Training and Orientation on Disaster Risk Reduction and Management* - In order to inform the people of the need to be safe and to be able to react appropriately in case of natural disaster and human-induced emergencies, and make them realize the importance and necessity of evacuation, including forced evacuation, and make such drastic measure more acceptable to them if and when exigent, the Municipal Disaster Risk Reduction and Management Office (MDRRMO) of Siayan shall organize and conduct training and orientation on the possible natural hazards, vulnerabilities and climate change risks as well as knowledge management activities on disaster risks reduction and management in areas prone to disaster risks at least once a year before the onset of the rainy season as may be declared by PAGASA.

During the aforesaid training and orientation, activities and information dissemination shall be intensified and the MDRRMO of Siayan shall discuss and highlight in local dialect the salient provisions of RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010; DILG Memorandum Circular No. 2012-35, dated 21 February 2012, regarding the guidelines in ensuring public safety during man-made and natural disasters, the provisions of this Ordinance, and other laws, rules and regulations on disaster risk reduction and management.

The MDRRMO is also encouraged to conceptualize posters, newsletters, brochures and pamphlets regarding disaster risk reduction and management and cause the same to be distributed and posted at the conspicuous places of the municipality, particularly in hazard prone areas and in barangay halls. The same shall also be regularly disseminated through radio program in *DXNK 96.9 Radyo Kahupayan*, the local radio station of the municipality.

**Section 17. Penal Clause** – Any person who shall willfully destroys the early warning device established pursuant to Section 4 hereof, or disrupts the orderly implementation of the forced evacuation order shall, upon conviction be penalized by a fine of not more than One Thousand Pesos (Php 1,000.00) or an imprisonment of not more than two (2) months, or both upon the discretion of the honorable court.

The same penalty shall be imposed upon any member of the PNP, AFP or employees of any national government agencies who shall willfully disregard the Order of the Municipal Mayor issued pursuant to Section 13 hereof mobilizing them to assist in the implementation of the Forced Evacuation Order.


**Section 18. Separability Clause** – If, for any reason, any part or provision of this Ordinance shall be found to be unconstitutional or invalid, other parts or provisions thereof which are not affected thereby, shall continue to be in full force and effect.

**Section 19. Repealing Clause** – All ordinances, rules and regulations, or parts thereof, in conflict with, or inconsistent to the provisions of this ordinance are hereby repealed or modified accordingly.


**Section 20. – Effectivity Clause** – This Ordinance shall take effect immediately after fifteen (15) days following the completion of its full publication in any newspaper circulating in the Municipality of Siayan, Zamboanga del Norte, and posting at the Bulletin Board of the Municipality in compliance with Section 511 of the Local Government Code.

Enacted this 30<sup>th</sup> day of May, 2016.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

  
**MARCELO S. EGUANAN**  
Local Legislative Staff Officer II  
(Secretary to the Sanggunian – Des.)

CERTIFIED CORRECT  
AS TO ITS PASSAGE:

  
**NORMA R. LABASTIDA**  
Sangguniang Bayan Member  
(Acting Municipal Vice Mayor)  
(Presiding Officer)

APPROVED:

  
**DAISY A. LIMBANG**  
Municipal Vice Mayor  
(Acting Municipal Mayor)



*Republic of the Philippines*  
PROVINCE OF ZAMBOANGA DEL NORTE  
SANGGUNIANG PANLALAWIGAN

*Dipolog City*

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG  
PANLALAWIGAN OF ZAMBOANGA DEL NORTE, HELD AT THE SP SESSION HALL,  
PROVINCIAL LEGISLATIVE BUILDING, DIPOLOG CITY, ON AUGUST 22, 2016

PRESENT

Hon. Julius C. Napigquit,	SP Member -Acting Vice Governor (Presiding Officer Pro-Tempore)
Hon. Ronilio D. Lee,	(Presiding Officer) SP Member (Asst. Floor Leader) (Acting Floor Leader)
Hon. Patri B. Chan,	SP Member (Minority Floor Leader)
Hon. Romulo P. Soliva,	SP Member
Hon. Ruth M. Brillantes,	SP Member
Hon. Luzviminda E. Torrino,	SP Member
Hon. Venus A. Uy,	SP Member
Hon. Anabel G. Jalosjos,	SP Member
Hon. Melba S. Tenorio,	SP Member-PCL Interim Federation President

ABSENT:

Hon. Crisologo A. Decierdo,	SP Member – On Leave (Majority Floor Leader)
Hon. Angel M. Carloto,	SP Member – On Leave
Hon. Rogelio M. Isip	SP Member – FABC – O.B.

**“RESOLUTION NO. 408**


**DECLARING IN ORDER AND OPERATIVE, ORDINANCE NO. 16-07, S. 2016  
OF THE SANGGUNIANG BAYAN OF SIAYAN, THIS PROVINCE**

On motion of Honorable Ronilio D. Lee, duly seconded by Honorable Luzviminda E. Torrino  
and Honorable Venus A. Uy, it was

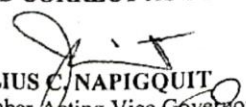
RESOLVED, as it is hereby resolved, to approve the recommendation of the Committee on  
Laws, Ordinances, Resolutions, Rules and Style per Report No. LORRS-16-06, dated August 22, 2016,  
that Ordinance No. 16-07, s. 2016 of the Sangguniang Bayan of Siayan, this province, prescribing the  
guidelines in the implementation of pre-emptive evacuation as a last resort when disaster or emergency  
has been declared in the Municipality of Siayan and/or when danger of loss of lives and properties  
become imminent, providing penalties therefor and for other purposes, *be declared in order and  
operative*, it having been enacted within the powers vested upon by law to said local sanggunian.

Carried unanimously.”

I HEREBY CERTIFY to the correctness of the above-quoted resolution.

  
LORENDO E. LEGADOS  
SP Secretary

CERTIFIED CORRECT AS TO ITS PASSAGE:

  
JULIUS C. NAPIGQUIT  
SP Member-Acting Vice Governor  
(Presiding Officer Pro-Tempore)  
(Presiding Officer)