

REPUBLIKA NG PILIPINAS  
TANGGAPAN NG SANGGUNIANG PANLUNGSOD  
LUNGSOD NG BAKOLOD  
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CITY ORDINANCE NO. 955  
September 8, 2021

**“AN ORDINANCE PROVIDING GUIDELINES FOR ANY NATURAL OR MAN-MADE EMERGENCY OCCASION REQUIRING PRE-EMPTIVE/FORCED EVACUATION IN THE CITY OF BACOLOD”**

Be it ordained by the Sangguniang Panlungsod of Bacolod that:

**Section 1. TITLE** - This Ordinance shall be known as the *“Pre-emptive Evacuation Guidelines of Bacolod City”*.

**Section 2. DECLARATION OF POLICY** - It is the declared policy of City of Bacolod to protect the lives, well-being as well as properties of its residents at all times and whenever possible mitigate the effects of both human-made and natural disasters within the locality;

**Section 3. DEFINITION OF TERMS** - For the purpose of this ordinance, the following terms are hereby defined, to wit:

- a. **Disaster** - serious disruption of the normal function 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. Disasters are brought about by either natural or man-made events which can cause loss of lives, damage to property and assets, physical injury as well as other negative effects on mental or social well being in the affected locality. Natural disasters, include occurrences such as hurricanes, tornado, storm, ocean surges, floods, high winds and other weather related events. It also refers to man-made disasters, including but not limited to nuclear power plant incidents, leakage of hazardous or toxic substances, oil spills, explosions, fire, civil disturbances, public calamity, acts of terrorism, military hostilities, and other events related thereto.
- b. **Emergency evacuation** - the act of urgent immediate egress or escape of people away from an area that contains an imminent threat, an ongoing threat or a hazard to lives or property.
- c. **Pre-emptive Evacuation** - an order from competent authority to forcibly evacuate residents to an appropriate evacuation destination to forestall their exposure to an imminent disaster.



- d. **Imminent danger** – refers to environmental, structural, or physical conditions which are such that a hazard exist which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
- e. **Disaster preparedness** - the knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from the impacts of likely imminent or current hazards, events, or conditions.
- f. **Disaster response** – the provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected. Disaster response is also called disaster relief or the provision of immediate and short-term needs.
- g. **Emergency** - unforeseen or sudden occurrence, especially danger, demanding immediate action.
- h. **Emergency Management** - the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps.
- i. **Response** – any concerted effort exerted by two (2) or more agencies, public or private to provide assistance and intervention during or immediately after a disaster struck to meet the life preservation and basic subsistence needs of the people affected as well as the restoration of essential public activities and facilities.
- j. **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. Such measures include, but are not limited to, hazard-resistant construction and engineering works, the formulation and implementation of plans, programs, projects and activities, awareness raising, knowledge management, policies on land-use and resource management, as well as the enforcement of comprehensive land-use planning, building and safety standards, and legislation.
- k. **Volunteer** – individual persons or groups of persons who for reasons arising from their socio-developmental, business and corporate orientation, commitment or conviction, contribute time, service, and resources whether fulltime or part-time basis to a just and



essential social development cause, mission or endeavour in the belief that their activity is mutually meaningful and beneficial to public interest as well as to themselves.

- I. **Vulnerable and Marginalized Groups** - those that face higher exposure to disaster risk and poverty including, but not limited to, women, children, elderly, differently-abled people, and ethnic minorities.

#### **Section 4. DECLARATION OF FORCED EVACUATION**

- a. The City Mayor, through an Executive Order, is hereby authorized to declare the need for forced evacuation upon the recommendation of the City Disaster Risk Reduction and Management Council and direct the implementation of the pre-emptive or forced evacuation in coordination with the Barangay Disaster Risk Reduction and Management Council. (BDRRMC)
- b. The declaration shall be made known to the residents in the dialect that they understand through the effective use of all media available.
- c. The early warning system, devised and priorly provided in each barangay, shall be sounded for all affected areas to hear.
- d. The City Mayor may also determine when the residents may be safely allowed to return to their homes.

#### **Section 5. GUIDELINES IN IMPLEMENTING FORCED EVACUATION**

- a. **Leadership.** The local disaster risk reduction council shall take the lead in preparing for, responding to and recovering from the effects of any disaster. If only one barangay is affected, the BDRRMC shall see to the enforcement of forced evacuation but if two or more barangays are affected, the CDRRMC shall take charge.
- b. **Emergency Vehicles.** Four (4) hours before the intended movement of people, the barangay should have identified vehicles to be used in extracting and transporting evacuees from the affected area to their place of refuge. Identified transportation should already proceed to a designated area where vehicles can gather and receive specific instructions.
- c. **Volunteer Transport Brigade.** Prior to any emergency, the city should organize a Transport Brigade – a volunteer group of vehicles who can assist the city in times of emergencies. The list of available vehicles should register with their designated drivers and be provided with accident insurance. As volunteer assistance to transport people,

the vehicle may submit their reasonable fuel receipts for reimbursement together with their duly countersigned trip tickets after the emergency. Only registered volunteers may file for reimbursement.

**d. Compensation of Volunteers.** Mobilization of volunteers shall be in accordance with the guidelines formulated by the local CDRRMC consistent with the provisions of RA10121. Any volunteer who incurs death or injury while engaged in any of the activities defined under this Ordinance shall be entitled to compensatory benefits and individual personnel accident insurance as may be defined under the guidelines.

**e. Evacuation centers.** The local disaster council must identify and prepare evacuation centers where the evacuated local residents will be temporarily taken. The evacuation center must have water and light facilities which includes the barangay gymnasium, public schools or barangay hall, or any other site which the CDRRMO may deem fit in the circumstance.

**f. Safety and Health protocols.** Health protocols shall be enforced and diligently observed by all evacuated residents staying in the aforesaid evacuation centers under the supervision of the DSWD.

**g. Briefing.** Immediately after declaration of evacuation but before actual implementation/enforcement thereof, the city or the barangay officials shall see to it that the local residents are informed in dialect known to them of the need to evacuate and that there is no other alternative way to ensure their safety. In case that the determination or assessment of forced or pre-emptive evacuation is declared by the Punong Barangay, the latter shall, within 24 hours, render written report of the same to the CDRRMC.

**h. Demeanor.** Extraction of residents from dangerous places must be made firmly and with authority, but never with violence or disproportionate force, physical harm or abusive, offensive language. The dignity of the citizen shall be maintained at all times.

**i. Security Coordination.** The members of the PNP, PA, AFP and BFP assigned within the city may be enlisted by the City Mayor to provide assistance to affected areas. All emergency measures adopted shall be coordinated and with collaborative effort among the City Government, PA, BFP, AFP and PNP units.

The CDRRMO in coordination with the BDRRMC as well as the members of the mobilized units of PNP, AFP, PA and BFP shall ensure strict enforcement of forced



evacuation, or when residents may go back to their homes/affected areas without an order issued to this effect.

j. **Early Warning Device.** Early warning devices, sirens, warning lights shall be installed in every barangay to sufficiently give warning to the residents therein.

## **Section 6. TRAINING AND ORIENTATION ON DISASTER RISK REDUCTION AND MANAGEMENT**

The City Disaster Risk Reduction and Management Office (CDRRMO) 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 risk reduction and management within the locality.

The orientation program shall highlight Republic Act 10121 otherwise known as the Philippine Risk Reduction and Management Act of 2010, DILG MC No. 2012-325 dated 21 February 2012 also known as Guidelines in Ensuring Public Safety During Man-Made Natural Disasters, Relevant circulars from the Headquarters of the Philippine Coast Guard, as well as other updates and situationers relevant to the spirit of this Ordinance.

The CDRRMO shall likewise develop information dissemination campaigns as well as posters and other public information drives to prepare the population for any impending disaster. Drills when practicable may also be conducted.

**Section 7. PROHIBITED ACTS.** Any person who commits any of the following prohibited acts shall be held liable and be subjected to penalties prescribed in Section 8 of this Ordinance:

- a. Dereliction of duties which leads to destruction, loss of lives, critical damage to facilities and misuse of funds;
- b. Deliberate dissemination of false news or information regarding evacuation plans and or facilities resulting to loss of lives, damage to property, as well as sowing fear, confusion, and inciting civil unrest through any form of media.
- c. Unwarranted refusal for owner of a facility/structure to allow refuge for evacuees despite official request from the authorities;
- d. Obstruction of road ways, passage ways, traffic, movement, transportation while evacuation efforts are on going.

e. Obstinate refusal to leave abode which will endanger the lives of rescuers when extraction shall be done at the height of the storm, ocean surges, flashfloods, or when aftershocks threaten to collapse a building.

f. Pilferage of relief goods

g. Any act/s committed by either public or private citizen that shall undermine the rescue and evacuation proceedings

**Section 8. PENAL CLAUSE** - Any individual that commits any of the prohibited acts provided for in Section 7 of this Ordinance shall be prosecuted and upon conviction shall suffer a fine of not more than PHP 5,000.00 and/or imprisonment of not more than one year at the discretion of the court and confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in committing any of herein prohibited acts.

If such offender is an alien, he or she shall, in addition to the penalties prescribed in this Ordinance, be subject to deportation proceedings after service of the sentence.

**Section 9. APPROPRIATION:**

Sufficient amount shall be appropriated from the annual budget of the City to carry out the provisions of this Ordinance which shall be no less than One Million Pesos at the start.

**Section 10. REPEALING CLAUSE:**

All other Ordinances or parts thereof which are inconsistent with any provision of this Ordinance are hereby repealed, amended and/or modified accordingly.

**Section 11. SEPARABILITY CLAUSE:**

Should any provision of the Ordinance be subsequently declared unconstitutional or invalid, the other provisions not effected by such declaration shall remain in full force and effect.

**Section 12. EFFECTIVITY:**

This ordinance shall take effect immediately Fifteen (15) days after its publication in the newspaper of general circulation in the City.



**CARRIED BY THE VOTE OF:**

Affirmative :

Councilors : Cindy T. Rojas, Renecito S. Novero, Simplicia Z. Distrito, Al Victor A. Espino, Archie S. Baribar, Israel P. Salanga, Dindo C. Ramos, Bartolome N. Orola, Sr., Ana Marie V. Palermo, Wilson C. Gamboa, Jr., Lady Gles Gonzales-Pallen and Ayesha Joy Y. Villaflor.

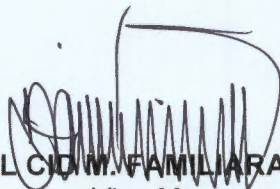
Negative : None

Absent : None

Proponent : Councilor Renecito S. Novero

Passed : September 8, 2021 (114<sup>th</sup> Regular Session of the 10<sup>th</sup> Council via Zoom Teleconference).

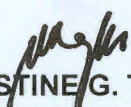
Comment : P a s s e d.

  
EL CID W. FAMILIARAN  
Vice Mayor  
Presiding Officer

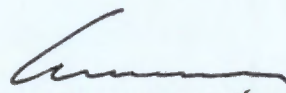
**ATTESTED:**

**ATTY. VICENTE C. PETIERRE III**  
Secretary to the Sanggunian

By:

  
**CHRISTINE G. TEMPLA**  
Board Secretary IV

APPROVED: SEPT. 17, 2021

  
**HON. EVELIO R. LEONARDIA**  
City Mayor

CGT/OEM/JPB

**SP LEGISLATIVE  
SERVICES SECTION**  
DATE: 9/17/21 TIME: 3:15  
BY: [Signature]



**CERTIFICATION**

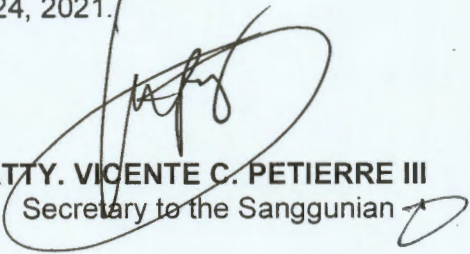
This is to certify that **CITY ORDINANCE NO. 955, Series of 2021** passed by the Sangguniang Panlungsod of the City of Bacolod on September 8, 2021 entitled:

**AN ORDINANCE PROVIDING GUIDELINES FOR ANY NATURAL OR MAN-MADE EMERGENCY OCCASION REQUIRING PRE-EMPTIVE/FORCED EVACUATION IN THE CITY OF BACOLOD.**

was published in Sunstar Bacolod on September 22, 2021 and posted on September 17, 2021, in the following conspicuous places in the City of Bacolod, to wit:

1. Bulletin Board of the Sangguniang Panlungsod  
2<sup>nd</sup> Floor Bacolod City Government Center
2. Old City Hall (Araneta-Luzuriaga Streets)
3. Bacolod Public Plaza
4. City Health Office
5. Hall of Justice
6. North (Burgos) Public Market
7. South (Libertad) Public Market
8. Central Market

Bacolod City, Philippines, September 24, 2021.

  
**ATTY. VICENTE C. PETIERRE III**  
Secretary to the Sanggunian