

**REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD
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**CITY ORDINANCE NO. 965
October 13, 2021**

**CLIMATE LIFE ORDINANCE, PRACTICING CLEAN AND RENEWABLE ENERGY,
SUSTAINABILITY MEASURES, AND OTHER PURPOSES THEREOF**

WHEREAS, Section 16, Article II of the Philippine Constitution explicitly states that: the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

WHEREAS, Section 7, Article X of the Constitution provides that: Local Government Units (LGU's) are entitled to an equitable share in the proceeds of the utilization and development of the national wealth within their jurisdiction, and the Local Government Code of 1991 provides that LGUs have the duty and authority to protect and co-manage the environment and enhance the right of the people to a balanced ecology;

WHEREAS, the Philippines, as a party to the United Nations Framework Convention on Climate Change (UNFCCC), adopts the ultimate objective of the Convention which is the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system which should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner;

WHEREAS, reports on the climate status of the Philippines are alarming, one of which is from the Oscar M. Lopez Center (Science for Climate Resilience Communities) State of the 2019 Philippine Climate as it states that: In the Philippines, the year 2019 is the fourth warmest year on record. The 2019 mean temperature was 28 °C. This was warmer than the 2018 mean temperature of 27.8 °C and the 1981-2010 Philippine mean of 27.5 °C.;

WHEREAS, United States Agency for International Development (USAID) Climate Change Risk Profile: The Philippines reports that: Future climate of the Philippines is projected to experience increased temperatures of 1.8°-2.2°C; reduced rainfall from March- May in most areas, making the dry season drier; increased heavy and extreme rainfall in Luzon and Visayas during the southwest monsoon, making the wet season wetter, but decreasing rainfall trends for most of Mindanao; increased frequency of extreme weather events, including days exceeding 35°C, days with less than 2.5 mm of rain, and days exceeding 300 mm of rain; rising sea levels of 0.48-0.65 meters by 2100, among others;

WHEREAS, Oscar M. Lopez Center (Science for Climate Resilience Communities) Philippine Climate Change Assessment of 2018 reviews that: In a World Bank-commissioned study that models carbon emission scenarios of the Philippines from 2010-2030, a significant decrease in the rate of emissions is forecasted if the energy sector will enhance its Energy Efficiency and Conservation capacity.

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NOW THEREFORE, BE IT ORDAINED by the Sangguniang Panlungsod of Bacolod City that:

Section 1: Title. This Ordinance shall be called "**CLIMATE LIFE ORDINANCE, PRACTICING CLEAN AND RENEWABLE ENERGY, SUSTAINABILITY MEASURES, AND OTHER PURPOSES THEREOF.**"

Section 2: Definition of Terms. As used in this Ordinance, the following terminologies are defined as:

- a. Climate change- attributed often with the increased volumes of atmospheric carbon dioxide produced by the use of fossil fuel, it pertains to the global and/or regional changes of climate patterns that often result in catastrophic events;
- b. Climate emergency- an action or policy-based deeds that aim to reduce or halt climate change and prevent further irreversible environmental damages;
- c. Climate mobilization- a set of policies and actions that prevent unimaginable suffering from climate and environmental catastrophes; it also includes reinvention of economies to avoid societal inequities which a significant portion of economic actions is based;
- d. Energy conservation- any behavior that results in less use of energy-example turning off lights when not in use.
- e. Energy efficiency- the usage of less energy resources that perform the same function an example is the use of light-emitting diode (LED) light bulbs that consumes less energy than an incandescent light bulb.
- f. Fossil fuel- an energy source that is made from decomposing plants and animals; these fossil fuels are found in earth's crust and contain carbon and hydrogen which are burned for energy.
- g. Renewable resources- also called as clean energy, renewable energy comes from resources that are constantly replenished- examples are sunlight and wind,
- h. Sustainable energy- the usage of energy that meets the present demands without compromising the future resources; typically, this energy type also includes social and economic aspects of energy consumption and sustainability.

Section 3: Mitigation of the Effects of Climate Change. In order to observe the efforts in reducing the effects of climate change in the City of Bacolod, this Ordinance mandates:

- a. no construction of fossil fuel plants- any agency or plantation that use fossil fuels as a source of energy shall not be granted any permit in doing so;

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b. already established producers of energy shall adhere to the amount or volume of greenhouse gas emissions suggested or recommended by the Department of Environment and Natural Resources (DENR), as evidently asserted by the Intergovernmental Panel on Climate Change (IPCC); and

c. among the residential phases, introduction (and/or imposition) on the use of appliances that use efficient energy consumption (for example, inverter-utilizing air-conditioning units)

d. power distribution utilities such as CENECO must source their energy from renewable energy sources (i.e. geothermal, wind, solar, and hydro-powered sources)

Section 4: Climate Mobilization Practices. In mobilizing the resources and utilities that respond to the climate changes, the following practices are proposed:

- a. shifting from industrial agriculture to localized ones since local farmers know the accurate and comprehensive usage of energy available to them adding to the notion that they are the primarily affected individuals when climate changes turn to be irreversible events; and introduction of the regenerative farming and totally phasing-out factory farming that uses more energy resources;

Section 5: Enforcement of Sustainable Energy Measures. To further observe the effects of mitigating the climate change effects, the following may be contributory in such:

- a. ONLY energy providers that create energy from renewable resources shall be granted permits in being partners of the government in providing and/or selling energy to the people of Bacolod; and
- b. Current energy providers that are using non-renewable resources shall re-apply for a permit and shall be given 2 years in transitioning from non-renewable to renewable resources.

Section 6: Incentives. In order to further motivate establishments under the energy sectors in the City of Bacolod, certain incentives shall be provided by the City Government. The following initial incentives are hereby recommended, subject to the addition, review and update by the Climate Leaders Council (CLC), including, but not limited to the following:

- a. Five percent (5 %) reduction on business taxes imposed by the City Government shall be awarded to a business establishment that meets the target pollution cap (emissions of greenhouse gases).

Section 7: Climate Leaders Council (CLC). The aforementioned policies and practices shall be supplemented with Implementing Rules and Regulations which shall be executed, monitored, evaluated and supervised by an Oversight Council hereby referred to as the Climate Leaders Council (CLC). It shall be composed of the following:

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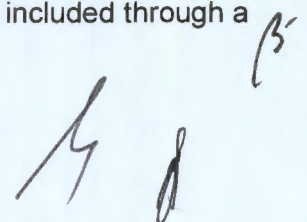
- a. City Mayor or his representative as Chairman and Committee Chairman of Environment as Vice Chairperson;
- b. Representative from environmental Civil Society Organizations (CSOs) as Co-Chairperson;
- c. Representative from the Climate Change Commission (CCC) and as Vice Chairperson;
- d. Representative from the City Environment and Natural Resources (CENRO) as Co-Vice Chairperson;

The following shall be designated as Members from the Government:

- e. Representative from the Regional Office of the Department of Environment and Natural Resources (DENR);
- f. Representative from the Department of Science and Technology (DOST);
- g. Representative from the Department of the Interior and Local Government (DILG) – Field Office;
- h. Representatives from the Sangguniang Kabataan (SK);
- i. Representative of Solid Waste Management Board - Waste Management Office;
- j. Representative of Philippine Coast Guard (PCG) Marine Environmental Protection Unit (MEPU)
- k. Representative of City Disaster Risk Reduction and Management Office (CDRRMO);
- l. Representative of City Planning and Development Office (CPDO)
- m. Representative of City Agriculture Office (CAO);
- n. Representative of City Engineer's Office (CEO);
- o. Representative of City Health Office (CHO);
- p. Representative of City Legal Office;
- q. Representative from the President of the League of Barangays in the City;
- r. Representative from City Public Information Office (CPIO).

The following shall be designated as Members from the Civil Society Organizations, provided that, they shall be in an equivalent number with those representatives from the government:

- s. Representatives from the Local Development Council (LDC) and Civil Society Organizations (CSOs) (including, but not limited to, Greenpeace, OML Foundation on Climate Change, World Wildlife Fund (WWF), etc.), as may be included through a CLC Resolution);

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- t. Representatives from the Local Youth Development Council (LYDC), and other National Youth Commission (NYC) and locally-accredited organizations, as may be included through a CLC Resolution.

Section 8: Use of the Programmatic Environmental Impact Assessment (PEIA). Informed by the policies and regulations imposed and observed by the DENR and Environmental Management Bureau, this Ordinance puts forth the usage of PEIA in systematically underscoring the reports, assessments of, and recommendations for better practices in combating climate change. Consequent implementing rules and regulations shall be issued in relation to this Section.

Section 9: Adaptation of Climate Change Commission's Climate Risk Management Framework. The City as mandated by Section 14 of Republic Act 9729 as amended, shall adopt the National Climate Risk Management Framework stipulated in the Commission Resolution No. 2019-001 (as included in Annex A with link here: <https://climate.gov.ph/public/ckfinder/userfiles/files/Resolutions/Resolution%202019-001.pdf>)

Section 10: Penalties. Any person, natural or juridical, found guilty of violating any provision of this Ordinance or its implementing rules and regulations shall, upon due process, be penalized with a fine in the amount of not less than five thousand pesos (P5,000.00), or with imprisonment of not more than one (1) year, or both, at the discretion of the court: Provided, that if the area requires rehabilitation or restoration, as determined by the court, the offender shall also be required to restore and compensate for the restoration of the damage.

If the offender is an association or corporation, the president or manager and the officers who have consented to the offense or infraction shall be held liable under this Ordinance.

Section 11. Funding. The Office of the City Mayor shall allocate funds for effective implementation of this ordinance of at least One Million (Php 1,000,000.00) pesos yearly, which shall cover all expenses to be incurred in the information dissemination and shall formulate the IRR Implementing Rules and Regulations in coordination with the Climate Change Commission.

Section 12. Separability Clause. If any part of this Ordinance is declared as unconstitutional or unlawful, such declaration shall not affect the other parts or sections hereof that are not declared unlawful or unconstitutional.

Section 13. Repealing Clause. All previous ordinances inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

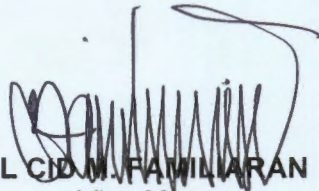
Section 14. Effectivity. This Ordinance shall take effect fifteen (15) days after the last day of its publication in a newspaper of general circulation within the city or after posting of the same in three (3) conspicuous places.

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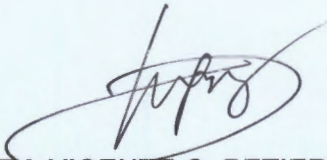


CARRIED BY THE VOTE OF:

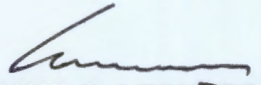
Affirmative :
Councilors : Cindy T. Rojas, Renecito S. Novero, Simplicia Z. Distrito,
Carlos Jose V. Lopez, Al Victor A. Espino, Archie S.
Baribar, Israel P. Salanga, Dindo C. Ramos, Bartolome N.
Orola, Sr., Ana Marie V. Palermo, Wilson C. Gamboa, Jr.,
Lady Gles Gonzales-Pallen, Ayesha Joy Y. Villaflor.
Negative : None.
Absent : None.
Author : Councilor Carlos Jose V. Lopez
Passed : October 13, 2021 (119th Regular Session of the 10th
Council via Zoom Teleconference)
Comments : Passed.


EL CID M. FAMILIARAN
Vice Mayor
Presiding Officer

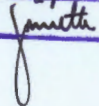
ATTESTED:


ATTY. VICENTE C. PETIERRE III
Secretary to the Sangguniang

APPROVED: NOV 3, 2021


EVELIO R. LEONARDIA
City Mayor

VCP/CGT/ngb

SP LEGISLATIVE
SERVICES SECTION
DATE: Nov. 8, 2021 TIME: 11 AM
BY: 



Republika Ng Pilipinas
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
Lungsod ng Bacolod

CERTIFICATION

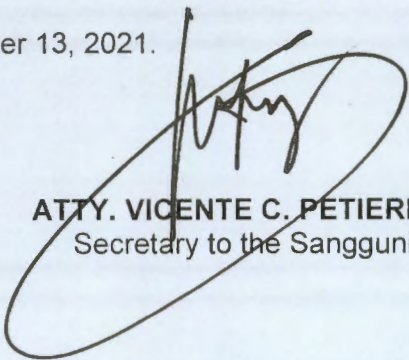
This is to certify that **CITY ORDINANCE NO. 965, Series of 2021** passed by the Sangguniang Panlungsod of the City of Bacolod on October 13, 2021 entitled:

CLIMATE LIFE ORDINANCE, PRACTICING CLEAN AND RENEWABLE ENERGY, SUSTAINABILITY MEASURES, AND OTHER PURPOSES THEREOF.

was published in Journal Visayas on November 22-28, 2021 and posted on November 8, 2021, in the following conspicuous places in the City of Bacolod, to wit:

1. Bulletin Board of the Sangguniang Panlungsod
2nd 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, December 13, 2021.


ATTY. VICENTE C. PETIERRE III
Secretary to the Sanggunian