



**Sangguniang Panlungsod
Lungsod ng Bacolod**

**CITY ORDINANCE NO. 307
August 29, 2002**

AN ORDINANCE REQUIRING THE PRODUCTION OF A STATE OF ENVIRONMENT REPORT FOR BACOLOD CITY, REQUIRING FURTHER ITS BIENNIAL UPDATE AND PROVIDING THE FUND AND THE MECHANISM THEREFOR.

WHEREAS, the City of Bacolod, by virtue of Res. No. 459, Series of 2002 of the Sangguniang Panlungsod, now has its official "State of the Environment Report";

WHEREAS, such report provides, crucial baseline data and information to guide policy-makers on matters affecting the environment of Bacolod City;

WHEREAS, considering the importance of the data and information such as those contained in the said report, there is a need to embody said report in a legislative act of a more permanent character such as by ordinance, and for the periodic update of the data and/or information contained, or add new matters as may be desirable and needful for the information and guidance of the local government in its policy-making and legislative functions;

Be it ordained by the Sangguniang Panlungsod of Bacolod, that:

TITLE:

This Ordinance shall known as the **ORDINANCE REQUIRING THE PRODUCTION OF A STATE OF ENVIRONMENT REPORT FOR BACOLOD CITY, REQUIRING FURTHER ITS BIENNIAL UPDATE AND PROVIDING THE FUND AND THE MECHANISM THEREFOR.**

Section 1. Statement of Policy.

a. It is hereby declared a policy position of the local government of Bacolod City that it must have "State of the Environment Report", detailing therein all salient data and information as may touch upon the condition or state of the environment of Bacolod City, encompassing all matters falling under its land, water, and air domains, as well as all other related domains of its environment;

b. Consequent thereto, it is mandated that the official "State of the Environment report" of the City of Bacolod, adopted and declared as such by virtue of Res. 459, series of 2002 of the Sangguniang Panlungsod, be formally adopted hereunto this ordinance by reference.

Section 2. Duty to Undertake the Update. For this purpose, it shall be the duty of the Environment and Natural Resources Office (ENRO) of the City, in injunction with the City Planning and Development Office (CPDO) and the City Engineer's Office (CEO), to jointly undertake such an update, review or revision.

Section 3. Proposed Schedule of Expenses for the Update. In this connection, in case the State of the Environment Report is due for updating, review, or revision, the ENRO, and the CPDO shall forthwith submit to the Local Chief Executive and the Sangguniang Panlungsod the proposed schedule of expenses for the undertaking of such revision or update, preferably for inclusion in the preparation of any annual budget, or should this be not practicable, in a supplemental budget for the purpose.

Section 4. Update when necessary. Nothing in this ordinance shall prevent the City from undertaking a review, revision, or update of said State of the Environment Report at any time that it should deem necessary, even if the same be undertaken more than once every two years as herein provided.

Section 5. Adoption of Update. Any revision or update of the said State of the Environment Report is hereby incorporated and adopted into any environment ordinance that may be enacted by the City and as may be applicable.

Section 6. Incorporation of Report in Environment Ordinances. The State of the Environment Report is hereby incorporated and adopted into any environment ordinance that may be enacted by the City and as may be applicable.

Section 7. The State of the Environment Report (S.E.R.) Fund. To ensure that funds will be readily available for the purpose of implementing the update of the State of the Environment Report as required in this ordinance, ten percent (10%) of the fines collected from violations of the anti-smoke belching law and other environmental laws collected; by the City through the City Treasurer shall be set aside to be known as the S.E.R. (State of the Environment Report) fund. The City Treasurer is hereby mandated to institute a system that would segregate or identify the S.E.R. Fund in the general fund of the City for purposes of this ordinance.

Section 8. Augmentation of the Fund. Should the S.E.R. Fund be inadequate for purposes of undertaking, the update as required in this ordinance or as may be needed, the same shall be augmented by the necessary appropriation ordinance, unless sufficient funds are made available by grants or aids, whether local or foreign.

Section 9. Effectivity. This ordinance takes effect immediately upon its approval.

CARRIED BY THE VOTE OF:

Affirmative:

Councillors: Archie S. Baribar, Jude Thaddeus A. Sayson, Ana Marie V. Palermo, Jose H. Gabuat, Lyndon P. Caña, Elmer T. Sy, Bobbie S. Lucasan, Greg G. Gasataya, Reynold I. Iledan, Sonya M. Verdeflor, Pepito T. Malapitan, Marx Louise S. de la Rosa.

Negative : None.
Absent : None.
Author : Councilor Lyndon P. Cafia.
Passed : August 29, 2002 (61st Regular Session)
Comments: Passed.
Councilors Roberto M. Rojas and Celia Matea R. Flor were out of the session hall when this ordinance was passed.

RAMIRO L. GARCIA, JR.
Vice Mayor

Presiding Officer *9/3/02*

ATTESTED:

Nilo T. Alejandrino
for: ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: September 4, 2002

Luviminda S. Valdez
LUZVIMINDA S. VALDEZ
City Mayor

NTA/HPL/jbz

