

ORDINANCE NO. 8244

ORDINANCE CLASSIFYING THE AREA OF SANTA ANA IN THE SIXTH DISTRICT, BOUNDED BY THE SAN JUAN RIVER ON THE NORTH, M.L. CARREON AND TEJERON STREETS ON THE WEST, DEL PAN STREET ON THE SOUTH AND PASIG RIVER ON THE EAST, AS HISTO-CULTURAL HERITAGE/OVERLAY ZONE (O-HCH)

Be it ordained by the City Council of Manila, in session, assembled, *THAT*:

**SECTION 1. Authority.** – This Ordinance is enacted pursuant to the provisions of R.A. 7160, otherwise known as the Local Government Code of 1991, particularly subparagraphs vii to x, Paragraph 2 Section 458 thereof "Authorizing the City through the Sangguniang Panlungsod to adopt Zoning Ordinance subject to the provisions of existing laws", in conformity with E.O. No. 72 and Ordinance No. 8119, otherwise known as the Manila Comprehensive Land Use Plan and Zoning Ordinance of 2006, particularly Section 22, thereof which states that: "*An O-HCH Zone shall be used primarily for areas containing registered historical/cultural heritage resources that deserve special consideration for protection and conservation due to their special character, architectural value or aesthetic interest wherein they contribute to the City's collective understanding of its historical development and cultural heritage.*"

**SEC. 2.** Pursuant to Section 1, hereof, the area of Santa Ana in the Sixth District, bounded by the San Juan River on the North, M.L. Carreon and Tejeron Streets on the West, Del Pan Street on the South and Pasig River on the East, is hereby classified as a Histo-Cultural Heritage/Overlay Zone (O-HCH).

**SEC. 3. Purposes.** – This Ordinance is enacted for the following purposes:

1. To safeguard the City's historic and cultural heritage, as embodied and reflected in such historic areas, places, buildings and structures, by appropriate regulations;
2. To promote economic stability and prosperity of the community by encouraging the most appropriate use of such significant property in the City;
3. To protect and enhance the City's attractions to tourists and visitors, as well as provide support and stimulus to business and industry;
4. To promote the education and patriotic heritage of present and future residents of the City; and
5. To balance the rights of the public which justify preservation of the City's history and culture, with those of private property owners who own and control property and are entitled to reasonable use and return of their assets; all of which purposes contribute to the improvement and general health and welfare of the City.

**SEC. 4.** The Zoning Map shall include and show the location and boundaries of the Santa Ana Histo-Cultural Heritage/Overlay Zone.



**SEC. 5.** The Zone Boundary of the Santa Ana Histo-Cultural Heritage/Overlay Zone shall be defined and integrated in the zone boundaries of Ordinance No. 8119.

**SEC. 6.** The Santa Ana Histo-Cultural Heritage/Overlay Zone shall be declared a special planning area that deserves special consideration for protection and conservation due to their special character, architectural value or aesthetic interest wherein they contribute to the City's collective understanding of its historical development and cultural heritage.

**SEC. 7.** There shall be created a Santa Ana Histo-Cultural Planning Committee that will formulate policies, building codes and guidelines for the urban plan implementation of the historical Santa Ana.

**SEC. 8. Composition of the Santa Ana Histo-Cultural Planning Committee.**

The Santa Ana Histo-Cultural Planning Committee shall be composed of the following:

1. The City Mayor as Chairman
2. The City Vice-Mayor as Co-Chairman
3. The Majority Floor Leader of the City Council
4. The District VI Councilors
5. The Head of the City Administrator's Office
6. The Head of the Manila Tourism and Cultural Affairs Office
7. The Head of the City Engineer's Office
8. The Head of the City Planning and Development Office
9. The President of the Liga ng mga Barangay
10. A Representative from the Business Community in Santa Ana
11. The Parish Heritage Conservation Board, Our Lady of the Abandoned Parish
12. A Representative from the National Historical Commission
13. A Representative from the National Museum of the Philippines
14. A Representative from the Santa Ana Community-Based Heritage Tourism

**SEC. 9. Functions of the Santa Ana Histo-Cultural Planning Committee.**

1. To identify and protect the most important historic resources in the City, generally including property with national or international historic significance, recognizable outside of the City. The City recognizes its responsibility for preserving these resources for a national and international public, and the Santa Ana Histo-Cultural Heritage/Overlay Zone may be established in order to fulfill that responsibility;
2. To ensure the identification and evaluation of buildings, structures, places and areas of historical, architectural and cultural importance or value, and to provide efficient procedures for that process and necessary adjustments or variances from undue harsh application of the provisions of this Ordinance;



3. To formulate tax and business incentives to support and encourage preservations of the historic resources;
4. To draft a historical preservation and conservation planning code and encourage the adaptive reuse of old and historical buildings; and
5. To report to appropriate City agencies matters which may require appropriate actions, make recommendations to the City Council concerning the utilization of grants and budget appropriations and make recommendations concerning façade, easements, covenants and the imposition of other conditions to promote historic preservations.

**SEC. 10. Prohibition on Alteration or Development.**

No person shall alter any building, site, structure, landscape or object designated as a historic landmark or alter any portion of the exterior of a structure within a historic area, or place, construct, maintain, expand or remove any structure on such sites without first obtaining permission from the City Council of Manila.

**SEC. 11. Duty to Maintain.**

No owner or person, with interests in a real property designated as a historic landmark or included in Santa Ana Histo-Cultural Heritage/Overlay Zone, shall allow such property to fall into a serious state of disrepair. However, if such property falls into a serious state of disrepair, the same cannot be demolished without a demolition permit.

Examples of a state of serious disrepair shall include, but are not limited to, the following:

1. Deterioration of exterior walls or other vertical supports;
2. Ineffective waterproofing of exterior walls, roofs, or foundations;
3. Deterioration of roofs or other horizontal members;
4. Deterioration or crumbling of exterior stucco or mortar, including broken windows or doors;
5. Deterioration of any feature so as to create a hazardous condition that could lead to the claim that demolition is necessary for the public safety; and
6. Deterioration of ornamental features.

**SEC. 12. Appropriation Clause.** – An amount, as may be necessary but not to exceed Five Million Pesos (PhP 5,000,000.00) shall hereby be appropriated, out of any unappropriated funds existing in the City Treasury to be made available for the implementation of this Ordinance.

**SEC. 13. Repealing Clause.** – All ordinances, resolutions and City administrative issuances, rules and regulations or parts thereof, inconsistent with this Ordinance are hereby repealed or modified accordingly.

*LB*

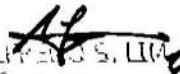
**SEC. 14. Separability Clause.** – If for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.


**SEC. 15. Effectivity Clause.** – This Ordinance shall take effect upon its approval.

Enacted by the City Council of Manila at its regular session today, August 16, 2011.

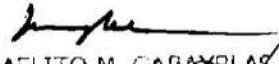
Approved by His Honor, the Mayor, on **20ND. SEPT. 2011**


APPROVED:

  
ALVIN S. LIM  
Mayor  
City of Manila

  
FRANCISCO "Isko Moreno" DOMAGOSO  
Vice-Mayor and Presiding Officer  
City Council, Manila

ATTESTED:

  
RAFAELITO M. GARAYBAS  
Secretary to the Mayor

  
LUCH R. GEMIAS, JR.  
Secretary to the City Council

PRINCIPAL AUTHORS: HON. JOCELYN B. DAWIS-ASUNCION and  
HON. LUCIANO M. VELOSO

CO-AUTHORS: Hon. Irma C. Alfonso-Juson, Hon. Bernardito C. Ang, Hon. Don Juan "DJ" Bagatsing, Hon. Rafael P. Borromeo, Hon. Ruben F. Buenaventura, Hon. Joel R. Chua, Hon. Louisto N. Chua, Hon. Niño M. dela Cruz, Hon. Ernesto M. Dionisio, Jr., Hon. Ma. Asuncion G. Fugoso, Hon. Richard C. Ilay, Hon. Cristina A. Isip, Hon. Ernesto C. Isip, Jr., Hon. Rodolfo N. Lacsamana, Hon. Marlon M. Lacson, Hon. Danilo Victor H. Lacuna, Jr., Hon. Moises T. Lim, Hon. Numero G. Lim, Hon. Edward V.P. Maceda, Hon. Ramon D. Morales, Hon. John Marvin C. Nieto, Hon. Erick Ian O. Mueva, Hon. Robert R. Ortega, Jr., Hon. Eduardo V. Quintos XVI, Hon. Jocelyn J. Quintos, Hon. Elizabeth Z. Rivera, Hon. Ramon M. Robles, Hon. Josefina M. Siscar, Hon. Casimiro C. Sison, Hon. Edward M. Tan, Hon. Luis C. Uy, Hon. Raymundo R. Yupangco, Hon. Salvador H. Lacuna, Hon. Eunice Ann Denice G. Castro, HON. MARIA SHEILAH H. LACUNA-PANGAN, Majority Floor Leader and HON. FRANCISCO "Isko Moreno" DOMAGOSO, Vice-Mayor and Presiding Officer

CMR: mgm/mdl/jok