



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 145

11TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the seventeenth day of June, Two Thousand Twenty-One

ORDINANCE NO. 8763

AN ORDINANCE REQUIRING STRICT AND FULL COMPLIANCE WITH SECTION 28(8) OF REPUBLIC ACT NO. 7279, OTHERWISE KNOWN AS THE "URBAN DEVELOPMENT AND HOUSING ACT OF 1992", ON ALL EVICTION ACTIVITIES INVOLVING UNDERPRIVILEGED AND HOMELESS CITIZENS IN THE CITY OF MANILA, WHETHER JUDICIAL OR EXTRAJUDICIAL, AND PROVIDING PENALTIES IN VIOLATION THEREOF

PRINCIPAL AUTHORS: **HON. JOEL R. CHUA**, Majority Floor Leader,
HON. ERNESTO C. ISIP, JR., President Pro-Tempore, **HON. DARWIN B. SIA** and
HON. MACARIO M. LACSON



PREAMBLE

WHEREAS, Sec. 9, Article XIII of the 1987 Constitution provides that, "The State shall, by law, and for the common good, undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program, the State shall respect the rights of small property owners";

WHEREAS, the same provision likewise provides that "urban or rural poor dwellers shall not be evicted nor their dwellings demolished, except in accordance with law and in a just and humane manner" (Section 10, Article XIII of the 1987 Constitution);

WHEREAS, Republic Act No. 7279, otherwise known as the "Urban Development and Housing Act of 1992" was enacted to undertake, in cooperation with the private sector, a comprehensive and continuing Urban Development and Housing Program;

WHEREAS, among the objectives of R.A. No. 7279 is to "uplift the conditions of the underprivileged and homeless citizens in urban areas and in resettlement areas by making available to them decent housing at affordable cost, basic services, and employment opportunities" (Section 2(a), R.A. No. 7279);

WHEREAS, the City of Manila, the capital city of the Philippines, partakes in the implementation of the Urban Development and Housing Act of 1992, and in ensuring the rights of the urban poor to humane housing: NOW, THEREFORE,

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

SECTION 1. Declaration of State Policy. – Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the enhancement of economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

SEC. 2. Strict Compliance with Section 28(8) of Republic Act No. 7279. – All persons within the City of Manila shall strictly and fully comply with Sec. 28(8) of Republic Act No. 7279 on all eviction activities involving underprivileged and homeless citizens in the City of Manila whether judicial or extrajudicial.

SEC. 3. Penalties. – Any person found liable for violating this Ordinance shall likewise be penalized with a fine not exceeding Five Thousand Pesos (PhP. 5,000.00) and imprisonment for a period not exceeding one (1) year.

In addition to the penalties provided in the preceding paragraph, any public official found violating the provision of this Ordinance will be subject to administrative sanctions under the Civil Service Laws, Rules and Regulations.

SEC. 4. The City Legal Office, shall hereby assist any and all complaints of non-compliance with the provisions of this Ordinance and initiate the necessary legal proceedings. The Urban Settlements Office of Manila shall identify all the lands and properties which are covered within the provisions of this Ordinance.


SEC. 5. Separability Clause. – If any provision of the ordinance or the application of such provision to other persons or circumstances is declared invalid, the provisions thereof not affected thereby shall remain in full force and effect.

SEC. 6. Repealing Clause. – All ordinances, resolutions, executive orders, rules and regulations, and other issuances or parts thereof found to be inconsistent with the provisions of this Ordinance are hereby repealed, modified, or amended accordingly.


SEC. 7. Effectivity Clause. – This Ordinance shall take effect upon its approval and after publication in a newspaper of general circulation.

This Ordinance was finally enacted by the City Council of Manila on July 5, 2021.

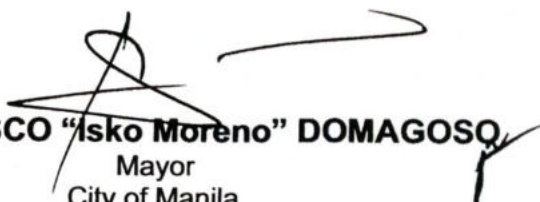
PRESIDED BY:


LOUISITO N. CHUA
Acting Presiding Officer
City Council, Manila


ATTESTED:


LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON SEP 22, 2021


FRANCISCO "Isko Moreno" DOMAGOSO
Mayor
City of Manila

ATTESTED:


BERNARDITO C. ANG
City Government Department Head III
(Secretary to the Mayor)

RNF: jhb/eee/jrp