



Republic of the Philippines
PROVINCE OF ILOCOS NORTE
Laoag City 2900

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

SEVENTH SANGGUNIANG PANLALAWIGAN

**EXCERPTS FROM THE MINUTES OF THE 74th REGULAR SESSION OF
THE SANGGUNIANG PANLALAWIGAN, HELD AT THE SANGGUNIANG
SESSION HALL, PROVINCIAL CAPITOL, LAOAG CITY, AT
3:15 P.M., MONDAY, 09 FEBRUARY 2009.**

Present:

Hon. Windell D. Chua, Vice-Governor
and Presiding Officer,
Hon. Angelo M. Barba, Member,
Hon. Albert D. Chua, Member,
Hon. Ma. Elena M. Nalupta, Member,
Hon. Mariano V. Marcos II, Member,
Hon. Portia Pamela R. Salenda, Member,
Hon. Shirley Ong Sin, Member,
Hon. Yvonne B. Ranada, Member,
Hon. Kristian R. Ablan, Member,
Hon. Robert P. Castro, Member,
Hon. Vicentito M. Lazo, PCL-IN, Member,
Hon. Jessie E. Galano, ABC-IN, Member,
Hon. Rudys Caesar G. Fariñas, PPSK-IN, Member.

Absent:

Hon. Renato Ma. R. Peralta, Member.

PROVINCIAL ORDINANCE NO. 039-2009

**AN ORDINANCE IMPOSING MORATORIUM IN THE
CONVERSION OF USE AND DEMOLITION OF
BUILDINGS, EDIFICES, RELICS, ESTABLISHMENTS AND
OTHER STRUCTURES DEEMED AS PART OF THE
CULTURAL AND HISTORICAL HERITAGE FOUND AND
SITUATED WITHIN THE TERRITORIAL JURISDICTION OF
THE PROVINCE OF ILOCOS NORTE AND IMPOSING
PENALTY IN VIOLATION THEREOF.**

WHEREAS, Article XIV, Section 14 of the 1987 Philippine Constitution provides that the State shall foster the preservation, enrichment, and dynamic evolution of a Filipino national culture based on the principle of unity in diversity in a climate of free artistic and intellectual expression;

WHEREAS, Sections 15 & 16 of Article XIV likewise mandate for the State to conserve, promote, and popularize the nation's historical and cultural heritage and resources, as well as artistic creations, thus, it shall be under its protection and its disposition regulated;

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WHEREAS, pursuant to this constitutional mandate, the Local Government Code, particularly Section 16 thereof, mandates that local government units ensure and support the preservation and enrichment of culture and to preserve the comfort and convenience of their inhabitants;

WHEREAS, Section 468(a) 2(vi) of the Local Government Code empowers the Sangguniang Panlalawigan to prescribe reasonable limits and restraints on the use of property within the jurisdiction of Ilocos Norte;

WHEREAS, the Sangguniang Panlalawigan, cognizant of its role to protect its cultural and historical heritage, has previously enacted Provincial Ordinance No. 049-2006 entitled: "An Ordinance declaring and directing the preservation, conservation and protection of all places, establishments, buildings, edifices, structures, relics, and the like, which form part of the broad, vast and rich natural, cultural, physical, intangible heritage of the Province of Ilocos Norte and the component Local Government Units"

WHEREAS, the Province of Ilocos Norte and its components local government units have several buildings, edifices, relics, establishments and other structures, among others, that embody and exemplify the richness and abundance of its culture and history requiring its conservation and preservation to maintain the vast heritage and patrimony of the Ilocano race for the present and future generations;

WHEREAS, it is feared that the existence of these cultural and historical edifices and structures may be threatened and jeopardized by unwarranted and misplaced objectives;

WHEREAS, while the Provincial Government of Ilocos Norte aims for economic and social advancement, it is firm and steadfast with its principle and policy that the cultural and historical heritage of the Ilocano people should not be sacrificed;

NOW, THEREFORE, Be it Ordained that:

Section 1. This Ordinance shall be known as "Moratorium on the Conversion of Use, Development and Demolition of Public Properties Deemed as Part of the Cultural and Historical Heritage of Ilocos Norte".

Section 2. It is hereby declared that the following buildings, edifices, structures, relics including a buffer zone with a 100 meter radius from each site, form part of the cultural and historical heritage of the Province of Ilocos Norte:

Provincial Capitol,
Saint William's Cathedral,
Sinking Bell Tower,
Laoag Central Elementary School,
Ilocano Heroes Hall,
Aurora Park,
Marcos Hall of Justice,
Laoag City Hall,
Gabaldon Elementary School,
Ilocos Norte National High School,

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Tabacalera (Museo Iloco),
Home Economics Building of the Laoag Central Elem. School,
Ermita Hill;

San Nicolas:

San Nicolas de Tolentino Church,
Sta. Rosa Academy,
Pag-estacionan,
Bingao Elementary School,
Payas Elementary School,
Roman Catholic Church/San Nicolas Elem. School

Sarrat:

Sta. Monica Church & Convent Ruins,
Sta. Monica Bell Tower,
Sta. Monica Processional Marker,
Sarrat Padsan River Ancient Warf,
Marcos Museum
Sarrat Teatro
Century Old Mother Acacia trees,
Sarrat Welcome Arc,
Century Old Sarrat Tunnels,
Rit-ritemon Kayong Monument
Sarrat Centennial Forest,
Sarrat Central School

Pasuquin:

Spanish Watch Tower,
Pasuquin East Central School,
Pasuquin West Central School,
Catholic Cemetery built in 1800

Burgos:

Cape Bojeador

Banna:

Gabaldon School

Vintar:

Old Presidencia,
Vintar Dam,
San Nicolas Church,
Gabaldon School

Currimao:

Gabaldon School,
Doña Josefa Elementary School,
2 Watch towers

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Two handwritten signatures are present at the bottom of the list. The first is a simple, stylized signature, and the second is a more complex, cursive signature.

Paoay:

2 Gabaldon Schools,
Roman Catholic Church,
Ancestral homes of the Diaz, Duque and Carpio families
Malacañang ti Amianan
Spanish Era Colonial Bridge

Badoc:

Juan Luna Ancestral House
Municipal Hall

Additional buildings, edifices, structures and relics situated in the Province of Ilocos Norte and its component local government units shall be thereafter be included in the initial list of places declared as part of the cultural and historical heritage, upon the recommendation of the Board hereinafter created;

Section 3. A moratorium is hereby imposed on the conversion of use, development, demolition, and other related activities of public buildings, edifices and structures including the buffer zone, declared as part of the cultural and historical heritage of the province, until comprehensive guidelines, rules and regulations shall have been promulgated and issued for the aforesaid purposes; Provided that the moratorium shall last not more than one (1) year;

Section 4. The Ilocos Norte Heritage Council composed of members of the Provincial Board, representatives and/or nominees of the National Historical Institute, Department of Education, Civil Society and Professional Organizations, to be appointed by the Provincial Governor, and the Local Government Units, to be appointed by their respective Local Chief Executives, shall be formed to establish preservation and conservation measures, as well as formulate rules and regulations for the conversion of use, development, demolition, and other related activities involving public buildings, edifices, structures and relics forming part of cultural and historical heritage of the Province. The guidelines, rules and regulations so formulated shall be subject to the final approval of the Provincial Governor.

Section 5. It shall be unlawful for any person or entity to cause the conversion of use, development, demolition and other related activities of public buildings, edifices and structures declared as part of the cultural and historical heritage of the province during the moratorium period and in violation of the comprehensive guidelines, rules and regulations that may be thereafter formulated and issued. If the offender is a corporation or a political subdivision, its chief executive, its responsible officers and/or employees directly participating in violation of this Ordinance shall be held criminally liable.

Section 6. A fine of Five Thousand [PhP5,000.00] Pesos or imprisonment of one [1] year shall be imposed, or both in the discretion of the court, for violation of this Ordinance.

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Section 7. All ordinances, proclamations, executive orders and administrative regulations, or part or parts thereof, including Provincial Ordinance No. 049-2006 which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 8. If, for any reason or reasons, any part or provisions 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.

Section 9. This Ordinance shall take effect upon its approval and after its publication in at least one [1] newspaper of general circulation in the Province of Ilocos Norte.

(Voting in Favor: Members Barba, Chua, Nalupta, Marcos II, Salenda, Ranada, Ablan, Castro, Lazo & Galano;

*Voting Against: Member Farifas;
Abstention: Member Ong Sin)*

I HEREBY CERTIFY to the correctness of the above-quoted Provincial Ordinance No. 039-2009.


MILDRED NIRMLA R. LAMOSTE
Provincial Board Secretary

ATTESTED:


ATTY. WINDELL D. CHUA
Vice-Governor and
Presiding Officer

