



Republic of the Philippines
MUNICIPALITY OF SAN ROQUE
Province of Northern Samar
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OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 83 S, 2024

AN ORDINANCE FORMULATING THE POLICIES AND GUIDELINES ON PRE-EMPTIVE OR FORCED EVACUATION IN RESPONSE TO MAN-MADE AND NATURAL DISASTERS OF THE MUNICIPALITY OF SAN ROQUE, NORTHERN SAMAR AND FOR OTHER PURPOSES

Sponsored by: SB Member Ronald L. Mora
Co – Sponsored by: Unanimous

EXPLANATORY NOTES

WHEREAS, the Municipality of San Roque lies within the path of meteorological hazards (typhoon) within geological hazards (Western Pacific) and other man-made calamities that threaten the lives and properties of its people,

WHEREAS, Pursuant to RA No. 7160, otherwise known as the Local Government Code of 1991; RA No. 10121, otherwise known as the Philippines Risk Reduction Management Act of 2010, DILG Memorandum Circular No. 2012-35 re: Guidelines in ensuring Public Safety during Man-made and Natural Disasters dated February 21, 2012, and Executive Order No. 07-01, series of 2023. An Executive Order implementing Pre-emptive and Forced Evacuation and there is a standard Operating Procedure on the Declaration and Conduct of Pre-emptive and Forced Evacuation and in line with the Municipality of San Roque objective for zero casualties and the mitigate the effects of meteorological, geological, and man-made disasters and calamities hereby adopts these policies and guidelines for the adoption and implementation of necessary emergency measures such as pre-emptive evacuation in area declared to be in imminent danger.

WHEREAS, the Municipality of San Roque, Northern Samar is mandated to carry out such emergency measures as may be necessary before, during, and in the aftermath of meteorological, geological, and man-made disasters and calamities, and strengthen its capacity in mitigating and preparing for responding to, and recovering from the impact of disasters,

BE IT ENACTED, by the Sangguniang Bayan of San Roque, Northern Samar in its regular session assembled that:

SECTION 1. SHORT TITLE – This ordinance shall be known and cited as **“THE POLICIES AND GUIDELINES ON PRE-EMPTIVE OR FORCED EVACUATION RESPONSE ORDINANCE”**

SECTION 2. OBJECTIVES – this ordinance aims to provide policies and guidelines for the just and safe eviction in dangerous areas before a disastrous scenario is encountered in support of the Local Government Unit of San Roque obligation to its constituents to preserve their lives from imminent danger through decisive, although strictly limited, steps to remove them from hard.

SECTION 3. DEFINITION OF TERMS -

1. **DISASTER** – means a result of a natural or man-made event which causes loss of life, injury, and property damage, including but not limited to natural disasters such as typhoon, floods, high winds, storm surge, and other weather events, and man-made events, including but not limited to power plant incidents, hazardous materials incidents, oil, spill, explosions, civil disturbance, public calamity, acts of terrorism, hostile military actions, and other events in relation thereto;

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2. **CALAMITY** – a disastrous event marked by a great loss and lasting distress and suffering.
3. **EVACUATION** – means an operation whereby all or part of a particular population is temporarily relocated, whether individually or in an organized manner, from an area in which a disaster or emergency has been declared and is considered for health or safety of the public.
4. **EVACUATION CENTER/PLACE** – a place where evacuees are brought before, during and after calamities/disaster such as but not limited to typhoon, flood, landslides, earthquakes or fire for care, safety and protection.
5. **EVACUEES** – people who are withdrawn from a dangerous place or circumstances and brought to a center/place for care, safety, and protection.
6. **FORCED EVACUATION** – means an evacuation ordered as a resort when a disaster or emergency has been declared and danger of loss of life is imminent, and conditions exist that critically imperil or endangered for health or safety of the public.
7. **HAZARD** – a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.
8. **PUBLIC OFFICIAL** – is any person who, by direct provisions of law, popular election or appointment of competent authority, take a part of the performance of public functions in the government, duties as an employee, agent or subordinate official or any rank or class who is charged with the implementation of this ordinance.

SECTION 4. EARLY WARNING SYSTEM – A banner with specified color shall be installed in a prominent place of every barangay to serve as indicator and the use of siren as circumstances warrant:

Yellow – awareness/no sound

Orange – preparedness/voluntary evacuation/siren with interval

Red – forced evacuation/continuous siren

SECTION 5. TRAININGS AND ORIENTATIONS – The Municipal Disaster Risk Reduction and Management Office (MDRRMO) shall organize and conduct trainings and orientations on the possible natural hazards, vulnerabilities and climate change risks as well as knowledge management activities on disaster risk reduction and management within the locality at least once during summer as declared by the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAG-ASA) The foregoing trainings, orientations, activities, and information dissemination shall be intensified and made once a year or at the discretion of the MDRRMC. During the aforementioned trainings and orientations, the MDRRMO shall also discuss and highlight in Local Dialect RA No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010, DILG MC No. 2012-35 dated February 21, 2012 regarding the Guidelines in Ensuring Public Safety During Man-Made and Natural Disasters, this Ordinance and other laws, rules and regulations and disaster risk reduction and management. The MDRRMO shall conceptualize posters, newsletters, brochures and pamphlets regarding disaster risk reduction and management and cause the same to be posted at the conspicuous places of the Municipality and/or, if possible, disseminate through LGU FB Page and any other way of advertisements.

SECTION 6. EVACUATION PLAN – It shall be incumbent upon the Barangay Risk Reduction and Management Committee (BDRRMC) to prepare an Evacuation Plan in their respective Barangays or areas of jurisdiction prior to hazard. Every Barangay shall work out a Permanent Evacuation Center to be utilized in case of emergency/disaster. In extreme cases, the MDRRMC shall have the authority to negotiate with owners of buildings with strong/safe structures to be made as temporary evacuation center.

SECTION 7. ENLISTMENT OF ASSISTANCE OF OTHER GOVERNMENT AGENCIES – In declaring the implementation/enforcement of pre-emptive and forced evacuation, the MDRRMC may also enlist the assistance of the members of the PNP, AFP, BFP, and PCG assigned within the municipality, as well as accredited volunteers, civil society organizations and private sector groups with the capability and training in such emergency situation. Every Barangay may implement temporary evacuation plan Public -



School Classrooms maybe used as temporary evacuation center and duplicate key of rooms may be availed of by the Punong Barangay for accessibility. All emergency measures adopted shall be a coordinative and collaborative effort between the municipal government and the assisting agencies.

SECTION 8. IMPLEMENTATION OF FORCED OR PRE-EMPTIVE EVACUATION – Upon the recommendation of the Municipal Risk Reduction and Management Council (MDRRMC), the Municipal Mayor may, in coordination with the Barangay Risk Reduction and Management Council (BDRRMC), direct the implementation of the pre-emptive or forced evacuation in case of disaster and calamity.

The Municipal Mayor, upon the recommendation of the Municipal Disaster Risk Reduction and Management Council (MDRRMC), may determine the period when the affected residents may be allowed to return or go back to their homes, if this is possible. On the basis of such recommendation, the Municipal Mayor shall immediately declare the implementation/enforcement of pre-emptive and forced evacuation which shall include but not limited to the following:

1. The designated area where vehicles provided by the Local Government Unit are waiting to transport local residents to the identified evacuation centers;
2. Evacuation centers or such places where the evacuated local residents will be temporarily taken will be at the Pamunuan Building, public schools, barangay halls, or such other place at the MDRRMC may deem it fit;
3. The necessity of the evacuated local residents to stay in the aforesaid evacuation centers until there be another issuance declaring that the imminent danger within the affected area is no longer there, if this is still possible,
4. Measures ensuring the safety of local residents in the evacuation area. However, immediately after declaration of forced evacuation but before actual implementation/enforcement thereof, the municipal government shall see to it that the local residents are informed in local dialect of the need for them to be evacuated and that there is no other alternative way to ensure their safety,
5. The members of the Philippines National Police, Armed Forces of the Philippines, Bureau of Fire Protection, volunteers are enlisted to provide assistance to affected areas,
6. The Municipal Disaster Risk Reduction and Management Council (MDRRMC) in coordination with the Barangay Disaster Risk Reduction and Management Council (BDRRMC) and the Philippine National Police shall ensure strict enforcement of forced evacuation or the prohibition of fishing activities in the areas declared by PAG-ASA under PSWS No. 1 or higher, such as when a resident/fisherman refused to leave the area, despite declaration by the Local Chief Executive of forced evacuation, or when residents/fisherman go back to their homes/affected areas without an order issued to this effect,
7. Forced Evacuation should be carried out in a manner that is humane, respectful of the dignity of persons, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and persons with disabilities,
8. The Municipal Social Welfare and Development Officer (MSWDO) should ensure that shelter and relief especially for the sick and elderly is provided for the evacuees on the evacuation centers,
9. Members of the Barangay Disaster Risk Reduction and Management Council (BDRRMC) should go house to house to ensure that all citizens are evacuated and to convince further those who refuse to evacuate impressing on them the gravity of the risk and that the Municipal might not be able to reach them in case of grave danger,
10. Personnel of the Municipal Health Office should be utilized in the course of evacuation to ensure that all health concerns and emergencies are provided. The same personnel should also be designated in the evacuation centers to prevent epidemics from occurring Medical Assistance shall also be provided for the sick, the elderly, and the disabled,



11. In cases that residents in disaster risk areas refuse to evacuate their residences, even after all efforts to inform them of the dangers are exhausted, the Municipal Government of San Roque shall have the power to mandatorily evacuate the residents by any means but which will not degrade or harm the residents,
12. Evacuated local fishermen or local residents shall not be allowed to return to their respective homes unless storm signal warnings were lowered by the PG-ASA or the Municipal Mayor issued an order to this effect,
13. The Committee on Forced/Pre-emptive Evacuation shall be responsible in determining the assistance needed for the recovery of the evacuees.

SECTION 9. MANNER/MANAGEMENT OF FORCED EVACUATION – In the event that local residents refuse to leave their homes even after notice/order or, after evacuating, go back to their homes/affected areas without an order issued to this effect, the Municipal Government as well as the members of the mobilized units of the PNP, AFO, BFP may use such physical force that commensurate under the circumstances, without discrimination and with conscious attention to the needs of vulnerable sectors such as children, women, the elderly and person with disabilities, with the end view that lives are safely secured.

SECTION 10. IMPLEMENTING RULES AND REGULATIONS – To further understand this Ordinance, the MDRRMC shall formulate the necessary Implementing Rules and Regulations (IRR).

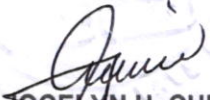
SECTION 11. PENALTY CLAUSE – Any private individual/person or public official mandated whoa fails to implement this Ordinance shall be subjected to a fine not exceeding Two Thousand Five Hundred Pesos (Php. 2,500.00) and/or imprisonment not exceeding six (6) months or both at the discretion of the court, without prejudice to administrative sanctions as may be imposed under existing laws, rules and regulations.

SECTION 12. 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 full force and effect.

SECTION 13. REPEALING CLAUSE – All ordinances, as well as pertinent rules and regulations thereof, which are inconsistent with all the provisions of this Ordinance are hereby repealed or amended accordingly.

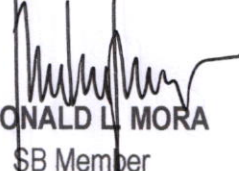
SECTION 14. EFFECTIVITY – This Ordinance shall take effect immediately upon its approval and copies thereof shall be posted in 3 conspicuous places in the Municipality for at least three (3) consecutive weeks

DONE and **APPROVED**, this **23rd** day of December 2024 at the Sangguniang Bayan Session Hall, 2nd Floor, Balaudnan Building, San Roque, Northern Samar, Philippines.


JOCELYN U. CORSO
SB Member



ENR. DANTE C. TAN
SB Member


FEDDIE F. JARITO
SB Member



RONALD L. MORA
SB Member

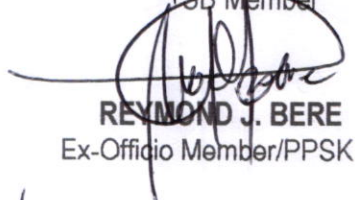
GIO S. GALVEZ
SB Member (On Leave)


HILARIO JOHN FRANCIS L. ACEBUCHÉ
SB Member


DEMETRIO S. AVALON, JR.
SB Member


ENGR. DEODATO L. BANTILO
SB Member


FREDDIE F. JARITO
Ex-Officio Member/ABC President


REYMOND J. BERE
Ex-Officio Member/PPSK Pres.



I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance


MARIENEL B. AVALON
OIC - Secretary to the Sangguniang Bayan

ATTESTED:


ETHEL O. RAMIREZ
Municipal Vice Mayor/Presiding Officer

APPROVED:


MARIA ANA G. ABALON, MD, MPH
Municipal Mayor