



Republic of the Philippines
 Province of Bulacan
 City of Malolos

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF MALOLOS HELD AT BULWAGANG DON RAMON G. DE LEON OF THE CITY OF MALOLOS ON MARCH 12, 2020.

MEMBERS PRESENT:

HON. NOEL G. PINEDA	City Vice Mayor Presiding Officer City Councilor
HON. FRANCISCO J. CASTRO	"
HON. NIÑO CARLO C. BAUTISTA	"
HON. MICHAEL M. AQUINO	"
HON. ENRICO C. CAPULE	"
HON. DENNIS D. SAN DIEGO	"
HON. EMMANUEL R. SACAY	"
HON. EDGARDO F. DOMINGO	"
HON. LUIS ALFONSO M. ARCEGA	"
HON. MIGUEL CARLOS B. SOTO	"
HON. PATRICK S. DELA CRUZ	SK President
HON. DIONISIO C. MENDOZA	ABC President

MEMBERS ABSENT:

HON. KIRK LOUIS NICOLAS City Councilor

CITY ORDINANCE NO. 08-2020

AN ORDINANCE REQUIRING ALL PRIVATE AND PUBLIC NEW BUILDINGS/HOUSES/STRUCTURES AND RENOVATIONS WITHIN THE HISTORIC TOWN CENTER OF THE CITY OF MALOLOS TO RETAIN AND TO HAVE A HISTORICAL THEME ARCHITECTURAL DESIGN.

AUTHORED BY: HON. ENRICO C. CAPULE, HON. FRANCISCO J. CASTRO,
 HON. NIÑO CARLO C. BAUTISTA, HON. DENNIS D. SAN DIEGO
 HON. MIGUEL CARLOS B. SOTO & HON. EDGARDO F. DOMINGO

WHEREAS, The National Historical Commission of the Philippines (NHCP) undertakes research and publication of Philippine historical works and educational activities on historical events and personages; restoration, preservation and conservation of movable and immovable objects of historical value;

WHEREAS, the City of Malolos was declared a National Historical Landmark and a Heritage Town by Resolution No. 2, Series 2001 of the National Historical Institute;

WHEREAS, Under Republic Act No. 10086 series of 2010, the nomenclature of National Historical Institute (NHI) was changed to National Historical Commission of the Philippines (NHCP) which has a mandate to manage, maintain and administer national shrines, monuments, historical sites, edifices and landmarks of significant historic-cultural value;

WHEREAS, Section 17 of the Local Government Code of 1991 likewise provides that Local Government Units shall exercise its powers and functions necessary for the development of tourism and promotion of programs;

WHEREAS, preserving the look of the Historic Town Center of the City of Malolos shall increase historical and cultural awareness not only to all Maloleños but all Filipinos throughout the country;

WHEREAS, having new modern building designs in the historical areas will change the historical ambiance and historic-cultural value of the entire place;

WHEREAS, Section 458(a) of the Local Government Code of 1991 provides Sangguniang Panlungsod, as the Legislative Body of the City, shall enact Ordinances for the general welfare of the City and its inhabitants;

HON. NOEL G. PINEDA
 CITY VICE MAYOR

HON. FRANCISCO J. CASTRO
 CITY COUNCILOR

HON. NIÑO CARLO C. BAUTISTA
 CITY COUNCILOR

HON. KIRK LOUIS NICOLAS
 CITY COUNCILOR

HON. MICHAEL M. AQUINO
 CITY COUNCILOR

HON. ENRICO C. CAPULE
 CITY COUNCILOR

HON. PATRICK S. DELA CRUZ
 CITY COUNCILOR

HON. DIONISIO C. MENDOZA
 CITY COUNCILOR

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 CITY COUNCILOR

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HON. EDGARDO F. DOMINGO
 CITY COUNCILOR

HON. EMMANUEL R. SACAY
 CITY COUNCILOR

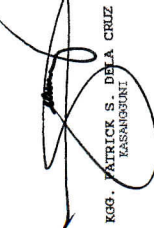
HON. DENNIS D. SAN DIEGO
 CITY COUNCILOR

[Handwritten signature]

[Handwritten signatures of Francisco J. Castro and Niño Carlo C. Bautista]

[Handwritten signature of Michael M. Aquino]

[Handwritten signature of Enrico C. Capule]


KGG. PATRICK S. DELA CRUZ
KASANGGUNI

NOW THEREFORE, be it ORDAINED by the Sangguniang Panlungsod of Malolos in session assembled that:

**RULE I
GENERAL PROVISIONS**

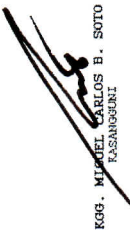
SECTION 1. - TITLE OF ORDINANCE - This Ordinance shall be known as "Historic Town Center Architectural Design Preservation Ordinance".

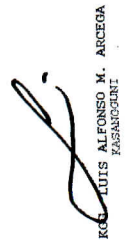
SECTION 2. - SCOPE OF ORDINANCE - All new houses/buildings and houses/buildings to be renovated or build within the Historic Town Center of the City of Malolos.

Historic Town Center of the City of Malolos shall include the following:

- a. Paseo del Congreso Street;
- b. Don Antonio Bautista Street;
- c. Jarino Street
- d. P. Burgos Street;
- e. Hipolito Street;
- f. Pariancillo Street;
- g. Sto Nino Street;
- h. F. Estrella Street;
- i. FT. Reyes Street;
- j. M. Tengco Street;
- k. Alonzo Street;
- l. Canlapan Street;
- m. and Plaza Torres;
- n. Tampoy Street.


KGG. DIONISIO C. MAQUOZA
KASANGGUNI


KGG. MICHAEL DELAS B. SOTO
KASANGGUNI


KGG. LUIS ALFONSO M. ARCEGA
KASANGGUNI

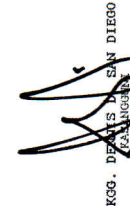
**RULE II
DEFINITION OF TERMS**

SECTION 3. - DEFINITION OF TERMS - As used in this ordinance the following terms are defined as follows:

- a. **ADAPTIVE REUSE** - utilization of buildings, other built-structures, and sites of value for purposes other than that for which they were originally intended, in order to conserve the site, its engineering integrity and authenticity of design;
- b. **ANCESTRAL** - definition, pertaining to ancestors; descending or claimed from ancestors;
- c. **CONSERVATION** - all the process and measures of maintaining the cultural significance of a cultural property, including but not limited to, preservation, restoration, reconstruction, protection, adaptation or any combination thereof.
- d. **CEO** - City Engineering Office;
- e. **CMO** - City Mayors Office;
- f. **CTACSD** - City Tourism, Arts, Culture and Sports Division;
- g. **HISTORIC CENTER** - 1) historic zone, district, core, precinct, town, legacy zone, heritage area, zone, or town; 2) a designated area with historical and other special significance, consisting of buildings or group of buildings, and their environs that collectively contribute to the area's importance and character; 3) a place where a significant event in history occurred; 4) any town, district or ancient settlement site with special historic and/or cultural significance. Historic centers are sometimes called living museums, outdoor museums, or museum preserves. Whether inhabited or uninhabited, historic centers are preservation areas;
- h. **NHI** - National Historical Institute;
- i. **NHCP** - National Historical Commission of the Philippines.


KGG. EDUARDO F. DOMINGO
KASANGGUNI


KGG. EMANUEL R. SACAY
KASANGGUNI


KGG. DEANIS M. SAN DIEGO
KASANGGUNI

**RULE III
PROHIBITORY PROVISION**



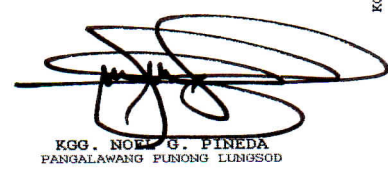
KGG. FRANCISCO J. CASTRO
KASANGGUNI

KGG. NINO CARLO C. BAUTISTA
KASANGGUNI

KGG. KIRK LOUIS NICOLAS
KASANGGUNI



KGG. MICHAEL M. AQUINO
KASANGGUNI


KGG. NOEL G. PINEDA
PANGALAWANG PUNONG LUNGSOD

KGG. ENRICO C. CAPULE
KASANGGUNI

SECTION 4. - PROHIBITED ACTS - No Construction of new houses/buildings, demolitions and renovations are allowed within the Historic Town Center of Malolos without Clearance or Certification of Approval from the City Tourism, Arts, Culture and Sports Division (CTASD), City Engineering Office (CEO) and Office of the City Architect.

**RULE IV
SUPERVISION, CONTROL AND CERTIFICATION**

SECTION 5. - THE CITY TOURISM, ARTS, CULTURE AND SPORTS DIVISION (CTACSD) - For purposes of implementation of the provisions of this Ordinance, technical duties and administrative functions shall be performed by the CTACSD:

The CTACSD shall perform the following:

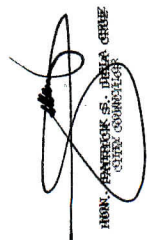
- a. Create a Technical Working Group, together with the City Engineering Office, **Office of the City Architect**, other needed offices and professionals that will study the specific theme, design and materials to be used in construction of buildings/structures in the areas to be preserved, and in coordination with the City Mayor, shall create the Implementing Rules and Regulations (IRR) of this Ordinance.
- b. Create standards and guidelines to be followed by applicants for maintaining the look or design of the historical area. The following guidelines shall be guided by the polices and standards for building requirements set by National Historical Commission of the Philippines (NHCP) for conservation and development of Historic Centers/Heritage Zones.
- c. Create guidelines for materials to be used by new buildings and building renovations.
- d. Shall issue clearance before renovation and demolition can be done on existing old houses and buildings.
- e. Shall give the option to applicants of using adaptive reuse of the building/house before issuing certification of approval for demolition.

The Head of the CTACSD shall coordinate with the City Mayors Office (CMO), City Engineering Office, **Office of the City Architect**, and with other offices as regard to implementation of this Ordinance.

SECTION 6. - THE CITY ENGINEERING OFFICE (CEO) & OFFICE OF THE CITY ARCHITECT - For purposes of implementation of the provisions of this Ordinance, technical duties and administrative functions shall be performed by the CEO and **Office of the City Architect**;

The CEO and the City Architect shall perform the following:

- a. Ensure that **NO Demolition** of ancestral houses/buildings and other old houses/buildings in the historic town center will be done without prior **Notice of Approval** in their office.
- b. Ensure that **NO Renovations shall be conducted without clearance of CTACSD** of ancestral houses and other old houses/buildings in the historic town center.
- c. Shall ensure the design and guidelines created by the CTACSD and **Office of the City Architect** are met by applicants for new houses/buildings to be constructed on the areas stated.
- d. Shall ensure the design and guidelines created by the CTACSD, CEO and **Office of the City Architect** are met by applicants for renovations of old building/house in the areas stated.


HON. FRANCISCO S. DE VERA
CITY COUNCILOR

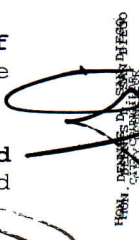

HON. EDGARDO C. NOLASCO
CITY COUNCILOR


HON. MARCELINO B. SISON
CITY COUNCILOR


HON. AURELIO M. ARCE
CITY COUNCILOR


HON. FRANCISCO B. DOMINGUEZ
CITY COUNCILOR


HON. MANUEL A. CASAGAY
CITY COUNCILOR

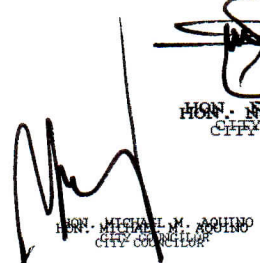

HON. DENNIS D. DE VERA
CITY COUNCILOR



HON. FRANCISCO J. CASTRO
CITY COUNCILOR

HON. EDGARDO C. NOLASCO
CITY COUNCILOR

HON. WILFRIDO LOUIS NICOLAS
CITY COUNCILOR


HON. NOEL O. PINEDA
CITY VICE MAYOR

HON. MICHAEL M. AQUINO
CITY COUNCILOR

HON. EDUARDO C. CARULE
CITY COUNCILOR

- e. **CEO, in coordination with the Office of the City Architect**, shall conduct inspections and monitoring of all the houses/building/structures within the Historic town center.
- f. Shall have the power to stop undergoing construction and renovations prior in inspection and monitoring that the said edifice is without clearance from CTACSD, CEO and Office of the City Architect.

SECTION 7. - COMMITTEE ON TOURISM AND CULTURE (SANGGUNIANG PANLUNGSOD) - For purposes of implementation of the provisions of this Ordinance, technical duties and administrative functions shall be performed by the Committee on Tourism and Culture (Sangguniang Panlungsod).

The **Committee on Tourism and Culture (Sangguniang Panlungsod)** shall perform the following:

- a. Ensure and check proper Implementation of this ordinance regarding duties and responsibilities by other offices.
- b. Enact and pass needed legislation for proper implementation of this ordinance.

SECTION 8. - BARANGAYS - All Sangguniang Barangays within the area of Historic Town Center shall report all planned and monitored construction of new houses/buildings and planned demolition and renovations.

They are given the power to stop construction upon proof that it was lacking clearance from CTACSD, CEO and Office of the City Architect.

SECTION 9. - CERTIFICATION OF APPROVAL - No structure shall be erected, restored, reconstructed, repaired, adapted for reuse, moved or dismantled within the Historic Town Center of the City of Malolos without obtaining Certification of Approval from the City Tourism, Arts, Culture and Sports Division (CTACSD), CEO, and Office of the City Architect.

The Certificate is an attestation that the conservation process applicable in the circumstances has been thoroughly studied taking into consideration the cultural significance of the place.

**RULE V
FINAL PROVISIONS**

SECTION 10. - FUNDING - The City Government of Malolos shall allocate the funds needed for the implementation of this Ordinance.

SECTION 11. - PENAL CLAUSE - NHCP give the authorization to Local Government Units to set its schemes of penalties. Hence, any person or persons, owner/developer/Project Engineer/Contractor of houses, public or private buildings or business entities or corporation found violating any provisions of this ordinance, shall be penalized with a fine of ONE THOUSAND PESOS (Php1,000.00) but not exceeding FIVE THOUSAND PESOS (Php5,000.00) and/or imprisonment for a period of six (6) months but not exceeding one (1) year at the discretion of the court.

SECTION 12. - REPEALING CLAUSE - All ordinances resolutions, rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed and modified accordingly.

SECTION 13. - NON-PREJUDICE CLAUSE - The institution of formal charges under this Ordinance shall be without prejudice to the prosecution of the other violations under existing laws and ordinances, rules and regulations.

HON. FRANCISCO J. CASTRO
CITY COUNCILOR

HON. NINO CARLO C. BAUTISTA
CITY COUNCILOR

HON. KIRK LOUIS NICOLAS
CITY COUNCILOR

HON. MICHAEL M. AQUINO
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HON. ENRICO C. CAPULE
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HON. NOEL G. PINEDA
CITY VICE MAYOR

HON. PATRICIA S. DELA CRUZ
CITY COUNCILOR

HON. DIONISIO C. VERA
CITY COUNCILOR

HON. MIGUEL CARLOS B. SOTO
CITY COUNCILOR

HON. JOSE ALFREDO M. ARCEGA
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HON. EDUARDO F. DOMINCO
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HON. EMANUEL P. SACKY
CITY COUNCILOR

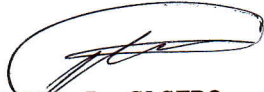
HON. DEBAC O. SAN DIEGO
CITY COUNCILOR

SECTION 14. - SEPARABILITY CLAUSE - If for any reason, any section or provision of this Ordinance shall be held as unconstitutional or invalid by competent authority, such judgment or action shall not affect or impair the other sections or provisions thereof.

SECTION 15. - APPLICABILITY CLAUSE - All other matters relating to the impositions in this ordinance shall be governed by pertinent provisions of existing laws and other ordinances.

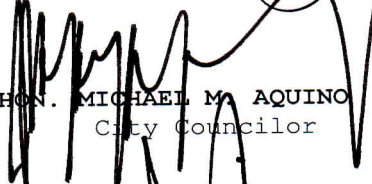
SECTION 16. - EFFECTIVITY - This ordinance shall take effect upon its approval.

APPROVED.


HON. FRANCISCO J. CASTRO
City Councilor


HON. NIÑO CARLO C. BAUTISTA
City Councilor

*HON. KIRK LOUIS NICOLAS
City Councilor

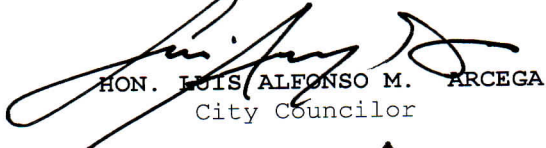

HON. MICHAEL M. AQUINO
City Councilor


HON. ENRICO C. CAPULE
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HON. DENNIS D. SAN DIEGO
City Councilor

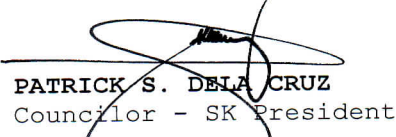

HON. EMMANUEL R. SACAY
City Councilor


HON. EDGARDO F. DOMINGO
City Councilor

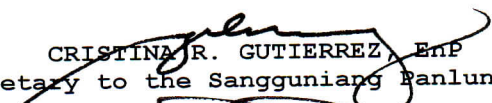

HON. LUIS ALFONSO M. ARCEGA
City Councilor


HON. MIGUEL CARLOS B. SOTO
City Councilor



HON. DIONISIO C. MENDOZA
City Councilor - ABC President


HON. PATRICK S. DELA CRUZ
City Councilor - SK President

I HEREBY CERTIFY that the aforementioned City Ordinance was duly approved by the Sangguniang Panlungsod of Malolos.


CRISTINA R. GUTIERREZ, EnP
Secretary to the Sangguniang Panlungsod

ATTESTED BY:


HON. NOEL G. PINEDA
City Vice Mayor - Presiding Officer

APPROVED/DISAPPROVED:

Date of Approval:


ENGR. GILBERT T. CATHALIAN
City Mayor

*absent