



Republic of the Philippines  
Province of Ilocos Norte  
**MUNICIPALITY OF NUEVA ERA**

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**OFFICE OF THE SANGGUNIANG BAYAN**

April 18, 2023

<b>RECEIVED</b>	
DATE	APR 19 2023
TIME	1:00 pm
SIGNATURE	<i>[Signature]</i>

**THE HONORABLE SANGGUNIANG PANLALAWIGAN MEMBERS**  
**PROVINCE OF ILOCOS NORTE**  
Provincial Capitol, Laoag City

**THRU: HON. CECILIA ARANETA MARCOS**  
Vice Governor and Presiding Officer

Your Honors,

Respectfully submitting herewith, the **rectified MUNICIPAL ORDINANCE NO. 2023-54 RE: "AN ORDINANCE PROVIDING PROCESS FOR THE CONDUCT OF SURVEY ON PRIVATE LOTS WITHIN THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE"** as per recommendation, for your consideration, review and appropriate action.

Thank you and More Power!

Very truly yours,

*[Signature]*  
**LILY U. DALAG**

Secretary to the Sangguniang Bayan



**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF NUEVA ERA, ILOCOS NORTE, HELD AT THE SESSION HALL ON FEBRUARY 6, 2023 AT 9:00 O'CLOCK IN THE MORNING.

**PRESENT:**

HON. CAROLINE A. GARVIDA  
HON. CATHERINE A. NAIRA  
HON. REDENTOR B. VALERA  
HON. JOYBEL T. BUENO  
HON. FERNANDO BALAGSO  
HON. ELMER B. AZURIN  
HON. PETRONIO H. RIQUELMAN JR.  
HON. EDWIN B. YAGIN  
HON. ARNEL N. CALAYCAY  
HON. FRANCISCO T. RAMBAUD  
HON. AUSTINE MARK A. VALERA  
ABSENT: NONE

Vice Mayor & Presiding Officer  
Sangguniang Bayan Member

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Liga ng mga Barangay President  
Pederasyon ng Sangguniang Kabataan President



**MUNICIPAL ORDINANCE NO. 2023-54**

**AN ORDINANCE PROVIDING PROCESS FOR THE CONDUCT OF SURVEY ON PRIVATE LOTS WITHIN THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE**

**WHEREAS**, one of the Fundamental Powers of the State is the Police Power to make, ordain, establish all manner of wholesome and reasonable laws for the good and welfare of the people;

**WHEREAS**, Section 16 of Republic Act 7160 otherwise known as the Local Government Code provides that:

"Every local government unit shall exercise the powers expressly granted those necessarily implied therefrom, as well as the 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 jurisdiction, local government units shall ensure and support among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order and preserve the comfort and convenience of their inhabitants."

**WHEREAS**, conflicts of ownership for private lots are mostly causes of poor relationship among families, relatives, neighborhood and other local residents, that ultimately affect the peace and order situation in the community;

**BE IT ORDAINED** by the Sangguniang Bayan of the Municipality of Nueva Era, Ilocos Norte by virtue of the powers vested in law, in session duly assembled that:

**SECTION 1. Title.** This ordinance shall be known as "AN ORDINANCE PROVIDING PROCESS FOR THE CONDUCT OF SURVEY ON PRIVATE LOTS WITHIN THE MUNICIPALITY OF NUEVA ERA, ILOCOS NORTE"

**SECTION 2. Coverage.** This ordinance shall apply to all residents and private lot owners/beneficial users applying for the conduct of survey;

**SECTION 3. DEFINITION OF TERMS:** As used in this ordinance, terms are defined hereunder:

- a. **SURVEY** - examine and record the area and features of (an area of land) so as to construct a map, plan, or description
- b. **CADASTRAL SURVEY** - is the discipline of land surveying that relates to the laws of land ownership and the definition of property boundaries.
- c. **PRIVATE LOT** - land or belongings owned by a person or group and kept for their exclusive use.
- d. **PRIVATE LAND SURVEY**- refers to the survey covering lands claimed or owned by an individual, a partnership, a corporation, or any other form of organization, undertaken for purposes of original or subsequent land registration.

- e. **ALIENABLE AND DISPOSABLE LAND** - refer to those lands of the public domain which have been the subject of the present system of classification and declared as not needed for forest, mineral purposes or national parks.
- f. **METES AND BOUNDS** - a boundary or boundary stone.

**SECTION 4. REQUIREMENTS IN THE APPLICATION FOR SURVEY OF PRIVATE LOTS:**

The following are the requirements for application of survey on private lots:

- a. Certification from the Community Environment and Natural Resources Office (CENRO) that:
  - 1.a. subject lot is within the Alienable and Disposable Land (Not applicable for Residential and Agricultural Lot)
  - 1.b. subject lot for survey has no on-going litigation and not within the ongoing cadastral or public land survey
- b. Certification from the Punong Barangay that there is no existing claims or conflict of the subject lot for survey;
- c. Authenticated Copy of final Court Order in favor of the claimant if the subject lot is under litigation.
- c. Copy of Tax Declaration /Certificate of Title
- d. Copy of License by the Geodetic Engineer or Surveyor

Upon completion of the requirements for application to conduct survey of lot, the Municipal Assessor recommends the approval to the Local Chief Executive.

**SECTION 5. FEES TO BE PAID FOR APPLICATION OF SURVEY OF LOT:**

A fee of One Hundred Pesos (Php100.00) shall be paid at the treasurer's office upon approval of the application for survey of private lot

**SECTION 6. NOTIFICATION OF ADJACENT OWNERS FOR THE SUBJECT LOT FOR SURVEY.**

In the case of private lot subject for survey, the Punong Barangay concerned shall notify the adjacent lot owners while for public lots for survey, notification of adjacent lot owners will be done by the Municipal Assessor.

**SECTION 7. PROHIBITED ACTS.** As used in this Ordinance, the following acts are prohibited:

- a. Conduct of Survey without the compliance of the requirement stated in Section 3 hereof.
- b. Conduct of survey without the consent of adjacent owners for the subject lot for survey.

**SECTION 8. PENAL PROVISION.** Any person violating the provisions of this ordinance shall be penalized by a fine of not less than One Thousand Pesos (1,000.00) but not more than Two Thousand Five Hundred Pesos (2,500.00) in accordance with the Revised Penal Code as the case maybe.

**SECTION 9. REPEALING CLAUSE.** All Ordinances, resolutions and other issuances inconsistent with the provision of this ordinance are hereby repealed and modified accordingly.

**SECTION 10 SEPARABILITY CLAUSE.** If for any reason any provision of this Ordinance is declared invalid or unconstitutional by appropriate agency or office, the remaining provisions not affected thereby shall continue in full force and effect

**SECTION 11. EFFECTIVITY CLAUSE.** This Ordinance shall take effect upon approval.

APPROVED, this 6<sup>th</sup> day of February 2023.


[Voting Profile:

In Favor Members: C. Naira, R. Valera, J. Bueno F. Balagso, E. Azurin,, P. Riquelman Jr., E. Yagin, A. Calaycay, F. Rambaud, and A. Valera

Against: NONE

Abstained: NONE]

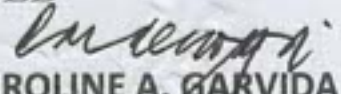
CERTIFIED CORRECT:



LILY U. DALAG

Secretary to the Sangguniang Bayan

ATTESTED



CAROLINE A. GARVIDA

Vice Mayor & Presiding Officer

Date: 17 APR 2023

APPROVED:



ATTY. ALDRIN R. GARVIDA

Municipal Mayor

Date: 17 APR 2023