



Republic of the Philippines
Province of Aurora
MUNICIPALITY OF BALER

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BALER, AURORA WHICH WAS HELD ON SEPTEMBER 26, 2012 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

Present:

Hon. Nelianto C. Bihasa	Vice Mayor-Presiding Officer
Hon. Danilo M. Ong	SB Member
Hon. Karen G. Angara-Ularan	SB Member- PCL President
Hon. Noel P. Go	SB Member
Hon. Arthur L. Sanchez	SB Member
Hon. Reynaldo E. Mapindan	SB Member
Hon. Gina T. Ritual	SB Member
Hon. Nenita DS. Gonzales	SB Member
Hon. Sonia G. Amatorio	SB Member
Hon. Aya Rose L. Avellaneda	SB Member-SK Fed. Chairman

Absent:

Hon. Gina Z. Agapito	SB Member-ABC President
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ORDINANCE NO. 014-2012

“AN ORDINANCE PROVIDING FOR THE PROTECTION AND CONSERVATION OF LOCAL CULTURAL PROPERTIES, HISTORICAL MARKERS, MONUMENTS AND SHRINES AS PART OF THE STRENGTHENING AND IMPLEMENTING PROVISIONS OF THE NATIONAL CULTURAL HERITAGE ACT OF 2009.”

WHEREAS, the 1987 Constitution mandates the State to conserve, develop, promote and popularize the nation’s historical and cultural heritage and resources, as well as artistic creations. It further provides that, all the country’s artistic and historic wealth constitutes the cultural treasure of the nation and shall be under the protection of the State, which may regulate its disposition;

WHEREAS, the National Cultural Heritage Act of 2009 protects and promotes the nation’s cultural heritage, its properties and histories and the ethnicity of local communities;

WHEREAS, Section 16 of the RA 7160, provides that local government unit play an important role in the development, promotion and preservation of Filipino culture and encourage the participation of the people in the development and preservation of Filipino identity;

WHEREAS, PD No. 1505, prohibits the unauthorized modification, alteration, repair and destruction of original features of all national shrines, monuments, landmarks, and other important historical edifices including groups of buildings with homogeneous qualities and their sites, which relates to important events and depict unique artistic qualities;

WHEREAS, the Municipality of Baler, known for its rich cultural and historical background and having blessed with the number of cultural, religious and tourist sites, wanted to protect them from unlawful and destructive activities of both local and foreign tourists by imposing a stringent measures in protecting those historical edifices;

NOW THEREFORE, be it enacted by the Sangguniang Bayan in session assembled, that:

Section 1. Title: This ordinance shall be known as **“AN ORDINANCE PROVIDING FOR THE PROTECTION AND CONSERVATION OF LOCAL CULTURAL PROPERTIES, HISTORICAL MARKERS, MONUMENTS AND SHRINES AS PART OF THE STRENGTHENING AND IMPLEMENTING PROVISIONS OF THE NATIONAL CULTURAL HERITAGE ACT OF 2009.”**

Section 2. Scope: This ordinance shall apply to the protection, preservation and conservation of all local cultural properties, historical monuments and historical shrines located within the territorial jurisdiction of Baler, Aurora.

Section 3. Definition of Terms: For purposes of this Ordinance, the terms enumerated in this Section shall be construed or interpreted to mean or refer to, as follows:

3.1 Cultural Property- shall refer to all products of human creativity by which a people and a nation reveal their identity, including churches, mosques and other places of religious worship, schools and natural history specimens and sites, whether public or privately-owned, movable or immovable, and tangible or intangible;

3.2 Historical Monuments- shall refer to structures that honor illustrious persons or commemorate events of historical value as declared by the National Historical Institute;

3.3 Historical Shrines- shall refer to historical sites or structures hallowed and revered for their history or association as declared by the National Historical Institute;

Section 4. Enforcement and Implementation. The Municipal Mayor through the Municipal Tourism Officer, Barangay Council, the duly deputized Enforcers and the Philippine National Police shall enforce this ordinance.

Section 5. Prohibited Acts: Violations of this ordinance may be made by whoever intentionally:

5.1 Destroys, demolishes, mutilates or damages any local cultural properties, historical monuments, markers and shrines;

5.2 Modifies and alters the original features of the said historical edifices without the permission and authority of the National Historical Commission of the Philippines.

5.3 Performs awkward and disrespectful gestures within or near the said monuments, markers and shrines.

Section 6. Penalty Clause : Without prejudice to the penal provisions of RA 10066 and PD 1505, and other applicable laws, any person, group or corporation found violating any of the provisions of this ordinance or cause the same to be done, shall be liable for a fine of Two Thousand Five Hundred Pesos (P2,500.00) and/or six (6) months imprisonment at the discretion of the court.

Section 7. Separability Clause. The provisions of this Ordinance are separable, and in the event that any or more of such provisions are declared invalid, the validity of all other provisions shall not be affected thereby.

Section 8. Repealing Clause. Any Ordinance, Executive Orders and Local Issuance or Rules and Regulations or part thereof, inconsistent with or in conflict with this Ordinance are hereby repealed and or altered accordingly.

Section 9. Effectivity. This Ordinance shall take effect upon its approval.

ENACTED: **26 September, 2012**

AUTHOR: **HON. KAREN G ANGARA-ULARAN**
Chairperson-SB Committee on Tourism

I hereby certify to the correctness of the foregoing ordinance.

GLORIOSO A. VILLAFRANCA
Secretary to the Sangguniang Bayan

Attested:

NELIANTO C. BIHASA
Vice Mayor-Presiding Officer

Approved:

ARTURO J. ANGARA, DMD.
Municipal Mayor

Date: _____