3. Conduct public awareness programs or activities advising the community about local characteristics of potential hazards and possible impacts such as for a, symposium among others;

4. Provide public education on how individuals can prepare themselves for disaster events;

5. Have an information dissemination plan; and

6. Allow and encourage public access to the protocols and strategies embodied in the Manual

b) A DRRM Training Center shall cater to trainings of public and private individuals and organizations in disaster risk reduction and management, including emergency response, search and rescue operations, and capacity-building programs, among others. Suitable location for the establishment of the Center shall be determined by the MDRRMC in consultation with the MDC and other concerned stakeholders.

c) All secondary and tertiary schools, including the National Service Training Program (NSTP), whether private of public, including formal and non-formal, technical-vocational, indigenous learning, and out-of-school youth courses and programs, under the supervision of either DepEd, CHED or TESDA in coordination with the OCD, the National Youth Commission (NYC), the DOST, the DENR, the DILG-BFP, the DOH, the DSWD and other relevant agencies, shall integrate disaster, risk reduction and management education in the school curricula pursuant to Section 14 of RA 10121.

d) The BDRRMCs and Sangguniang Kabataan councils shall encourage community, especially the youth participation in disaster risk reduction and management activities, such as organizing quick response groups, particularly in identified disaster-prone areas, as well as the inclusion of disaster risk reduction management programs as part of the SK programs and projects.

SECTION 14. Local Disaster Mitigation Policies.

a) It shall be the policy of the Municipality to prohibit activities that may hasten or aggravate the impact of disaster such as, but not limited to, the following:

1. Littering, throwing, dumping of waste matters in public places such as roads, sidewalks, canals, esteros or parks and establishments or causing or permitting the same;

2. The open burning of agricultural wastes such as rice straws and solid waste;

3. Squatting in any high risk areas;

4. Construction of any establishment in high risk areas;

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5. Open dumping, buying of biodegradable or non-biodegradable materials in flood prone areas;

6. Prohibition of fishing vessel and fishing activities in areas declared by PAGASA under public storm signal no. 1 or higher in accordance with Headquarters Philippine Coast Guard (HPCG) relevant circular and vessel movement during heavy weather.

b) Violations of these provisions are subject to fines, penalties or imprisonment as may be provided by the Revised Penal Code, RA 9003 and other existing laws.

SECTION 15. Forced Evacuation

a) It shall be the responsibility of the municipality to establish, maintain and manage evacuation centers strategic, accessible but safe places. The standards and guidelines to establish, maintain and manage evacuation centers shall be set forth in the Manual to be formulated under Section 12 of this Ordinance.

b) In the event that an Emergency Evacuation Center shall be needed to lessen the risk of transporting evacuees, the Municipal Mayor or Punong Barangay is empowered to convert any private vacant lot or building for this purpose in case the owner refuses to allow the use only for the duration of the evacuation.

c) Forced evacuation shall be enforced upon orders of the following competent authorities:

1. President of the Philippines or any Cabinet Secretaries upon order by the President or any legitimate National or Regional DRRMC;

2. Chairman of the Provincial/Municipal upon recommendation of the P/M DRRMC, pursuant to Section II (b)(3) of RA 10121.

3. Punong Barangay being the Chairman of the BDRRMC upon recommendation of the BDRRMC and after assessment of the situation, there is a need to undertake the pre-emptive or forced evacuation to ensure the safety of the residents against imminent danger in the event of a disaster provided that the Punong Barangay shall immediately inform the MDRRMC Chairman through fastest means.

4. The Municipal Mayor and/or Punong Barangay or their authorized representative acting upon their direct order shall not be liable during the enforcement of forced evacuation. *Provided*, however that no use of excessive force and bad faith to forcibly evacuate affected residents to a safer ground, pick-up points and/or appropriate evacuation destination.

5. The Municipal Mayor and/or Punong Barangay may order any person who has the capacity and capability to assist in the implementation of forced evacuation provided that it will not endanger the life of said

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person. Any person who refused to assist, upon order of competent authority, shall be arrested and charged for violation of the Revised Penal Code if the refusal resulted to the death and serious injury of the person in danger intended to be assisted.

SECTION 16. Non-Compliance to Forced Evacuation. Any person who willfully and deliberately disregard or opposed the order of forced evacuation issued by the Municipal Mayor or Punong Barangay or competent authorities shall release the latter from any liability for the former's injury or death attributed to his disobedience. During evacuation, priority shall be given to those persons or residents who willfully comply with the order of forced evacuation.

SECTION 17. Municipal Disaster Risk Reduction and Management Fund.

a) Annually, the Municipality shall set aside not less than five percent (5%) of the estimated revenue from regular sources as the Municipal Disaster Risk Reduction and Management Fund (MDRRMF) to support disaster risk management activities such as, but not limited to, pre-disaster preparedness programs including training, purchasing, life-saving rescue equipment, supplies and medicines, for post-disaster activities, and for the payment of premiums on calamity insurance and construction of evacuation centers.

The MDRRMC shall monitor and evaluate the use and disbursement of the MDRRMF based on the MDRRMP incorporated in the local development plans and annual work and financial plan. Upon the recommendation of the DRRMO and approval of the Sanggunian, the MDRRMC may transfer the said fund to support disaster risk reduction work of other LDRRMCs which are declared under state of calamity.

b) Of the amount appropriated for MDRRMF, thirty percent (30%) shall be allocated as Quick Respond Fund (QRF) or standby fund for relief and recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, calamities, epidemics, or complex emergencies, maybe normalized as quickly as possible.

c) Unexpected MDRRMF shall accrue to a special trust fund solely for the purpose of supporting disaster risk reduction and management activities of the MDRRMC within the next five (5) years shall revert back to the general fund and will be available for other social services to be identified and prioritized by the MDC.

SECTION 18. Prohibited Acts

a) Any person, group or corporation who commits any of the following prohibited acts provided under Section 19 of RA 10121 shall be held liable and be subjected to the penalties as prescribed in Section 20 of this Act:

1. Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;

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2. Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment, accessories, disaster teams/experts;

3. Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other aid commodities which are intended for distribution to disaster affected communities;

4. Buying, for consumption or resale, from the recipient disaster affected persons any relief goods, equipment or other aid commodities received by them;

5. Selling of relief goods, equipment or other aid commodities which are intended for distribution to disaster victims;

6. Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;

7. Diverting or misdelivery of relief goods, equipment or other aid commodities to persons other than the rightful recipient or consignee;

8. Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned to him/her;

9. Misrepresenting the source of relief goods, equipment or other aid commodities by:

   a) Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;

   b) Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency or persons;
   c) Making false verbal claim that the goods, equipment or other aid commodity

10. Substituting or replacing relief goods, equipment or other aid commodities with the same items or inferior/cheaper quality;

11. Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the MDRRMC.

12. Deliberate use of false at inflated data in support of the request for funding, relief goods, equipment or other aid commodities for emergency assistance or livelihood projects; and

13. Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia.

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SECTION 19. Penalty Clause. Any persons found to violate any of the pertinent provisions of this Ordinance shall be subjected to a fine not less than Php500.00 but not exceeding Php2,500.00 or imprisonment of not less than thirty (30) days but not exceeding one (1) year, or both, at the discretion of the court.

If the violator is a public official, the foregoing penalty shall be without prejudice to administrative sanctions as may be imposed under existing laws, rules and regulations.

SECTION 20. Repealing Clause. Any ordinance, order memorandum, rule and regulation which is inconsistent with the provisions of this Ordinance is hereby modified or repealed accordingly.

SECTION 21. Effectivity. This Ordinance shall take effect upon compliance of the mandatory posting and publication requirement prescribed under RA 7160 otherwise known as the Local Government Code of 1991.

On mass sponsorship, upon motion of Honorable Ramil O. Dimaplis said ordinance was . . . ENACTED.

CERTIFIED CORRECT:

FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

ATTESTED:

EDUARDO K. SORIANO
Acting Municipal Vice Mayor

JOHNELL C. SIÑEL
SB Member

ALBERTO V. MAGNO
SB Member

DAVID D. DELA CRUZ
SB Member

RAMIL O. DIMAPILIS
SB Member

JUAN S. ADVINCULA
SB Member

ELSIE F. GALARAN
SB Member

JUANITO A. BACAY, JR.
SB Member

APPROVED:

VIOLETA L. DIMAPILIS
Acting Municipal Mayor
Date _____

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