



Republic of the Philippines  
**Department of Education**  
REGION X – NORTHERN MINDANAO  
**SCHOOLS DIVISION OF OZAMIZ CITY**

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May 15, 2023

**DIVISIONAL MEMORANDUM**

No. 133 s. 2023

**REITERATING THE DISSEMINATION OF OZAMIZ CITY ORDINANCE  
NO. 1240-2022 (AN ORDINANCE ENFORCING THE LOCAL  
GOVERNMENT CODE AND REQUIRING NATIONAL GOVERNMENT  
AGENCIES TO SEEK PRIOR CONSULTATION AND APPROVAL FROM  
THE LOCAL GOVERNMENT OF OZAMIZ BEFORE THE CONDUCT  
OF NATIONAL ACTIVITIES, PROJECTS OR PROGRAMS  
IN OZAMIZ CITY)**

**TO:** Assistant Schools Division Superintendent  
Chief Education Supervisors (CID and SGOD)  
Public Schools District Supervisors  
Public Elementary and Secondary School Heads  
Section / Unit Heads, PROGRAM HOLDERS  
All Others Concerned  
*This Division*

1. This is to reiterate the dissemination of Ozamiz City Ordinance No. 1240-2022 requiring national government agencies to seek prior consultation with the LGU through the Local Chief Executive (LCE) and thereafter, a resolution from the Sanguniang Panglungsod approving the same.
2. Chiefs, Supervisors, Section Heads, School Heads and all Program Holders are advised to observe the attached Ordinance No. 1240-2022. All provisions of Divisional Memo No. 248 series 2022 facilitating compliance of the same Ordinance shall still apply.
3. Immediate dissemination of this Memorandum to all concerned is desired.

**NIMFA R. LAGO, CESO VI**

Assistant Schools Division Superintendent  
OIC – Office of the Schools Division Superintendent



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Our **LEARNERS**: *The Diamonds of the Fortress.*  
**ASENSO OZAMIZ!**



Republic of the Philippines  
**OFFICE OF THE CITY COUNCIL**

Ozamiz City  
Telephone No. (088) 521-0786  
Email: spozamizcity@gmail.com

**SENSENZO  
OZAMIZ**

EXCERPT FROM THE MINUTES OF THE **REGULAR SESSION** OF THE CITY COUNCIL, CITY OF OZAMIZ, HELD AT THE SESSION HALL, SEN. JOSE F. OZAMIZ MEMORIAL HALL ON TUESDAY, **AUGUST 30, 2022.**

**PRESENT:**

Hon. Simplicia O. Neri	- -	City Vice-Mayor, Presiding Officer
Hon. Lorlie F. Cipres	- -	Member
Hon. Katherine C. Lim	- -	Member
Hon. Cecile Y. Co	- -	Member
Hon. Marcelo S. Romero II	- -	Member
Hon. Roland B. Suizo, Jr.	- -	Minority Floor Leader
Hon. Daniel C. Lao	- -	Assistant Majority Floor Leader
Hon. Juanito B. Saquin, Jr.	- -	Assistant Minority Floor Leader
Hon. Marcelian C. Tapayan	- -	Majority Floor Leader
Hon. Anita M. Linsag	- -	Member
Hon. Saulo E. Salvador	- -	Member
Hon. John P. Docdor	- -	Ex-Officio Member (Vice Pres., Liga Ng Mga Brgy.)
Hon. Relinda A. Bation	- -	Ex-Officio Member (IPM Representative)

**ABSENT:**

Hon. Erwin B. Ochavillo	- -	Ex-Officio Member (SK Federation President)
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**ORDINANCE NO. 1240-2022**

**AN ORDINANCE ENFORCING THE LOCAL GOVERNMENT CODE AND REQUIRING NATIONAL GOVERNMENT AGENCIES TO SEEK PRIOR CONSULTATION AND APPROVAL FROM THE LOCAL GOVERNMENT OF OZAMIZ BEFORE THE CONDUCT OF NATIONAL ACTIVITIES, PROJECTS, OR PROGRAMS IN OZAMIZ CITY**

**WHEREAS**, Section 2 (c) of the Local Government Code requires all national agencies to **CONDUCT** periodic consultations with appropriate local government units before any project or program is implemented;

**WHEREAS**, Section 25 (b) of the same Code provides that national agencies and offices with project implementation functions shall coordinate with one another and with the local government unit concerned in the discharge of these functions and shall ensure the participation of local government units both in the planning and implementation of said national projects;

**WHEREAS**, Section 27 of the same Code provides that no project or program shall be implemented by government authorities unless the consultations mentioned in Section 2 (c) are complied with, and prior approval of the sanggunian concerned is obtained;

**WHEREAS**, Section 458 of the same Code requires Sangguniang Panlungsod to enact ordinances for the general welfare of the city and in the proper exercise of the corporate powers of the city;

**WHEREAS**, Section 458 (1) (iii) of the same Code provides that the Sangguniang Panlungsod shall approve ordinances imposing a fine not exceeding Five thousand pesos (P5,000.00) or an imprisonment for a period not exceeding one (1) year, or both in the discretion of the court, for violation of a city ordinance;

**WHEREAS**, there were instances that some national agencies bypassed prior consultation with the local chief executive and approval from the Sangguniang

Panlungsod when conducting an activity, program, or project within the LGU's jurisdiction;

**WHEREAS**, the Body realizes the need to enforce the abovementioned sections of the Local Government Code requiring prior consultation and approval of the Sanggunian;

**NOW, THEREFORE, BE IT ORDAINED** BY THE SANGGUNIANG PANLUNGSOD, IN SESSION DULY ASSEMBLED, THAT:

**SECTION 1. SCOPE.** This Ordinance shall apply to any activity, project, or program sought to be implemented in Ozamiz City by any and all national government agencies including instrumentalities and government owned and/or controlled corporations (GOCCs) or private entities implementing national government activities, projects or programs.

**SECTION 2. REQUISITES.** The following requirements shall be observed prior to the implementation of any national government activity, program, or project in this City:

A) Inform and consult the local chief executive at least fifteen (15) working days before the intended date of activity, program, or project and consider his comments and recommendations about the same;

B) Conditioned upon endorsement by the local chief executive, secure a resolution from the Sangguniang Panlungsod signifying its approval for the conduct of such national activity, program, or project.

Failure to comply with the abovementioned requisites will render such activity, program, or project unlawful and the city government can immediately prevent the continuance of the same in coordination with law enforcement agencies of the city.

**SECTION 3. VIOLATIONS AND PENALTIES.** Strict compliance with the requirements is hereby required, otherwise the City can enforce the following:

A) The penalty enumerated below shall be imposed upon any and all organizers of such unlawful activity, program, or project:

i) 1<sup>st</sup> offense – imprisonment ranging from one (1) month to two (2) months or a fine not exceeding three thousand pesos (P3,000.00), or both such fine and imprisonment in the discretion of the court;

ii) 2<sup>nd</sup> offense – imprisonment ranging from two (2) months and one (1) day to four (4) months or a fine not exceeding four thousand pesos (P4,000.00), or both such fine and imprisonment in the discretion of the court;

iii) 3<sup>rd</sup> offense – imprisonment ranging from four (4) months and one (1) day to one (1) year or a fine not exceeding five thousand pesos (P5,000.00), or both such fine and imprisonment in the discretion of the court.

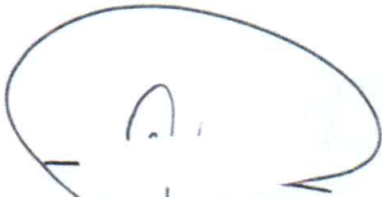
B) The penalty of fine not exceeding three thousand pesos (P3,000.00) each shall be imposed upon any and all participants of the same.

**SECTION 4. EXEMPTING CLAUSE.** Without prejudice to the 15-day period requirement, the local chief executive upon his discretion, may exempt any national government agency or entity from complying with the foregoing requirements, and allow the conduct its particular activity, program, or project due to necessity and/or urgency of the same.

Enacted : August 23, 2022




**SIMPLICIA O. NERI**  
City Vice Mayor, Presiding Officer



**LORLIE FUENTES - CIPRES**



**KATHERINE LIM**



**CECILE Y. CO**



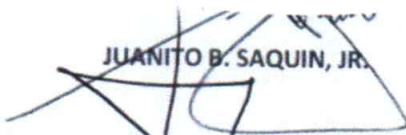
**MARCELO S. ROMERO II**



**ROLAND B. SUIZO, JR., JD**



**Atty. DANIEL C. LAO**



**JUANITO B. SAQUIN, JR.**



**Atty. MARCELIAN C. TAPAYAN**



**ANITA M. LINSAG**

**SANTO E. SALVADOR**

**JOHN P. DOCDOR**



**ERWIN B. OCHAVILLO**

**RELINDA A. BATION**

Approved: 30 AUG 2022



**Atty. HENRY F. OMINAN, JR.**  
City Mayor

Attested:



**JOCELYN R. ALMEDA**  
Local Legislative Staff Officer VI