



Republic of the Philippines
OFFICE OF THE CITY MAYOR
GINGOOG CITY

EXECUTIVE ORDER No. 30
Series of 2019

AN EXECUTIVE ORDER PRESCRIBING THE GUIDELINES ON THE IMPLEMENTATION OF PRE-EMPTIVE OR FORCED EVACUATION IN GINGOOG CITY AS A RESORT WHEN A DISASTER OR EMERGENCY IS ABOUT TO OCCUR OR OCCURED AND DANGER OF LOSS OF LIVES BECOME IMMINENT, PROVIDING PENALTIES THEREOF AND FOR OTHER PURPOSES.

WHEREAS, it has been a national policy under Section 2 (a) of RA 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010" to uphold the people's constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters including climate change impacts;

WHEREAS, the local government units (LGUs) are authorized under Section 16 of the Local Government Code of 1991, otherwise known as the General Welfare Clause, among others, to exercise the powers necessary, appropriate, or incidental for its efficient and effective governance and those which are essential to the promotion of the general welfare and to carry out such emergency measures as may be necessary prior, during, and in the aftermath of human-induced and natural disasters and calamities;

WHEREAS, the Local Government Units (LGUs), through their local legislative councils, are enjoined under DILG Memorandum Circular No. 2012-35 dated February 21, 2012 to cause the enactment of local ordinances for the implementation of forced evacuation as a resort when a disaster or emergency is about to occur or occurred and danger of loss of lives is imminent within their areas of jurisdiction;

WHEREAS, the City Government of Gingoog is highly concerned with and committed to protect the lives of its residents at all times as well as mitigate the effects of man-made and natural disasters;

NOW, THEREFORE, I, ERICK G. CAÑOSA, City Mayor, by virtue of the powers vested in me by law, do hereby order the following:

Section 1. Declaration of Policy. – It is the declared policy of the City Government of Gingoog to protect the lives and properties of its residents at all times and whenever possible, mitigate the effects of human-induced and natural disasters within the locality.

Section 2. Definition of Terms. – As used in this Order, the following terms are hereby defined:

- a. **Disaster** - a sudden, calamitous event that causes serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of the exposure to a hazard; the conditions of vulnerability that are present; and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation;

- b. **Evacuation** – means an operation whereby all or part of a particular population is temporarily relocated, whether voluntarily or in an organized manner, from an area that has been or is about to be struck by a disaster, to a place considered not dangerous for health or safety;
- c. **Forced Evacuation** – an order from competent authority to forcibly evacuate residents to an appropriate evacuation destination to protect their lives during the onslaught of disaster;
- d. **Imminent Danger** – means any condition in any place such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately upon or before the occurrence of any human-induced or natural disasters;
- e. **Incident commander**-is the person responsible for all aspects of an emergency response; including quickly developing incident objectives, managing all incident operations, application of resources as well as responsibility for all persons involved. The Incident Commander sets priorities and defines the organization of the incident response teams and the overall incident action plan. The role of the incident commander may be assumed by senior or higher qualified officers upon their arrival or as the situation dictates. Even if subordinate positions are not assigned, the incident commander position will always be designated or assumed. The incident commander may, at their own discretion, assign individuals, who may be from the same agency or from assisting agencies, to subordinate or specific positions for the duration of the emergency;

Section 3. Procedures on Enforcement of Pre-Emptive Evacuation. – Upon the assessment or determination of the CDRRMC or BDRRMC that pre-emptive evacuation of local residents is necessary, the same shall immediately enforce pre-emptive evacuation of affected residents.

Section 4. Procedures on the Declaration of Forced Evacuation. – Upon the evaluation of the CDRRMC or BDRRMC that forced evacuation of local residents is necessary, the same shall immediately recommend to the City Mayor for immediate declaration of forced evacuation.

On the basis of such recommendation, the City Mayor or the Punong Barangay shall immediately declare the enforcement of forced evacuation and shall order, but not limited to the following:

- a. Establishment of evacuation centers or such places where the internally displaced persons will be temporarily sheltered;
- b. Designation of areas where vehicles provided by the city government are on stand-by to transport local residents to the identified evacuation centers;
- c. Establishment of measures ensuring the safety and security of local residents in the evacuation areas;
- d. Establishment of measures to secure their properties from looting, theft robbery, etc. in the concerned area;
- e. The necessity of the evacuated local residents to stay in the aforesaid evacuation centers until there be another issuance declaring that the imminent danger within the affected area does not anymore exist;
- f. Mobilize the City Agriculture and Fisheries Office personnel to take custody of and transport the affected animals to any government animal control facility.

However, immediately after the declaration of forced evacuation but before actual enforcement thereof, the city or the barangay governments shall see to it that the local residents are informed in dialect understandable and spoken by the residents of the need for them to evacuate and that there is no other alternative way to ensure their safety.

Section 5. Mobilization of Other Government Agencies. – In declaring the enforcement of forced evacuation, the members of the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), Philippine Coast Guard (PCG), Bureau of Fire Protection (BFP), Department of Public Works and Highways (DPWH) assigned within the affected locality may be mobilized by the City Mayor.

Section 6. Refusal of Local Residents to Leave Their Homes or, After Evacuating, Go Back Therein Without An Order Allowing Them to Do So. – In the event that local residents refuse to leave their homes or, after evacuating, go back to their homes/affected areas without an order issued to this effect, the city government as well as the members of the mobilized units may use such reasonable force that is commensurate under the circumstances, to evacuate them from the area, without discrimination and with conscious attention to the needs of vulnerable and marginalized sectors such as children, women, the elderly and persons with disabilities, with the end view that lives are safely secured.

Any person who wilfully and deliberately disregard or opposed the order of forced evacuation issued by the City Mayor 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 wilfully comply with the order of forced evacuation.

Section 7. Training and Orientation on Pre-Emptive And Forced Evacuation Procedures. – The City Disaster Risk Reduction and Management Office (CDRRMO) shall organize and facilitate the conduct of training and orientation at least once a year on pre-emptive and forced evacuation on possible human-induced and natural hazards.

During the aforesaid trainings and orientations, the CDRRMO shall also discuss and highlight in a dialect understandable and spoken by the residents topics on RA 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010; DILG MC No. 2012-35 dated February 21, 2012 regarding the Guidelines in Ensuring Public Safety During Man-Made and Natural Disasters; this Ordinance; and other laws, rules and regulations on disaster risk reduction and management.

The CDRRMO shall also conceptualize posters, newsletters, brochures and pamphlets regarding disaster risk reduction and management and cause the same to be posted at the conspicuous places of the city and/or, if possible, disseminate through quad media.

Section 8. Prohibition of Fishing Vessel. Unless otherwise pronounced by the Headquarters Philippine Coast Guard (HPCG), the moment Public Storm Warning Signal (PSWS) No. 1 is raised by the PAGASA within destination, all vessels of 1,000 gross tons or below shall not be allowed to sail except to take shelter.

Along this line, vessels of any tonnage shall not sail, except to take shelter, when PSWS No. 2 higher is hoisted within its origin or route or point of destination.

Section 9. – Effectivity. - This Order shall take effect immediately.

Done this 15th day of October 2019 in the City of Gingoog, Province of Misamis Oriental.


ERICK G. CAÑOSA
City Mayor