

15<sup>th</sup> City Council  
20<sup>th</sup> Regular Session  
Series of 2009

Republika ng Pilipinas  
SANGGUNIANG PANLUNGSOD  
Lungsod ng Dabaw

PRESENT:

Councilor	Myrna G. L'Dalodo-Ortiz	-Temporary Presiding Officer
Councilor	Nilo G. Abellera	
Councilor	Victorio S. Advincula Sr.	
Councilor	Dante L. Apostol Sr.	
Councilor	Leonardo R. Avila III	
Councilor	Conrado C. Baluran	
Councilor	Samuel B. Bangoy	
Councilor	Louie John J. Bonguyan	
Councilor	Karlo S. Bello	
Councilor	Pilar C. Braga	
Councilor	Arnolfo Ricardo B. Cabling	
Councilor	Danielo C. Dayanghirang	
Councilor	Paolo Z. Duterte	
Councilor	Edgar R. Dela Cruz	
Councilor	Peter T. Lavina	
Councilor	Diosdado Angelo A. Mahipus Sr.	
Councilor	Teresita C. Mata-Marañon	
Councilor	Bonifacio E. Militar	
Councilor	Tomas J. Monteverde IV	
Councilor	Hakila Y. Sudagar	
Councilor	Angela A. Librado- Trinidad	
Councilor	Rachel P. Zozobrado	

ON OFFICIAL BUSINESS:

Vice Mayor	Sara Z. Duterte	-Acting City Mayor
Councilor	Ma. Belen S. Acosta	-Manila
Councilor	Susan Isabel C. Reta	-Manila

ABSENT:

Councilor	Wilberto E. Al-ag	-On Domestic Emergency Leave
Councilor	Jose Louie P. Villafuerte	-On Domestic Emergency Leave

ORDINANCE NO. 0218-09 / 111-09  
Series of 2009

**AN ORDINANCE ESTABLISHING THE  
DAVAO CITY PARKS SYSTEM, CREATING  
THE PARKS SYSTEM BOARD AND FOR  
OTHER PURPOSES**

Be it ordained by the Sangguniang Panlungsod of Davao City in session assembled that:

**SECTION 1. TITLE-** This Ordinance shall be known as "THE DAVAO CITY PARKS SYSTEM ORDINANCE";

**SECTION 2. DECLARATION OF POLICY-**

The priority thrust of the City Government of Davao is towards attaining an improved quality of life for all the people of the City. The sustainable development of the City will remain its primordial concern.

Section 17 of the 1987 Constitution, provides that the state shall give priority to education, science and technology, arts, culture and sports to foster patriotism and nationalism, accelerate social progress and promote total human liberation and development.

Sec. 17, paragraph (a) of the Local Government Code of 1991 states that Local Government Units shall exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate or incidental to efficient and effective provision of the basic services and facilities;

Likewise, paragraph (b), subparagraph (4) in reference to subparagraphs (2 vii and 3 vi) of Section 17 under the Local Government Code enumerate the basic services and facilities which comprise public parks including freedom plazas, playgrounds, sports facilities and equipment and other similar facilities;

**SECTION 3. DEFINITION OF TERMS**

Park- refers to any public area of land set aside for aesthetic, educational, recreational or cultural use by the public essentially urban surroundings such as, but not limited to, public square, plazas, promenades, center islands, heritage sites, historical sites, protected areas, conservation areas, riverbanks and memorials;

**SECTION 4. SCOPE AND APPLICABILITY-** The provisions of this Ordinance shall be applicable to all existing public parks within the entire territory and jurisdiction of the City of Davao and those which shall be created in the future;

**SECTION 5. DEVELOPMENT AND MAINTENANCE OF PUBLIC PARKS-** Public parks situated within the territorial jurisdiction of Davao City shall be principally developed, maintained, regulated and preserved by the City Environment and Natural Resources Office (CENRO) through its Parks and Playground Division, which should be coordinated with other concerned agencies for the effective and proper maintenance of all parks in the City;

**SECTION 6. PARKS SYSTEM BOARD**

6.1 There shall be a Parks System Board which shall be responsible in formulating plans, policies and courses of action for the standard and singular maintenance of all public parks, plazas, promenades, center islands, heritage sites, historical sites, protected areas, conservation areas, riverbanks and memorials within the City of Davao;

The Board shall be composed of the following:

Chairperson : City Mayor or his duly designated representative  
Co-Chair : Head, CENRO  
Members : Chair, Committee on Tourism of the City Council  
: City Planning and Development Coordinator  
: City Tourism Officer  
: City Engineer  
: City Legal Officer  
: Peoples' Park Manager  
: Representative from the Liga ng mga Barangay  
: Representative from the Davao City Culture and Arts Council  
: Head, Department of Public Works and Highways (DPWH)  
: Head, Department of Environment and Natural Resources (DENR)  
: Davao Beautiful Foundation;

**SECTION 7. FUNCTIONS OF THE PARKS SYSTEM BOARD**

7.1 The Board shall devise policies and procedures for the unitary parameter of all public parks in Davao City, providing for their proper preservation and regulation for the furtherance of the ecological balance of the community;

7.2 It shall approve architectural designs and structural models of public parks prepared by the Parks and Playground Division of the City Environment and Natural Resources Office (CENRO), the City Planning and Development Office and the City Engineer's Office;

7.3 It shall propose ways and means to ensure the best and most desirable facilities that shall be placed in the City Parks;

**SECTION 8. SEPARABILITY CLAUSE**- If for any reason any section of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect;

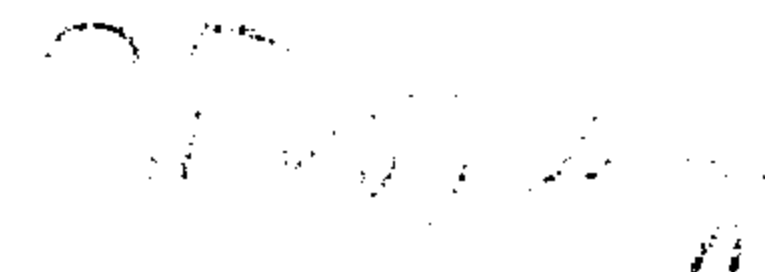
**SECTION 9. REPEALING CLAUSE**- Any Ordinance, local issuances or rules inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly;

**SECTION 10. EFFECTIVITY**- This Ordinance shall take effect fifteen (15) days after approval, posting and publication in a newspaper of local circulation;

**ENACTED**, May 26, 2009 by a majority vote of all the Members of the Sangguniang Panlungsod.

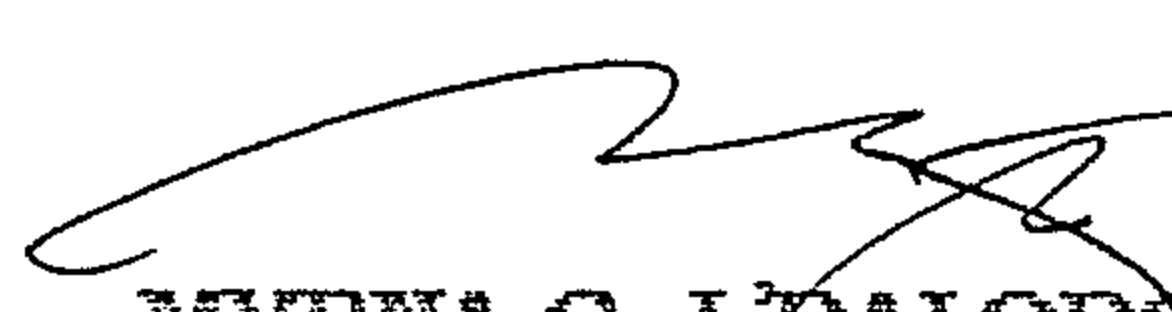
(Note: Councilors Dante L. Apostol Sr., Peter T. Laviña, Conrado C. Baluran, Paolo Z. Duterte, Rachel P. Zozobrado, Angela A. Librado-Trinidad and Nilo G. Abellera were out when this Ordinance was approved).

CERTIFIED CORRECT:

  
ZULEIKA T. LOPEZ

Secretary to the Sangguniang Panlungsod  
(City Government Department Head II)

ATTESTED:

  
MYRNA G. L'DALODO-ORTIZ  
OIC, Office of the Vice Mayor  
Temporary Presiding Officer  
cns/adl 6/28/09

APPROVED: JULY 28 2009

(SCD) RODRIGO R. DUTERTE  
City Mayor

ATTESTED:

(SAD) WENDEL E. AVISADO  
City Administrator