



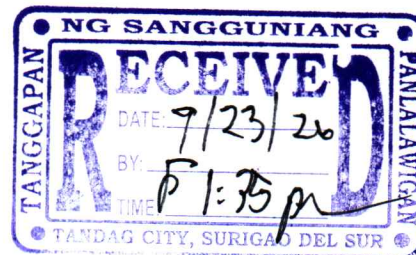
**Republic of the Philippines
MUNICIPALITY OF CAGWAIT
PROVINCE OF SURIGAO DEL SUR**

Office of the Sangguniang Bayan Secretary

September 23, 2026

**The Honorable
Sangguniang Panlalawigan Members**

**Thru: Hon. Manuel O. Alameda
Provincial Vice Governor
Tandag City**



Sir:

Pursuant to pertinent provision of the Local Government Code of 1991, I have the honor to submit the herein approved ordinance by the Sangguniang Bayan of Cagwait, for your review and approval, to wit:

ORDINANCE NO. 32-26 – AN ORDINANCE ESTABLISHING THE INTEGRATED PRE-EMPTIVE/FORCED AND EMERGENCY EVACUATION SYSTEM IN RESPONSE TO DISASTERS IN THE MUNICIPALITY OF CAGWAIT, PROVINCE OF SURIGAO DEL SUR, IMPOSING PENALTIES IN VIOLATION THEREOF AND FOR OTHER PURPOSES.

Hoping for your favorable consideration and appropriate action.

Attached herewith:

- **Certificate of Posting and Publication;**
- **Minutes of Public Hearing, and**
- **Attendance**
-

Very truly yours,


ALAN A. CABRERA
Secretary to the Sanggunian



Republic of the Philippines
MUNICIPALITY OF CAGWAIT
SURIGAO DEL SUR

Office of the Sangguniang Bayan Secretary

CERTIFICATE OF POSTING AND PUBLICATION

This is to certify that, in compliance to Section 59 of RA 7160; Article 113, IRR of R.A. No. 7160, copy of approved Ordinance titled hereunder was properly posted and published in three conspicuous places in the municipality.

ORDINANCE NO. 32-26 – AN ORDINANCE ESTABLISHING THE INTEGRATED PRE-EMPTIVE/FORCED AND EMERGENCY EVACUATION SYSTEM IN RESPONSE TO DISASTERS IN THE MUNICIPALITY OF CAGWAIT, PROVINCE OF SURIGAO DEL SUR IMPOSING PENALTIES IN VIOLATION THEREOF AND FOR OTHER PURPOSES.

Date Enacted	:	September 1, 2026
Date Approved	:	September 23, 2026
Date Posted	:	September 23, 2026
Place Posted	:	Municipal Hall Bulletin Board; Tubo-tubo Public Terminal; and Poblacion Gymnasium Cagwait, Surigao del Sur

Certified Correct:

ALAN A. CABRERA

Secretary to the Sanggunian



Republika ng Pilipinas
LALAWIGAN NG SURIGAO DEL SUR
BAYAN NG CAGWAIT

Tanggapan ng Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 33rd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF CAGWAIT, SURIGAO DEL SUR HELD AT THE SESSION HALL ON SEPTEMBER 1, 2026:

PRESENT:

Hon. Armando P. Reyes ----- SB Member
(Temporary Presiding Officer)

REGULAR SANGGUNIANG BAYAN MEMBERS:

Hon. Joanne Socorro L. Ubongen	Hon. Joel E. Bayogbog, CE
Hon. Amelito E. Estrada	Hon. Guardian C. Lozada
Hon. Rogen P. Tabugoc	Hon. Angelyn P. Prado

EX-OFFICIO MEMBERS:

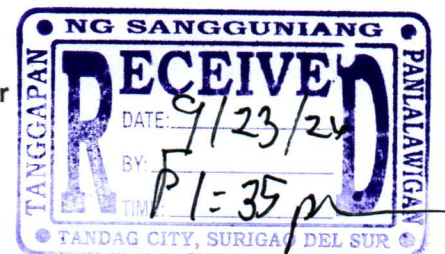
Hon. Bernard V. Loma ----- LnB Fed. Pres./SB Member

OFFICIAL BUSINESS:

Hon. Melchie C. Tuscano ----- Municipal Vice Mayor

OFFICIAL ON LEAVE:

Hon. Arthur M. Sanchez ----- SB Member
Hon. Princess Chewon C. Park ----- SK Fed. Pres./SB Member



ORDINANCE NO. 32-26

AN ORDINANCE ESTABLISHING THE INTEGRATED PRE-EMPTIVE/FORCED AND EMERGENCY EVACUATION SYSTEM IN RESPONSE TO DISASTERS IN THE MUNICIPALITY OF CAGWAIT, PROVINCE OF SURIGAO DEL SUR IMPOSING PENALTIES IN VIOLATION THEREOF AND FOR OTHER PURPOSES:

WHEREAS, Section 2 (a) of Republic Act No. 10121, otherwise known as the "Philippine Disaster Reduction and Management Act" declares as a State policy to uphold the people's constitutional rights to life and property by addressing the root causes of vulnerability to disasters, strengthening the country's institutional capacity for disasters risk reduction and management and building the resilience of local communities to disaster including climate change impacts;

WHEREAS, Section 11 (b) (3) of Republic Act No. 10121, further provides that the Disaster Risk Reduction and Management Councils at the provincial, city and municipal levels are responsible for recommending the implementation of pre-emptive and emergency evacuation of local residents, whenever necessary:

WHEREAS, Section 16 (General Welfare Clause) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 authorizes Local Government Units (LGUs) to exercise the powers necessary, appropriate, or incidental to its efficient and effective governance and those which are essential to the promotion of the general welfare;

WHEREAS, DILG Memorandum Circular No. 2112-35 dated 2012, enjoins local legislative councils to enact Ordinances for the implementation of pre-emptive and emergency evacuation when disaster or an emergency has been declared and danger of loss of lives and properties is imminent within their areas of jurisdiction;

PROVINCE OF SURIGAO DEL SUR
Office of the Secretary to the Sangguniang Panlalawigan
Tel. No.: 086-2115832
Email: ossp@surigaodelsur.gov.ph
OSSP-26-06328



WHEREAS, DILG Memorandum Circular No. 122, Series of 2018, dated 8 August 2018, issued guidelines for Local Government Units on the strengthening of evacuation systems using the Local Disaster Risk Reduction and Management Fund (LDRRMF);

WHEREAS, the Municipal Government of Cagwait is highly concerned with and committed of protecting the lives of its residents at all times and mitigating the effects of man-made and natural disasters;

NOW THEREFORE:

BE IT ORDAINED, by the Sangguniang Bayan of the Municipality of Cagwait, Province of Surigao del Sur, in assembled, that:

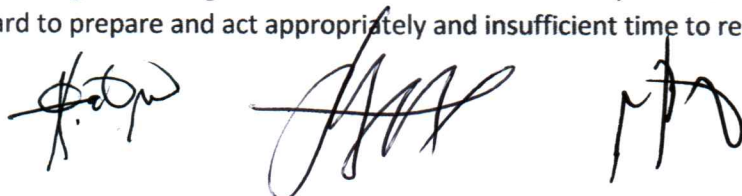
SECTION 1, Title. This Ordinance shall be known in brevity, as ***“THE INTEGRATED PRE-EMPTIVE/FORCED AND EMERGENCY EVACUATION SYSTEM ORDINANCE OF 2026.”***

SECTION 2. Declaration of Policy. It is the declared policy of the Municipal Government of Cagwait to protect the lives and properties of its residents at all times and whenever possible, mitigate the effects of human-induced and disasters within the locality

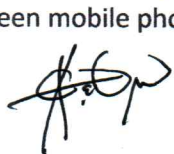
SECTION 3, Objective. This Ordinance aims to provide policies and guidelines for just and safe evacuation in dangerous areas before a disastrous scenario is encountered in support of the Local Government of Cagwait's obligation to its constituents to preserve their lives from imminent danger through decisive, although strictly limited steps to remove them from hardship.

SECTION 4. Definition of Terms. As used in this Ordinance, the following terms are hereby defined:

- a) Accredited Community Disaster Volunteers (ACDV) – are individuals or organized
- b) Volunteers who possess the requisite qualifications, as stipulated in the guidelines currently utilized by the Municipal Disaster Risk Reduction and Management Office (MDRRMO), and whose names were submitted as officially included in the Municipal Disaster Risk Reduction & Management Council (MDRRMC), List of Community Disaster Volunteers and/or the National Roster of ACDVs maintained by the Office of the Civil Defense (OCD) and have the following roles:
 - i. Provide voluntary service to Local Government Units and communities for DRRM-related activities;
 - ii. Ensure that services rendered are done in a professional manner and does not compromise the safety of the volunteers and communities they are assisting.
- c) Community Volunteer Responders (CRV) – a group of responders in the community that perform response activities;
- d) Disaster – means the result of a natural or man-made event which causes loss of life, injury and properly damage, including but not limited to natural disasters such as landslide, typhoon, flood, high winds, earthquakes and other weather-related events and man-made disasters, including but not limited to hazardous materials incidents, oil spills, explosion, civil disturbances, public calamity, acts of terrorism, hostile military action and other events related thereto;
- e) Disaster Prevention – the outright avoidance of adverse impacts of hazards and other related disasters;
- f) Disaster Victims – persons or group of persons who have been adversely affected by a natural or human-induced hazard who have to leave their habitual places of residence due to existing or impending threats, damaged shelter units, with casualty among immediate family members or those who remained in their habitual places of origin when still habitable but whose main source main source of income or livelihood had been damaged and are experiencing hopelessness and difficulty in coping or responding to the onslaught of the hazardous events on their own resources;
- g) Early Warning System (EWS) – refers to the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities and organizations threatened by a hazard to prepare and act appropriately and insufficient time to reduce the possibility of harm or loss;



- h) Emergency – an unforeseen or sudden occurrence, especially danger, demanding an immediate action;
- i) Emergency Evacuation – means an evacuation ordered by competent authority when an unforeseen disaster has suddenly occurred which requires immediate evacuation of the affected area/s;
- j) Evacuation – means an operation whereby all or part of a particular population is temporarily relocated, whether individually or in an organized manner, from an area in which a disaster or emergency has been declared and which is considered dangerous to the health and safety of the general public;
- k) Evacuation Center – a place where the Disaster Victims, Internally Displaced Persons (IDPs) and Vulnerable and Marginalized Groups are brought before, during and after calamities or disasters such as, but not limited to typhoons, floods, landslides, earthquakes or fire, for care, safety and protection;
- l) 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;
- m) Hazard – a dangerous phenomenon, substance, human activity, or condition that may cause loss of life injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage;
- n) Imminent Danger – means any condition in any place such that a danger exist 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;
- o) Incident Commander (IC) – id 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
- p) Indigenous Early Warning System (IEWS) – a community's traditional way of giving Early Warning, such as "batingaw" and observing animal behavior, celestial bodies, etc., in determining possible weather disturbances. Whatever works for the barangay is acceptable as long as the meaning and the recommended action are properly disseminated to the community and constantly practiced through the conduct of drills and other skills enhancement exercises;
- q) Integrated – to bring together, combine or incorporate into one system;
- r) Internally Displaced Person (IDP) or Persons Displaced by the Disaster (PDP) – refers to persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of natural or human-induced disasters, and who have not crossed an internationally recognized border;
- s) Preemptive Evacuation – means an evacuation ordered as a resort when a disaster has been declared and danger or loss of life is imminent and conditions exist that may critically imperil or endanger the lives of those in a defined area;
- t) Public Alert and Warning System (PAWS) – a system used to give warning to the public, such as a Siren, to alert the public of impending disaster occurrence. PAWS is usually science-based technology and mostly, those that are state-of-the-art devices that have wider coverage in terms of monitoring and alerting, which benefits responsiveness to emergency management and public safety officials and builds public trust, equity and confidence;
- u) Recognized Volunteer Groups (RVGs) – are volunteer groups not included under the definition of ACDVs but are recognized by the Municipality of Cagwait or the LDRRMC;
- v) Reconstruction – the medium-and long-term rebuilding and sustainable restoration of resilient critical infrastructures, services, housing, facilities and livelihood required for the full functioning of a community or a society affected by a disaster, aligning with the principles of sustainable development and "build back better," to avoid or reduce future disaster risk;
- w) Recovery – the restoring or improving of livelihoods and health, as well as economic, physical, social, cultural and environmental assets, system and activities of a disaster-affected community or society, aligning with the principles of sustainable development and "build back better," to avoid or reduce future disaster risk;
- x) Rehabilitation – the restoration of basic services and facilities for the functioning of a community or a society affected by a disaster;
- y) SMS – short messaging service; refers to the text messaging service used to send short, text-only messages between mobile phones;



- z) Standard Operating Procedures (SOPs) – is a set of step-by-step instructions compiled by an organization to help workers carry out routine operations. SOPs aims to achieve efficiency, quality output, and uniformity of performance while reducing miscommunication and failure to comply with the organization's regulations;
- aa) Vulnerable Groups – include individuals or groups of people that face higher exposure to disaster risk and poverty including, but not limited to, women especially pregnant and lactating mothers, children and youth, especially orphans and unaccompanied children, elderly, differently-abled people and people with chronic illness.

SECTION 5. Early Warning System. A banner with specified color shall be installed in a prominent place of every barangay to serve as indicator and the use of siren as circumstances warrant;

- a) Yellow – awareness (no sound)
- b) Orange – preparedness/voluntary evacuation (siren with interval);
- c) Red – forced evacuation (continuous siren)

SECTION 6. TRAINING AND Orientation. The Municipal Disaster Risk Reduction and Management Office (MDRRMO) shall organize and conduct training and orientations on the possible natural hazards, vulnerabilities and climate change risks as well acknowledge management activities on disaster risk reduction and management within the locality at least once during summer as declared by the Philippines Atmospheric Geophysical and Astronomical Services Administration (PAGASA).

The foregoing trainings, orientations, activities and information dissemination shall be intensified and made once a year or at the discretion of the MDRRMC.

During the aforesaid training and orientation, the MDRRMO shall discuss and highlight in local dialect Republic Act No. 10121, otherwise known as the Philippine disaster Risk Reduction and Management Act of 2010; DILG MC No. 2012-35 dated February 21, 2021 regarding the Guidelines in Ensuring Public Safety During Man-made and Natural Disaster; this Ordinance and other laws, rules and regulations and disaster risk reduction and management.

The MDRRMO shall conceptualize poster, newsletters, brochures and pamphlets regarding disaster risk reduction and management and cause the same to be posted at the conspicuous places of the municipality and/or, if possible, disseminate through social media, radio and TV advertisements.

SECTION 7. Establishment of Public Alert Warning System (PAWS) and its Standard Operating Procedures (SOP). The Municipal Disaster Risk Reduction and Management Office (MDRRMO) and barangay Disaster Risk Reduction Management Committee (BDRRMC) are mandated to establish PAWs and its SOP in order to provide early warning to communities at risk.

The MDRRMO and BDRRMC should conduct regular checking of the PAWs that are already established. The following are the PAWs employed by the Municipality, but shall not be limited to the following:

- a) Electronic Siren;
- b) Manual Bell;
- c) Manual Water Level Market – established within the different river system as another reference for the conduct of preemptive evacuation. The following colors and their corresponding meaning have been adopted from the Philippines Atmospheric Geophysical and Astronomical Services Administration (PAGASA) warning signals
 - i. Green – Safe Level
 - ii. Yellow – Alert Level
 - iii. Orange – Warning Level
 - iv. Red – Critical Level
- d) Alert through SMS– Mobile numbers used to communicate and inform all residents of imminent danger;
- e) Recoreda – to reinforce the alarm signals abounded by the municipality; and



- f) Indigenous Early Warning (IEW) – in respect to the cultural norms and practices of the communities, several indigenous ways of early warning systems are being accepted and recognized to alert communities of an impending disaster.

SECTION 8. Implementation of Pre-emptive Evacuation. The following protocols shall be observed in the implementation of pre-emptive evacuation:

- a) Upon the recommendation of the Municipal Disaster Risk Reduction and Management Council (MDRRMC), the Municipal Mayor may, in coordination with the Barangay Disaster Risk Reduction and Management Committees (BDRRMCs) direct the implementation of the pre-emptive or forced evacuation in case of disaster or calamity.

On the basis of such recommendation, the Municipal mayor shall immediately declare the implementation and enforcement of pre-emptive evacuation, which shall include but not limited to the following:

- 1) Establishment of evacuation centers or such places where the internally displaced persons will be temporarily sheltered;
 - 2) The designated area where vehicles provided by the Municipal Government are on standby to transport local residents to the identified evacuation centers;
 - 3) Establishment of measures ensuring the safety and security of local residents in the evacuations center/areas;
 - 4) Establishment of measures to secure evacuees' properties from looting, theft, robbery, etc., in the concerned area;
 - 5) 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 exists;
 - 6) Mobilize the Municipal Agriculturist Office personnel to take custody of and transport the affected animals to any safe secure place possible;
 - 7) The members of the PNP, AFP, BFP and PCG are enlisted to provide assistance to affected areas;
 - 8) The MDRRMC in coordination with the BDRRMC and PNP shall ensure strict enforcement of forced evacuation or the prohibition of fishing activities in areas declared by PAGASA under PSWS No. 1 or higher, such as when a resident/fisherman refused to leave the area, despite declaration by the Municipal Mayor of forced evacuation, or when residents/fisherman go back to their homes/ affected areas without an order issued to this effect;
 - 9) The MSWDO should ensure that shelter and relief especially for the sick and elderly is provided for the evacuees on the evacuation centers;
 - 10) BDRRMC members should go house to house to ensure that citizens are evacuated and to convince further those who refuse to evacuate impressing on them the gravity of the risk and the Municipal might not be able to reach them in case of grave danger;
 - 11) Municipal Health Office personnel should be utilized in the course of evacuation to ensure that all health concerns and emergencies are provided. The same personnel should also be designated in the evacuation centers to prevent epidemics from occurring, Medical assistance shall also be provided for the sick, the elderly and the disabled;
 - 12) In cases that residents in disaster risk areas refuse to evacuate their residencies, even after all efforts to inform them of the dangers are exhausted, the Municipal Government of Cagwait shall have the power to mandatorily evacuate the residents by any but which will not degree or harm the residents;
 - 13) Evacuated fishermen or local residents shall not be allowed to return to their respective homes unless storm signal warnings were lowered by PAGASA or the Municipal Mayor issues an order to this effect;
 - 14) The Committee on Forced/Pre-Emptive Evacuation shall be responsible in determining the assistance needed for the recovery of the evacuees.
- b) The pre-emptive evacuation shall be enforced in three (3) different levels, as follows:
- Level 1 – refer to a voluntary evacuation during Green Warning Signal;
 - Level 2 – refers to the evacuation of vulnerable sectors within four (4) hours, enforced during Yellow Warning Signal; and



- Level 3 – refers to complete evacuation, within four (4) hours, enforced during Orange and Red Warning Signal. Here, inhabitants or would be disaster victims are mandated to evacuate in view of imminent danger against their life. In Cases where the inhabitants or would-be disaster victims refuse or resist to vacate, he or she may be forcibly taken if the situation warrants as a means of ensuring his/her safety.

If anyone within the affected area does not adhere to the order of evacuation during a Level 2 or Level 3 pre-emptive evacuation, the person may be compulsorily taken, if the situation warrants as a means of ensuring his or her safety;

The MDRRMO shall mobilize all search and rescue teams not limited to BDRRMCs, RVGs, ACDVs and CVRs in accordance with the clustering of emergency resources.

SECTION 9. 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 PAGASA within destination, all vessels of One Thousand (1,000) Gross Ton (GT) 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 or higher is hoisted within its origin or route or point of destination.

- a) Emergency Evacuation is full evacuation of all residents and occupants within the hazard or disaster area and will be resorted to in cases where the forecasted impact of the hazard or disaster is within less than two (2) hours or in any incidents that are about to occur, are already occurring, or have already occurred, such as in the case of fire, earthquake, terrorist attack or criminal activity within an area;
- b) Emergency Evacuation shall be carried out in a manner that is humane, respectful of the dignity of a person, not using disproportionate force, without discrimination and with conscious attention to the needs of vulnerable sectors, prioritizing children, pregnant women, the elderly, Persons with Disabilities (PWDs) and those with chronic illness;
- c) Person and volunteers carrying out the emergency evacuation shall make sure that all measures are taken to inform the evacuees, in a manner and language that they can understand, of the need for a hasty and orderly evacuation and the lack of other alternatives for their education;
- d) If anyone within the affected area does not adhere to the order of emergency evacuation or is found within the danger or target area beyond the abovementioned time frame, the person may be compulsory taken, if the situation warrants, as a means of ensuring his or her safety.

SECTION 10. Barangay Evacuation Plan. It shall be incumbent upon the BDRRMCs to prepare an Evacuation Plan in their respective localities or areas of jurisdiction prior to a hazard or disaster and identify a permanent Evacuation Center and possible alternative Temporary Evacuation Centers to be utilized in case of emergencies or disasters.

BDRRMCs shall post copies of the Evacuation Plan in conspicuous places within their respective barangays or localities of jurisdiction and conduct at least an annual drills.

SECTION 11. Return, Rehabilitation and Reconstruction (RRR). The MDRRMO together with the BDRRMCs and other concerned agencies, shall implement the following post disaster/post emergency guidelines:

- a) Return – Provided that the affected area is not or has not been declared a “No Build Zone,” “High Risk Area,” “Danger Zone,” or Hazard Prone Area,” after disaster or hazard, a notice shall be issued by the Municipal Mayor when disaster when or hazard has already subsided, that the affected areas are declared safe for habitation and for the IDPs to return to the said areas.
 - 1) The Incident Commander during a hazard or disaster shall monitor, assess and report to the Municipal Mayor on whether the affected area is considered “Safe” “No Build Zone.” High Risk Area,” “Danger Zone,” or Hazard Prone Area.”



- 2) In case the affected area is or has been declared a "No Build Zone," "High Risk Area," "Danger Zone," or "Hazard Prone Area," no person may return to the area without proper authorization from the Incident Commander or Municipal Mayor, upon recommendation of concerned agencies.
- 3) No person may continue to reside or occupy any portion of land which has been declared by the Municipal Government, upon the recommendation of concerned agencies, as a "No Build Zone," "High Risk Area," "Danger Zone," or "Hazard Prone Area." Any account in such an area may be removed by the Municipal government of Cagwait, following proper procedures.
- 4) No person, other than those authorized by the Incident Commander or the Municipal Mayor, may return to the disaster or hazard area prior the issuance of an official Notice of Return. The PNP-Municipal Police Station in coordination with BDRRMC and other concerned agencies shall ensure that the affected area within the respective territorial jurisdiction of the barangay shall be condoned off or shall be made inaccessible to persons other than those who are authorized by the Incident Commander or Municipal Mayor. They shall also ensure that no unauthorized person enters the disaster or hazard area without the Notice to return.
- 5) The BDRRMC, in coordination with the Municipal Police Station (MOS) Office and other law enforcement agencies, shall ensure the orderly return of the victims or IDPs to their residences within the affected areas only after the Notice of Return has been issued.
- b) Rehabilitation – the Municipal Engineering Office (MEO) in coordination with other concerned agencies shall strengthen their rehabilitation plans and processes and focus on pre-disaster activities to prevent or mitigate the occurrence of future disasters, whether natural or man-made as well as post-disaster activities. The MDRRMO, in coordination with the BDRRMC, shall assist the residents of areas affected by a natural or man-made disaster, in conducting rehabilitation activities; and
- c) Reconstruction – The MEO, in coordination with other concerned agencies, shall promote the cooperation of diverse institutions, government agencies and related stakeholders at all levels, including affected communities and businesses, in view of the complex and costly nature of post-disaster reconstruction. In this regard, the principle of "Build Back Better" shall be incorporated, where post-disaster reconstruction shall not only be reconstruction shall not only be restoration to its pre-disaster condition, but incorporate a high level of resiliency standards, as well as climate change and mitigation measures in all post-disaster recovery interventions.

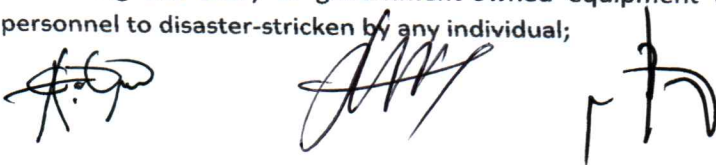
SECTION 12. Persons in Authority in Case of Evacuation. The following shall be authorized to initiate or assist a pre-emptive or emergency evacuation in a particular area; provided, they properly identify themselves to the affected persons and explain the reason for the evacuation:

- a) Municipal Officials;
- b) Barangay Official; and
- c) Law Enforcement Officers as Agents of Persons in Authority

Person in Authority in case of preemptive and emergency evacuations shall have the presumption of regulatory in the performance of their official duties, and shall not be held responsible for any damage inflicted upon any person or property during the conduct of such duties, that aids to the effective and unhampered administration of government functions, as a state of necessity and in view of avoiding a greater evil or injury, unless such damage was inflicted in a willful or malicious manner.

SECTION 13. Prohibited Acts. Any person or group of people who commits any of the following prohibited acts shall be held liable and be subjected to the penalties as prescribed in Section 14 of this Ordinance:

- A) Conducting relief operation without prior coordination with the Operation Center manage by the MSWDO, with the assistance of the Sangguniang Barangay, thereby causing havoc and commotion in the affected areas;
- B) Accessing or returning to the declared hazard site despite an outstanding order by competent authorities still being an off-limit area to any human activity, except government authorities doing assessment or evaluation and the like;
- C) Preventing the entry of government-owned equipment units, tools and accessories, including key personnel to disaster-stricken by any individual;



- D) Declaration of duties or refusal of key government employees to respond and act during times of calamities;
- E) Diverting the use of government equipment, tools and resources to other uses other than their intended usage;
- F) Maliciously damaging or destroying fences, barrier or any enclosure of the disaster affected areas which are purposely mounted for public security;
- G) Willfully and forcefully causing delay in the conduct of rescue operations, resisting or refusing to be evacuated despite imminent danger and or the declaration of pre-emptive or emergency evacuation;
- H) Tampering, damaging or stealing hazard monitoring and warning equipment and other related equipment and paraphernalia;
- I) Threatening, harassing, abusing or harming any person in authority or its agents, camp managers and other personnel in evacuation camps and its vicinity implementing the evacuation procedures;
- J) Spreading false information regarding the occurrence of any emergency resulting in panic and confusion in the community;
- K) Maliciously causing delay in the conduct of rescue operations by obstructing the streets, sidewalks or general vicinity where the disaster occurred;
- L) Maliciously damaging or destroying the buildings, fixtures, fences, barrier or any enclosure and other equipment found and used in disaster affected areas and evacuation areas;
- M) Deliberate failure or refusal to follow the rules and policies established in evacuation camps and its vicinity;
- N) Continuing to reside or occupy a portion of land identified as a "No Build Zone," high Risk Area," "Danger Zone,": "Hazard Prone Areas," DESPITE DUE PROCESS AND NOTICE from the Municipal Government of Cagwait.

SECTION 14. Penalty Clause. Any person, natural or juridical, if found to have not complied with any provisions of this Ordinance, shall be subjected to the following penalties:

- a) A fine of One Thousand Pesos (P1000.00) for committing the act under subsection (a) of section 13;
- b) A fine of One Thousand Five Hundred Pesos (P 1,500.00) for committing the acts under subsections (b), (c), (d), (e), and (f) of Section 13;
- c) A fine of Two Thousand Five Hundred Pesos (P 2,500.00) and/or imprisonment not exceeding one (1) month at the discretion of the Court for committing the acts under subsections (h), (i), (j), (m), and (n) of section 13;

In case of juridical persons, the President, General Manager or the individuals entrusted with the administration thereof at the time of the commission of the violation shall be held responsible or liable thereto.

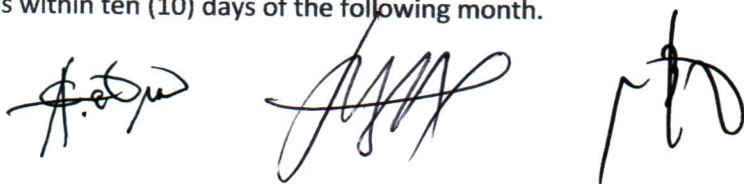
SECTION 15. No Contest Provision. Any person cited for violation of this Ordinance who does not wish to contest the same and is willing to pay voluntary within three (3) days, the fine imposed under this Ordinance prior to the filing of a complaint before the office of the Provincial Prosecutor shall be allowed to do so, and shall pay the corresponding administrative fines as cited in Section 14 at the Municipal Treasurer's Office. Availment of the no-contest provision shall exempt a person from criminal liability under this Ordinance.

The Municipal Administrator and the Municipal Treasurer's Office shall provide for the availment of the "No Contest Provision" and establish a case inventory and recording system of all violations of this Ordinance.

All proceeds of the herein imposed fine shall be appointed as follows:

- a) Sixty percent (60%) of the amount collected per apprehension shall accrue to the apprehending barangay; and
- b) Forty percent (40%) shall accrue to the General fund of the municipality.

The share of the barangay shall be remitted directly to the barangay, without need of any further action, on a monthly basis within ten (10) days of the following month.



SECTION 16. Information and Education Campaign (IEC). There shall be a Public Information Drive regarding the implementation of this Ordinance, which shall be headed by the MDRRMO, Municipal Information Office (MIO) and barangays in coordination with concerned agencies. They should likewise coordinate with private sector to disseminate information on disaster preparedness. Information dissemination through signages, flyers, audio-visual presentations, social media platforms and other forms of public dissemination shall be established and placed. The concerned agencies shall coordinate with the MDRRMO and MIO for the dissemination of information before, during and after the occurrence of disaster.

SECTION 17. Review of Preemptive and Emergency Evacuation Ordinance. The MDRRMO, BFP and other concerned agencies shall review the guidelines provided in this Ordinance every three (3) years to ensure that the emergency responses are appropriate for natural and man-made disasters or hazards.

SECTION 18. Repealing Clause. Any Ordinance, order, memorandum, rules and regulations which is inconsistent with the provisions of this Ordinance is hereby modified or repealed accordingly.

SECTION 19. Separability Clause. If, for any reason, any section of this Ordinance is declared invalid or unconstitutional, other sections or provisions hereof which are not affected thereby, shall continue to be in full force and effect.

SECTION 20. Effectivity. This Ordinance shall take effect immediately upon approval.

Adopted and approved this 1st day of September 2026 authored by Hon. Guardiano C. Lozada and co-authored by Hon. Rogen P. Tabugoc.

Unanimously Approved

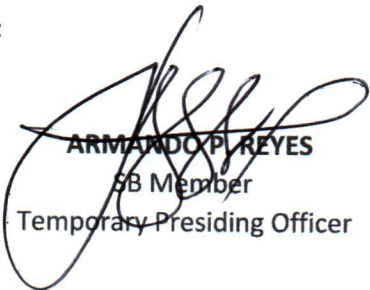
I HEREBY CERTIFY to the correctness of the above-quoted ordinance.



ALAN A. CABRERA

Secretary to the Sanggunian

ATTESTED:



ARMANDO P. REYES
SB Member
Temporary Presiding Officer

APPROVED:



GLENN G. BATANCILA, REE
Municipal Mayor

Date of Approval: 9/25/26