



Republic of the Philippines
Region IX
Province of Zamboanga del Sur
MUNICIPALITY OF DUMALINAO



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 25th REGULAR SESSION OF THE 12th SANGGUNIANG BAYAN OF DUMALINAO, ZAMBOANGA DEL SUR, HELD AT SB SESSION HALL ON FEBRUARY 20, 2023.

Present:

HON. ARNOLD L. FLORES	- SB Member –Acting P.O
HON. FREDERICK R. BALANDRA	- SB Member
HON. HERMES B. CABALES	- SB Member
HON. MA. GEMMA C. ALBISO	- SB Member
HON. RHOLLY A. LABANG	- SB Member
HON. ROMEO G. LIGAN	- SB Member
HON. JELITO R. PEÑONAL	- SB Member
HON. JESSIE NIEL C. PAULO	- ABC President
HON. JEZIEL R. DAGUPAN	- SKF President
HON. ROMEO D. PARILA	- IPMR

Absent:

HON. LORENZO S. ALCANTARA	- Municipal Vice Mayor – O.B
HON. RONALDO D. ENCABO	- SB Member – on Sick Leave

RESOLUTION NO. 0143-2023

URGENTLY REQUESTING FOR THE LAST TIME MR. EDGAR TAN, PROPRIETOR OF SOUTHERN MILLING CORPORATION TO CLEAR AND REMOVE THE UPROOTED TREE TRUNK LYING AT THE PARADISE RIVER IN BARANGAY SUMADAT, DUMALINAO, ZAMBOANGA DEL SUR.

WHEREAS, presented for consideration and appropriate action is the proposed resolution of Hon. Jessie Niel C. Paulo to urgently request for the last time Mr. Edgar Tan, proprietor of Southern Milling Corporation to clear and remove the uprooted tree trunk lying at the Paradise River in Barangay Sumadat, Dumalinao, Zamboanga del Sur;

WHEREAS, Section 16 of Republic Act 7160, otherwise known as the Local Government Code of 1991, provides that every Local Government Unit shall exercise power expressly granted those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;



WHEREAS, the episodes of heavy rains which transpired last month in the province of Zamboanga del Sur has contributed to the loosening of soil in some areas that caused some trees to be uprooted;

WHEREAS, it has been reported that a certain big tree located at the property owned by Mr. Edgar Tan was uprooted during heavy rains. As a result, the said tree fell down and presently lying across the river of Paradise, Sumadat, Dumalinao, Zamboanga del Sur;

WHEREAS, it has been noted that there was a considerable delay on the part of the owner of the property to remove the said tree, which resulted in the overflowing of water of the river that posed a danger and risk to the lives and property of people living near the river. To date, the said tree has not yet been removed;

WHEREAS, due to the growing concern of people living near the place, and after this august body was informed of the incident, the latter took the matter seriously and urgent. Accordingly, during the 22nd Regular Session dated January 23, 2023, the honorable council and Ms. Melanie Baluat, the representative of Mr. Edgar Tan, agreed to remove the said tree in the manner that the LGU-Dumalinao will provide heavy equipment (backhoe) and the latter promise to provide fuel for the use thereof in removing the same;

WHEREAS, during the 25th Regular Session, the matter has once raised for reason that Mr. Edgar Tan has not yet acted upon on his promise leaving the said tree unremoved;

WHEREAS, the delay of almost four (4) weeks reckoned from the time that Mr. Tan was called up for the removal of the tree is no longer considerable as the presence of the uprooted tree trunk lying in the river has continuously posed a danger to the natural flow of the water, especially during rainy days;

WHEREAS, it is for this reason that this honorable council hereby, urgently remind Mr. Edgar Tan to abide the agreement on the removal of the said tree as transpired during session dated January 23, 2023. Moreover, it is hereby conveyed that Mr. Tan is given five (5) days from receipt of this resolution to coordinate with the Office of Municipal Engineering for the joint removal of the tree, including the one which was cutted in the same area;

WHEREAS, it is the unanimous decision of this honorable council to refer the matter once and for all before the Office of the Municipal Legal Counsel of this municipality for appropriate filing of criminal and civil action should Mr. Edgar Tan fails to heed and comply with this request;

WHEREAS, after careful review and exhaustive deliberation, and after finding the same to be proper and order;

NOW, THEREFORE, premises above-considered, on motion by **HON. JESSIE NIEL C. PAULO**, the body resolved, as it hereby resolves, to urgently request for the last



time Mr. Edgar Tan, proprietor of Southern Milling Corporation to clear and remove the uprooted tree trunk lying at the Paradise River in Barangay Sumadat, Dumalinao, Zamboanga del Sur.

LET the copy of this resolution be furnished to concern offices and/or officials for reference, guidance and appropriate action.

DONE this **20TH** day of **FEBRUARY 2023**, at Dumalinao, Zamboanga del Sur.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


ATTY. MAYUS RYAN D. ANDO
SB Secretary

Attested and approved by:


ARNOLD L. FLORES
SB Member - Acting Presiding Officer

