



Republic of the Philippines
PROVINCE OF NEGROS ORIENTAL
City of Bayawan
Office of the Sangguniang Panlungsod

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE CITY COUNCIL OF BAYAWAN, NEGROS ORIENTAL ON AUGUST 12, 2024 AT 10:00 AM AT THE SESSION HALL, LEGISLATIVE BUILDING GOVERNMENT CENTER.

RECORD OF ATTENDANCE

HON. HENRY E. CARREON, JR.	Vice Mayor & Presiding Officer	Present
HON. MARK FIDENCIO L. AURELIA		Present
HON. NARCISO N. CASIPONG		Present
HON. RUSMAR IAN D. TIJING		Present
HON. MERLITA R. GAUDIEL		Present
HON. NICO ANGELO L. LIM		Present
HON. ROLANDO B. ABRASALDO		On Leave
HON. KARL T. SARAÑA		Present
HON. LUIS J. SUMALPONG		Present
HON. FELIPE O. SANTIAGO, JR.		Present
HON. MA. LUCIANA T. TIZON		Present
HON. SEVERINO SALVADOR M. CAPULSO	LNMB President	Present
HON. EDILBERT J. BOLTIADOR	SK Federated President	Present

RESOLUTION NO. 630

Authored by: Hon. Narciso N. Casipong

“WHEREAS, the existing public cemetery with an area of 1.2 hectares is now congested and is due for closure;

“WHEREAS, a decent public burial place for the constituents of the City is one of the priority projects of the City;

“WHEREAS, by virtue of Section 6 (Closure and Removal of Cemeteries) of the Implementing Rules and Regulations of Chapter XXI (Disposal of Dead Persons) of the Sanitation Code of the Philippines, the local government unit has the mandate to close an existing cemetery, in such case, the old public cemetery, and conduct exhumation when cemetery has been utilized in full and further burials can no longer be made;

“WHEREAS, The new public cemetery is already completed and ready for use.

“WHEREFORE, On motion of Honorable Narciso N. Casipong duly seconded by Honorable Luis J. Sumalpong, the Council,

“RESOLVED, To enact, as it hereby enacts the following Ordinance:

ORDINANCE NO. 42

AN ORDINANCE PROVIDING COMPREHENSIVE GUIDELINES FOR THE OPERATION AND MAINTENANCE OF THE NEW BAYAWAN CITY PUBLIC CEMETERY

Be it ordained by the Sangguniang Panlungsod, City of Bayawan, that:

SECTION 1. The New Public Cemetery shall be named as **THE NEW PUBLIC CEMETERY OF BAYAWAN CITY.**

SECTION 2. POLICY. The City is committed to provide a dignified and tranquil final resting place for all deceased individuals, equipped with appropriate amenities. This provision applies to all individuals regardless of race, nationality, religion, or political affiliation, in accordance with RA 7160.

SECTION 3. DEFINITION OF TERMS. For the purposes of this Ordinance, the following terms shall mean:

1. **CEMETERY** – a tract of land used for the burial of the dead and other purposes dedicated to cemetery use, including all facilities and amenities therein.
2. **HEADSTONE** – A stone marker at the head of a grave, usually in standing position.
3. **LOT** – A unit area in a cemetery used for ground interment or for the erection of a mausoleum or tomb.
4. **MARKER** – A cross, stake, tablet made of wood, stone or concrete to mark a grave.
5. **MEMORIAL** – A monument, marker, tablet, headstone, tombstone, private mausoleum or tomb for family or individual use.
6. **MONUMENT** – A tombstone or memorial of concrete, granite, marble, or other durable material extending above the ground surface, often with decorative elements.
7. **NICHE** – An interment space.
8. **OSSUARY / INDIVIDUAL BONE CHAMBER** – A storage facility for the interment of exhumed bones after a 10-year period, with a corresponding fee.
9. **TABLET** – A small flat slab of marble or similar material with an inscription, usually laid flat on the ground.
10. **TOMB** – An above-ground sepulcher without a roof or canopy.
11. **TOMBSTONE** – A stone with an inscription marking a place of burial.
12. **VAULT** – An interment receptacle for coffins, made of reinforced concrete, covered and sealed, either sunk into the ground or resting on the ground.
13. **EXHUMATION** – The process of removing a body from a grave, subject to the provisions of the Sanitation Code of the Philippines, done after ten years from the time of burial.
14. **RE-INTERMENT** – The process of burying the exhumed bodies in an individual bone chamber/ossuary or other cemeteries, based on the family's choice.
15. **APARTMENT-TYPE NICHE** – A four-storey facility for the interment of fresh bodies with a dimension of 1x2.5 meter per niche.
16. **COMMON BONE CHAMBER** – A facility for the re-interment of unclaimed bones or for those opting for re-interment without cost.
17. **GROUND INTERMENT** – With a total lot area of 13,001.813 m² and a dimension of 1x3 meter per lot. A method of final disposition whereby a dead body is placed into the ground.
18. **ABOVE GROUND INTERNMENT** – With a total lot area of 4,904.405 m² and a dimension of 1x3 meter per lot. Niches constructed above ground, subject to specifications provided herein, with burial subject to exhumation after ten years.
19. **CHILD BURIAL** – Burial of a deceased child aged 10 years or younger.
20. **BONE** – The remains of a deceased person that have been buried for a period of ten years, after which they are to be exhumed.
21. **FRESH BURIAL** – Burial of a recently deceased individuals.

22. **UNCLAIMED CADAVERS** – A deceased human body not claimed by family members.
23. **INDIGENTS** – Individuals classified by the barangay and the City Social Welfare and Development Office (CSWDO) as suffering from poverty.
24. **SENIOR CITIZENS** – Individuals aged 60 years or older.
25. **GROUND INTERMENT-MUSLIM** – With a total lot area of 1416.756 m2 and a dimension of 1x3 meter per lot. The grave should be perpendicular to Mecca, with the deceased's body positioned so their right side faces the Islamic holy city. As the body is lowered into the grave, the congregation say a prayer. Wood or stones are laid down to prevent the body touching the dirt.

SECTION 4. LOCATION – The New Public Cemetery of Bayawan city is located in Purok Masagana, Barangay Villareal, Bayawan City, Negros Oriental.

SECTION 5. FEES AND CHARGES – There shall be a collection of fees as follows to be paid directly to the City Treasury Office upon issuance of the Burial Permit issued by the City Mayors Office. The funds collected should be credited to the Office of the Local Economic Enterprise.

Rental Method: All rental charges or fees established within this ordinance shall automatically increase by ten percent (10%) every five (5) years from the approval of this code.

Imposition of fees: Advance rental fees for the first three (3) years shall be collected upon approval of the application. Starting from the fourth year, rental shall be collected annually on or before January 31st, continuing each year until the tenth (10th) year.

The renter has the option to make a one-time advance rental payment equivalent to ten (10) years, which will entitle them to a 20% discount. However, this discount does not apply to Apartment-Type Niches, Ossuaries, or Cineraria.

5.1 Ground Internment

TYPE	GROUND INTERMENT (Annual Fee)	GROUND INTERMENT-MUSLIM (annual Fee)	ABOVE GROUND INTERMENT (Annual Fee)
A	₱1,000.00	₱1,000.00	₱1,000.00
B	1,000.00	1,000.00	1,000.00

5.2 Apartment Type (Indigent): ₱200.00 Annual Rental Fee.

- (Transfer to the Ossuary after 5 years)

5.3 Ossuary: ₱200.00 Annual Rental Fee.

- After 10 years, the bones shall be re-interred in the individual bone chamber upon payment of the corresponding fees.
- If fees are not paid for 2 consecutive years within the 10-year period, re-interment shall occur in the common bone chamber.
- If the family opts to exhume the body before the 10-year period, an exhumation fee of Php 1,000.00 shall be paid to the City Treasurer's Office.

5.4 Use of Chapel: ₱500.00 every 2 hours.

- A rental agreement is required from families or clients who wish to use this facility, stating compliance with the guidelines as provided.

5.5 UNCLAIMED CADAVERS/unknown corpses:

- Unclaimed cadavers or unknown corpses processed by the City Social Welfare and Development Officer shall be accommodated at the cemetery at no cost. However, These cadavers shall be exhumed and placed in the common bone chamber after five (5) years.

SECTION 6. There shall be a Management Team with the corresponding functions:

1. Economic Enterprise Section

- Accepts burial form and assign niche;
- Prepares order of payment to be forwarded to the City Treasury Office;
- Issues entry pass for the scheduled burial;
- Maintains record/inventory of burials;
- Prepares statement of accounts for due rentals;
- Schedules actual exhumation.

2. City Health Office

- Approval, issuance of exhumation permit and Conduct of exhumation
- Supervise burial of remains due to infectious disease
- Approval and issuance of permit to travel

3. City Public Safety Office

- Secures the New Public Cemetery of Bayawan City against looting and illegal burial, and other unauthorized activities.

4. Local Civil Registrar

- Registration and issuance of death certificate

5. City Treasurer's Office

- Collection of appropriate fees.

6. City Legal Office

- Preparation of rental agreement and demand letters.

SECTION 7. OPERATIONAL GUIDELINES: For the purpose of this Ordinance, the following operational guidelines shall be followed:

PHASE I: BURIAL

1. PRE-BURIAL

- a. Fill up application form at the Office of the Economic Enterprise with the following attachments:
 - Death Certificate
 - Barangay Certification as to death (if no Death Certificate is available)
- b. Receive niche assignment from the Office of the Local Economic Enterprise.
- c. Sign rental agreement and pay corresponding fees at the City Treasurer's Office. Present the receipt to the cemetery in-charge.
- d. Obtain the burial schedule and entry pass.

2. DURING BURIAL:

- a. Present entry pass to guard
- b. Proceed to the assigned niche

3. POST BURIAL

- a. Record of all data related to the burial at the Office of the Local Economic Enterprise.

PHASE II: EXHUMATION

1. Information Dissemination – The family shall be informed of the exhumation process through the following methods (for automatic transfers of remains only):

- a. Formal notice to the immediate Family
- b. Media announcements to inform the affected families
- c. Posting notices in conspicuous places

2. If the family opts to transfer the bones to another cemetery, the following documents are required:

- a. Death Certificate
- b. Exhumation Permit

- c. Certification/Official receipt from the cemetery where the bones will be re-interred
- d. Permit to Travel

SECTION 8. Surcharges and Penalties on Unpaid Fees or Charges. – There shall be a surcharge of twenty-five (25%) of the amount of fees or charges not paid on time and an interest at the rate of two percent (2%) per month of the unpaid fees or charges including surcharges, until such amount is fully paid but in no case shall the total interest on the unpaid amount or portion thereof exceed thirty-six (36) months.

SECTION 9. Separability Clause – If for any reason any portion or provision of this Ordinance is declared unconstitutional or invalid, the other section or provisions hereof which are not affected shall continue to be in full force and effect.

SECTION 10. Repealing Clause – All ordinances, resolutions, memoranda, orders and other issuances which are inconsistent with this Ordinance are hereby repealed or modified accordingly.


SECTION 11. Effectivity – This Ordinance shall take effect after approval in accordance with the provisions of the Local Government Code of 1991.

“Enacted.”

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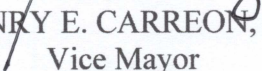
I hereby certify to the correctness of the foregoing resolution.


* * *


JULIUS T. ESPARTERO
Secretary to the Sangguniang Panlungsod

ATTESTED:

APPROVED:


HENRY E. CARREON, JR.
Vice Mayor
Presiding Officer


JOHN T. RAYMOND, JR.
Mayor
Date: AUG 22 2024

Copy for:
- The Honorable Provincial Board, Dumaguete City