

ORDINANCE NO. 13-012

AN ORDINANCE APPROVING THE LOCATIONAL CLEARANCE OF DIGITEL MOBILE PHILIPPINES FOR ITS GUYED TOWER, TO BE LOCATED AT BLOCK 15, Lot 9, SAMPAGUITA ST., DOÑA ROSARIO BAYVIEW, BARANGAY SUCAT, MUNTINLUPA CITY.

- Sponsored by: Hon. Coun. Rafael T. Sevilla
Co-Sponsored: Hon. Coun. Atty. Raul R. Corro, Hon. Coun. Atty. Patricio L. Boncayao, Jr., Hon. Coun. Bal Niefes, Hon. Coun. Stephanie G. Teves, Hon. Coun. Louisito A. Arciaga, Hon. Coun. Ringo A. Teves, Hon. Coun. Margarita Amythyst Patdu-Labios, MD, Hon. Coun. Alexander B. Diaz, Hon. Coun. Luvi P. Constantino, Hon. Coun. Engr. Neptali S. Santiago, Hon. Coun. Elmer S. Espeleta, Hon. Coun. Vergel C. Ulanday, Hon. Coun. Robert A. Abas, Hon. Coun. Robert P. Baes, Hon. Coun. Eulogio DS. Dioko, II

WHEREAS, Executive Order No. 71 and Republic Act No.7160 otherwise known as the New Local Government Code of 1991, states that, "the power of the Housing and Land Use Regulatory Board (HLURB) to grant preliminary approval and subdivision plans of all subdivisions has been transferred to the Local Government Units";

WHEREAS, under the said New Local Government Code of 1991, specifically Section 458 (2)(x), it states that, "the Sangguniang Panlungsod has the power to process and approve land use and zoning within its jurisdiction";

WHEREAS, Section 11 (c) (1) of the Comprehensive Land Use Plan states that, "No cellular towers/cell site towers shall be erected on the ground or on top of any building within a distance of not less than five (5.0) meters from the base of the cellular tower or building up to nearest boundary of any residential, institutional, commercial, parks and recreation zones and the like.";

WHEREAS, City Ordinance No. 02-047 adopts the Zoning Guidelines and Regulations for the City of Muntinlupa;

WHEREAS, after evaluating the necessary documents submitted by DIGITEL MOBILE PHILIPPINES and based on the recommendation of the City Zoning Administrator the application for Locational Clearance (LC), for its project Cell Site Antennae located at Bock 15, Lot 9, Sampaguita St., Doña Rosario Bayview, Barangay Sucat, Muntinlupa City, is hereby granted by the 7th Sangguniang Panlungsod;

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Sangguniang Panglungsod

Page 2
Ordinance No. 13-012

WHEREAS, the proposed Cellsite Antennae Tower of Digital Mobile Philippines is located at **Bock 15, Lot 9, Sampaguita St., Doña Rosario Bayview, Barangay Sucat, Muntinlupa City;**

WHEREAS, the Digital Mobile Philippines has complied with the requirements setforth under the provisions of Kautusang Panlungsod Bilang 99-033 as amended by Kautusang Panlungsod Bilang 10-114;

NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED, by the 7th **Sangguniang Panlungsod** in session assembled that:

SECTION 1. This ordinance hereby grants the request of **DIGITEL MOBILE PHILIPPINES** with postal address at Cyber Gate Tower 2, Pioneer St., Mandaluyong City for **Locational Clearance (LC)** for its project construction of 12.00m. high **Bipod CesII Site Tower** with top elevation of Sixty Meters (60.00m) Above Mean Sea Level (AMSL) inclusive of any appurtenances such as antenna towers, billboards, flagpoles, etc., that may be installed atop of the building/structure, the subject structure is located at **Bock 15, Lot 9, Sampaguita St., Doña Rosario Bayview, Barangay Sucat, Muntinlupa City.**

SECTION 2. No person shall be allowed to remain directly in front of the antenna at horizontal distances less than the calculated safe distances listed below. These horizontal distances are at the level of the antenna height above ground.

Antenna Type	Distance in meter/s	
	Occupational	Non-Occupational (member of the public)
Point to Point	0.35	0.78
GSM 1800	2.55	5.70

If one consider the specified antennae heights for the point to point and GSM 1800 antennae, it is unlikely that members of the public will be exposed to levels exceeding the limits.

SECTION 3. The **Digital Mobile Philippines** shall comply with all the terms and conditions agreed upon and all legal requirements setforth by the Zoning Office and by existing laws and ordinances.

SECTION 4. The 7th **Sangguniang Panlungsod of Muntinlupa** hereby granted the Locational Clearance of **Digital Mobile Philippines** and the **Final Approval** of the said application shall be issued by the **Zoning Office.**

ENACTED, by the 7th **Sangguniang Panlungsod** this 14th day of **October, 2013**, on its 14th **Regular Session.**

CONCURRED:

DISTRICT I:


COUN. ATTY. RAUL R. CORRO
Member


COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member

COUN. BAL NIEFES
Member


COUN. STEPHANIE G. TEVES
Member


COUN. LOUISITO A. ARCIAGA
Member


COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member

COUN. RINGO A. TEVES
Member


COUN. ALEXANDER B. DIAZ
Member

DISTRICT II:

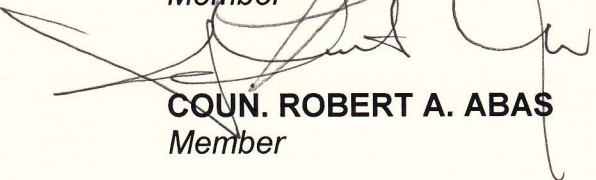

COUN. LUVI P. CONSTANTINO
Member


COUN. ENGR. NEPTALI S. SANTIAGO
Member

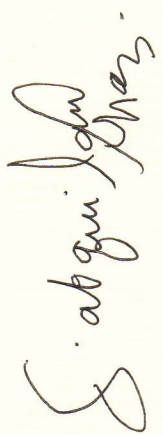

COUN. ELMER S. ESPELETA
Member


COUN. RAFAEL T. SEVILLA
Member


COUN. VERGEL C. ULANDAY
Member


COUN. ROBERT A. ABAS
Member


COUN. ROBERT P. BAES
Member





Sangguniang Panglungsod

Page 4
Ordinance No. 13-012

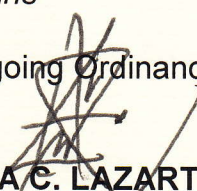
~~COUN. EULOGIO DS. DIOKO, II~~
Sectoral Representative
President
Federation of Sangguniang Kabataan

ABSENT:


COUN. MA. DHESIREE G. AREVALO
Member

COUN. ADORADO P. SAN PEDRO
Sectoral Representative
President
Association of Barangay Captains

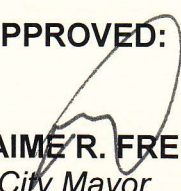
I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


CECILIA C. LAZARTE
Secretary

ATTESTED:


ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:


ATTY. JAIME R. FRESNEDI
City Mayor

Date: OCT 16 2013


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