



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Tanggapan ng Punonglungsod

EXECUTIVE ORDER NO. 42
Series of 2020

**PROVIDING FOR AMENDMENTS TO EXECUTIVE ORDER NO. 13, SERIES OF 2019,
ENTITLED "PROVIDING FOR THE CREATION OF THE LOCAL ZONING BOARD OF
APPEALS, THEREBY PROVIDING FOR AMENDMENTS TO
EXECUTIVE ORDER NO. 12, SERIES OF 2013, ON THE COMPOSITION OF
THE LOCAL ZONING BOARD OF ADJUSTMENT AND APPEALS"**

WHEREAS, Executive Order No. 13, Series of 2019, issued on 25 July 2019, provided for the creation of the Local Zoning Board of Appeals, thereby amending Executive Order No. 12, Series of 2013 on the composition of the Local Zoning Board of Appeals;

WHEREAS, City Ordinance No. 17-098, otherwise known as the Muntinlupa City Zoning Ordinance of 2016, provided for the creation of the Local Zoning Board of Appeals, and, henceforth, its creation as a sub-committee of the City Development Council;

WHEREAS, changes have been made in the composition thereof, and these should be reflected, as required in the above-cited City Ordinance for proper disposal of functions of the Local Zoning Board of Appeals on applications for variances, exceptions, non-conforming uses, complaints and oppositions to applications for issuance of Locational Clearance, as well as to entertain appeals on denial of applications by the City Zoning Administration Office;

NOW, THEREFORE, I, Jaime R. Fresnedi, City Mayor of Muntinlupa, by virtue of the powers vested in me by law, do hereby order and decree that:

Section 1. Re-Composition.

The Local Zoning Board of Appeals (LZBA, *for brevity*) is hereby re-composed, and the individual members thereof, with their respective designations, are hereinbelow enumerated, namely:

a. Jaime R. Fresnedi,
City Mayor

Chairperson;

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| b. | Engr. Allan A. Cachuela,
City Administrator | Co-Chairperson; |
| c. | Mamerto T. Sevilla,
Chairperson, Committee on Land Use and Zoning | Member; |
| d. | Atty. Genesi M. Santiago,
City Legal Office | Member; |
| e. | EnP. Alvin F. Veron,
City Planning and Development Office | Member; |
| f. | Engr. Dynadelle N. Aranda,
City Engineering Department | Member; |
| g. | Atty. Genalyn C. Estrera,
City Assessor's Office | Member; |
| h. | Lorna B. Misa,
Environmental Protection and Natural Resources Office | Member; |
| i. | Erwin O. Alfonso,
Department of Disaster Resilience and Management | Member; |
| j. | Faustino Salvador,
President, Federation of Village Association
Representative from the Private Sector | Member; |
| k. | Engr. Freddie Alcaraz,
Past Lieutenant Governor, Kiwanis Club of Muntinlupa
Representative from a Non-Governmental Organization
or a Civil Society Organization | Member. |

Membership in the LZBA among public officials and officers is a function of their respective offices. As such, the resignation, removal, termination, death, incapacity, or similarly-situated circumstance of the public official or officer shall entitle the successor thereof to assume membership, without need for the issuance of another order or instrument.

Membership outside the public service shall be in accordance with the civic duty of the concerned private individual. They are, however, bound by the same standards of fidelity, honesty and integrity whilst in the service of the LZBA.

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Section 2. Functions.

The LZBA shall perform the following functions, namely:

- a. Act on applications related to, but not limited to, the following, namely:
 - (i) variances,
 - (ii) exceptions,
 - (iii) non-conforming uses, and
 - (iv) complaints and/or oppositions to applications;
- b. Act on appeals from the grant or denial of locational clearance issued by the City Zoning Administration Office;
- c. Act on appeals regarding non-conformity to existing uses, building or structures on the applicable provisions of City Ordinance No. 17-098; and
- d. Decide on all cases brought before it, including all the foregoing; *Provided*, that the decision, to be binding and effective, shall be the result of the votes of all members.

Section 3. Appeals.

Subject to form and style, and all pertinent laws, rules and regulations, all appeals of the decisions of the LZBA shall be brought before the Housing and Land Use Regulatory Board (HLURB). Once a decision has been reached by the HLURB, it shall be binding to and enforceable by the City Zoning Administration Office.

Section 4. Secretariat.

EnP. Noel A. Cadorna, City Zoning Administrator, shall act as Head of the Secretariat, and shall ably be assisted by Edgardo A. Hernandez, Jr., and Nelda M. Lagata of the City Zoning Administration Office, and Arch. May L. Santiago of the City Planning and Development Office.

They shall be responsible for the issuance of Notices of Meetings to all members and parties in interest of complaints filed before the LZBA; for logistical support to meetings; for the writing down, recording and dissemination of the Minutes of Meetings; for writing down, sending out, receiving and recording of correspondence, and all other similarly-situated functions.

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Section 5. Allowance.

Subject to existing rules and regulations issued by relevant offices and/or agencies, and subject to availability of funds, members of the LZBA shall receive the amount of One Thousand Five Hundred (PhP 1,500.00) Pesos for each meeting and/or inspection duly attended; *Provided, however*, that no more than two (2) meetings shall take place in a month, whether it be regular or special.

Members of the Secretariat, on the other hand, shall receive the amount of One Thousand (PhP 1,000.00) Pesos for each meeting duly attended and facilitated.

Section 6. Repealing Clause.

All prior provisions of an order, memorandum, or directive that are inconsistent with any found herein shall be deemed repealed, revoked, or amended accordingly.


Section 7. Separability Clause.

In the event that any provision herein found is judicially declared illegal, or administratively struck down infirm, untouched provisions shall remain in full force and effect.

Section 8. Effectivity Clause.

This Executive Order shall be effective upon signing, and it shall remain in full force and effect until repealed, revoked, or amended accordingly.

DONE AND EXECUTED on this 16th day of November 2020 in the City of Muntinlupa.


JAIME R. FRESNEDI
City Mayor

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