

DRAFT ORDINANCE No. **2210-022**

**AN ORDINANCE INCENTIVIZING LOT OWNERS WITH IDLE LAND THROUGH INSTITUTIONALIZING THE URBAN GARDENING INCENTIVES PROGRAM AS A MECHANISM FOR PROMOTING AND ENCOURAGING THE PRACTICE OF URBAN GARDENING WITHIN THE MUNICIPALITY OF TAYTAY, RIZAL**

Introduced and Authored by Councilor John Tobit E. Cruz

**WHEREAS**, Executive Order No. 26, s. 2011 provides that poverty reduction, resource conservation and protection, productivity enhancement, climate change mitigation and adaptation, are among the priority programs of the government;

**WHEREAS**, Section 2 of Republic Act No. 9729 known as the "Climate Change Act of 2009" provides that it shall be the policy of the State to enjoin the participation of national and local governments, businesses, nongovernment organizations, local communities, and the public to prevent and reduce the adverse impacts of climate change and, at the same time, maximize the benefits of climate change;

**WHEREAS**, Article II, Section 16 of the Philippine Constitution provides that the State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature;

**WHEREAS**, Section 16 of the Local Government Code of the Philippines provides that every local government unit shall exercise the powers 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**, a letter from the provincial government of Rizal provides that

**WHEREAS**, multiple resolutions were made to temporarily use a portion of lots of the residents for the urban gardening program due to the pandemic.

**NOW, THEREFORE, BE IT ORDAINED**, by the Sangguniang Bayan of Taytay, Rizal in session duly assembled to enact the following:

**SECTION 1. Short Title** – This Ordinance shall be known as "Urban Gardening Incentives Program of Taytay, Rizal".

**SECTION 2. Definition of Terms** – For the purposes of this Ordinance, the following terms shall be understood as follows:

1. "Idle Land" refers to vacant, uncultivated, untilled, unimproved, or unproductive land for any purpose it may serve.
2. "Incentive" refers to something that incites or has a tendency to incite to determination or action.
3. "Lot Owners" refers to any individual, firm, or entity that is legally entitled to a lot.
4. "Produce" refers to agricultural products and especially fresh fruits and vegetables as distinguished from grain and other staple crops.
5. "Urban Gardening" refers to the practice of cultivating a variety of kinds and species of plants in an urban environment.

**SECTION 3. Eligibility** – The following sub-sections are required to be complied with by the lot owners for the acquisition of the Urban Gardening Incentives.

*(a) Eligible entities who can apply for Urban Gardening Incentives*

Any lot owners who are residents of the Municipality of Taytay, Rizal, and whose available lot/s is/are free from any liabilities, issues, and/or encumbrances. This may include residents from Private Subdivisions subject to the approval of the subdivision's homeowners' association.

*(b) Eligible entities to utilize the idle land*

Homeowners' associations, agriculture cooperatives, and other community-based organizations that are legally registered and accredited by the municipal government of Taytay may use available idle land while ensuring the contribution of each organization in maintaining agricultural productivity.

**SECTION 4. Application** - To avail of the Urban Gardening Incentives, eligible lot owners and urban gardeners are hereby required to submit the following documents to the Municipal Agriculture Office:

*(a) For Lot Owners*

1. Copy of Land Title and/or Tax Declaration
2. Duly Accomplished Urban Gardening Incentives Program Form
3. Signed Affidavit of Consent

*(b) For Urban Gardeners*

1. Copy of Municipal Accreditation Certificate
2. Duly Accomplished Urban Gardening Incentives Program Form
3. List of persons who will be authorized to maintain the urban garden

A Memorandum of Understanding (MoU) shall be created to express an agreement between parties concerned namely, lot owners, organizations, and local government representatives containing the general provisions, whereas clauses, and penalties are to be implemented related to this Ordinance. The MoU is subject to revision upon approval by the Committee.

**SECTION 5. Crops that may be planted** – Individuals and registered organizations will only be allowed to plant the following crops:

1. Anti-Dengue Plants
2. Basil
3. Bean
4. Bitter Gourd
5. Bottle Gourd
6. Chinese Cabbage
7. Eggplant
8. Lettuce
9. Malunggay
10. Mustard
11. Nalta Jute
12. Okra
13. Sweet Potato
14. Water Spinach
15. Zucchini

**SECTION 6. Lot Owners Incentives** – Lot owners who are willing to commit their idle land for the purpose of practicing urban gardening are eligible for the Urban Gardening Incentives. They shall be qualified to receive the following incentives and recognition:

1. Business and/or building permit discount
2. Access and discounts to fresh produce
3. Certificate of appreciation from the Municipal Government of Taytay
4. Support in ensuring clearance and proper maintenance of idle land/s
5. Other possible incentives that may be identified by the Municipal Committee on Urban Gardening Promotion, upon the approval of the Sangguniang Bayan.

**SECTION 7. Creation of Municipal Council on Urban Gardening Promotion** – The Municipal Council on Urban Gardening Promotion is hereby created. The Committee shall be composed of representatives from the following offices and departments:

Chairperson – Municipal Mayor  
Vice Chairperson – Department Head of Agriculture Office

Members:

Chairman of Committee on Agriculture, Fisheries, and Aquatic Resources  
Department Head of Municipal Environment and Natural Resources Office  
Department Head of Assessor's Office  
Department Head of Planning and Development Coordinator  
Chairman of Committee on Barangay Affairs  
Chairman of Committee on Cooperatives and Livelihoods  
Chairman of Committee on Natural Resources and Environmental Protection  
Representative of any accredited Civil Society Organizations

The Council shall be organized upon the effectivity of this Ordinance.

**SECTION 8. Duties and Responsibilities of the Council** – In pursuit of this Ordinance, Municipal Council on Urban Gardening Promotion shall have the following powers and functions:

- a. Responsible for coordinating with the lot owners, cooperatives, homeowners' associations, and other related individuals and organizations concerning the implementation of this Ordinance;
- b. Encourage and promote the practice of urban gardening, particularly among locals who have available vacant or idle lots;
- c. Oversee the management of lands in which urban gardening is being practiced;
- d. Facilitate the distribution of produce to beneficiaries;
- e. Formulate a framework strategy to serve as a basis for a program for urban gardening, planning, research and development, and monitoring activities;
- f. Spearhead research studies that would help in the development of urban gardening;
- g. Support local research and development projects and programs with financial and technical assistance in vulnerable communities and areas;
- h. Exercise policy coordination to ensure that such framework strategy would support the planning, implementation, and monitoring of urban gardening;
- i. Organize and conduct Information, Education, and Communication (IEC) Campaigns and capacity buildings to provide locals and organizations with the necessary knowledge and skills for urban gardening; and

- j. Engage with concerned sectors and organizations that could provide assistance and recommendations on matters relevant to urban gardening.

**SECTION 9. Repealing Clause** – All ordinances contrary to or inconsistent with this Ordinance are hereby repealed or modified accordingly.

**SECTION 10. Separability Clause** – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

**SECTION 11. Effectivity Clause** – This Ordinance shall take effect ten (10) days following posting in all municipal Transparency Boards.