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CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on February 9, 2007, at Lingayen, Pangasinan, the following provincial ordinance was approved:

Authored by SP Members Angel G. Baniqued and Von Mark R. Mendoza

PROVINCIAL ORDINANCE NO. 126-2007

AN ORDINANCE PRESCRIBING THE GUIDELINES FOR THE DETERMINATION AND DECLARATION OF HISTORIC AND CULTURAL RESOURCES OF THE PROVINCE OF PANGASINAN

WHEREAS, the Province of Pangasinan recognizes the need to determine, preserve, promote and protect the historic and cultural resources of the Province;

WHEREAS, the Province of Pangasinan recognizes that such determination, preservation, promotion and protection furthers the educational, cultural and economic interests of the province and serves to further protect and promote the general welfare of the public;

WHEREAS, the Province of Pangasinan recognizes the necessity of determining, protecting, preserving and promoting its historic and cultural resources, monitoring and reviewing proposed, planned and natural changes in these resources and preserving and regulating their structures and environs on a continual basis;

WHEREAS, the Province of Pangasinan recognizes the importance of these historic and cultural resources and their inherent connection with its natural and built environment, and the necessity of continuous preservation and enhancement of the environmental quality and safety of these cultural resources;

WHEREAS, the Province of Pangasinan recognizes the need to improve property values and to foster economic development thru the preservation of the province's historic and cultural resources;



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WHEREAS, the Province of Pangasinan recognizes the need to assist private owners of other historic and cultural resources in optimizing their contribution to the cultural identity and economic growth of the province;

NOW, THEREFORE, on joint motion of SP Members Angel G. Baniqued and Von Mark R. Mendoza, duly seconded, it was –

RESOLVED, as it is hereby resolved to enact ordinance prescribing the guidelines for the determination and declaration of historic and cultural resources of the Province of Pangasinan;

SECTION I. TITLE – This Ordinance shall be known as the **HISTORIC AND CULTURAL RESOURCES PROTECTION ORDINANCE**.

SECTION 2. The Provincial Council for Culture and Arts (PCCA) – The Provincial Council for Culture and Arts is hereby designated to lead and to create a Technical Working Group (hereinafter, “TWG”) composed of the Provincial Governor who shall be Chairman, and the Tourism Officer, Provincial Engineer and representatives from Department of Education and pertinent non-government organizations as members with the following powers and obligations:

Sec. 2.1. The **TWG** shall be primarily responsible for the continuing determination and preservation of public and private cultural resources, historical district and sites that may be subsequently declared as such.

It is understood that the acts of the **TWG** are subject to review by the **PCCA**, who shall transmit any and all declarations of historic districts and historic sites, to the Sangguniang Panlalawigan, for ratification by ordinance. The **PCCA**, however, may issue the recognition of cultural resources and heritage sites upon the recommendation of the **TWG**, as defined in this ordinance.

Sec. 2.2. The **TWG** shall continue to propose, create and adopt specific guidelines for the designation of historic districts and sites and cultural resources and review the same for appropriate changes. It shall also create and adopt specific guidelines for removal of declarations of historic districts and sites and cultural resources.



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Sec. 2.3. The **TWG** shall maintain a current listing and description of designated historic districts and sites and cultural resources and publicize and transmit copies of an updates of such listings to the appropriate government agencies, such as, but not limited to the local government units with territorial jurisdictions over the subject properties, the Sangguniang Panlalawigan, the Office of the Governor, the National Historical Institute, the National Commission for Culture and the Arts, the Department of Environment and Natural Resources thru its Regional Environmental Management Board and their successor agencies.

Sec. 2.4. The **TWG** shall conduct studies and evaluations of applications requesting the designation of historic districts and sites and cultural resources, make the appropriate determination and forward favorable recommendations to the Sangguniang Panlalawigan for declaration.

Sec. 2.5. The **TWG** shall review and regulate all proposed and planned alteration of any kind, to the historic districts and sites, and all other cultural resources, public or private, that may subsequently be declared and shall issue the necessary permits only for approved alterations.

Sec. 2.6. The **TWG** shall ensure that approved alterations to the subsequently declared historic districts and sites, cultural resources, public or private, shall comply with the Philippine Environmental Impact Assessment Laws, Presidential Decree 1586, its subsequent laws and amendments and its implementing mechanism such as, but not limited to the appurtenant Department Administrative Orders of the Department of the Environment and Natural Resources, and appurtenant rules and regulations.

Sec. 2.7. The **TWG** shall develop and recommend the adoption of a Provincial General Conservation Plan, taking into consideration the Provincial Economic Development Plan.

Sec. 2.8. The **TWG** shall participate in environmental review procedures directly or indirectly affecting provincial and national historic districts, sites and cultural resources. It shall also participate in the conduct of land use, housing, redevelopment,



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improvement and other types of planning and programs undertaken by any agency within the Province of Pangasinan which shall directly or indirectly affect provincial and national historic districts, sites and cultural resources. Finally, it shall also participate in procedures and processes for national declarations of historic sites, landmarks, national cultural treasures, important cultural property and other such declarations made by national agencies such as the National Commission for Culture and the Arts, the National Historical Institute, the National Museum and their successor agencies, if any.

Sec. 2.9. The **TWG** shall ensure that its members keep abreast of conservation standards and skills, and shall avail of available resources to maintain their competence and effectivity to do so. It shall also ensure the dissemination of such standards and skills, province-wide.

Sec. 2.10. The **TWG** shall develop and recommend incentive programs for conservation of the provincial historic and cultural resources.

SECTION 3. Designation Criteria – The following shall constitute the criteria for declarations of historic districts, sites and cultural resources:

Sec. 3.1. Historic Districts – A group of buildings, sites, residences, structures, streets, or communities, streetscapes, landscapes or area may be declared historic districts if the TWG finds that:

Sec. 3.1.1. The group of buildings, streetscape, landscape, community or area exemplifies or reflects special elements of the province's cultural, economic, social, political, aesthetic, engineering or architectural heritage; or

Sec. 3.1.2. The group of buildings, streetscape, landscape, community or area is identified with a person or group of persons that contributed significantly to the culture and development of the province; or

Sec. 3.1.3. The group of buildings, streetscape, landscape, community or area embodies distinctive characteristics of a style, type, period or method of construction, or is a valuable example of the use of indigenous materials or craftsmanship;
or



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Sec. 3.1.4. Structures within the group of buildings, streetscape, landscape, community or area exemplify a particular architectural style or way of life, important to the province or its history; or

Sec. 3.1.5. The group of buildings, streetscape, landscape, community or area is related to a designated historic or cultural resource or district in such a way that its preservation is essential to the integrity of the historic or cultural resource; or

Sec. 3.1.6. The group of buildings, streetscape, landscape, community or area has potential for yielding information of archeological interest.

Sec. 3.2. Historic Sites – Any buildings, structure, object or site may be declared a historical site if the TWG finds that:

Sec. 3.2.1. The building, structure, object or site is over fifty years old and it possesses integrity of location, design, setting, materials, workmanship, feeling and association with a particular period and,

Sec. 3.2.1.1 It is associated with events that have made a significant contribution to the province's or the nation's history; or

Sec. 3.2.1.2 It is associated with the lives of persons significant to the province or the nation's history; or

Sec. 3.2.2. The building, structure, object or site is less than fifty years old but it meets the criteria of 3.2.1.1 or 3.2.1.2 and its of exceptional importance within the appropriate historical context, local or national.

Sec. 3.3. Cultural Resources. – Any buildings, structure, object, site, landscape, streetscape or community may be recognized as a provincial cultural resource if the TWG finds that:

Sec. 3.3.1. It embodies the distinctive characteristics of a type, period or method of construction or it represents the work of a master or it possesses significant artistic values; or



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Sec. 3.3.2. It represents significant advances in technology or architecture of a period; or

Sec. 3.3.3. It has yielded or is likely to yield information important in prehistory or history;

Sec. 3.4. Heritage Sites. – Any building, structure, object or site may be designated as a Heritage Property if it is found by the TWG to be worthy of preservation because of its historical, architectural or artistic merit.

Sec. 3.5. Contributors to Historic Districts or Cultural Resources. – A building, structure, site or district may be considered or designation as a Contributor to Historic Districts or Cultural Resources if it contributes to the significance of the specific historic district or cultural resource under the criteria set forth in historic districts or cultural resources.

SECTION 4. Incentives – Properties in historic districts and sites, cultural resources and heritage sites, and contributors to historic district or cultural resources shall be classified as special real property which shall be assessed at a fixed rate of ten percent (10%) assessment level.

SECTION 5. Liabilities – Failure of owners or possessors of designated or declared sites to comply with requirement and restrictions enumerated herein shall be subject to a fine of **FIVE THOUSAND PESOS (P5,000.00)** to be imposed daily, provided that the fine shall only be imposed after due notice had been given conducted by the TWG. The fine shall commence immediately upon finality of the decision made by the TWG.

SECTION 6. Separability Clause – Any portion or provision of this Ordinance that may be declared unconstitutional shall not have the effect of nullifying other portions or provisions thereof as long as such remaining portions or provisions can still subsist and be given effect in their entirety.

SECTION 7. Saving Clause – All provincial ordinances, provincial rules, regulations, other provincial issuances or parts thereof which are inconsistent with this ordinance are hereby repealed or modified accordingly.

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SECTION 8. Effectivity – This ordinance shall take effect immediately upon its approval.



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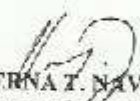


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SECTION 8. Effectivity - This ordinance shall take effect immediately upon its approval.


ATTY. VERNA T. NAVA-PERFZ
Secretary to the Sanggunian

ATTESTED:


VICE GOVERNOR OSCAR B. LAMBINO
Presiding Officer

APPROVED:


VICTOR F. AGBAYANI
Governor