

Republic of the Philippines
MUNICIPALITY OF MONCADA
Province of Tarlac
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EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MONCADA, TARLAC HELD ON THE 17TH DAY OF JULY 2017 AT THE LEGISLATIVE BUILDING SB SESSION HALL.

P R E S E N T :

HON. JAIME O. DUQUE	.. PRESIDING OFFICER
HON. RODOLFO A. ESPEJO	..PRO-TEMPORE
HON. ALBERTO C. MARZAN, JR.	..MEMBER
HON. EDWARD V. TOLENTINO	..MEMBER
HON. JANIUS M. YASAY	..MEMBER
HON. RUBEN V. GAMBOA, JR.	..MEMBER
HON. GEORGE MICHAEL P. AGUILAR	..MEMBER
HON. CLEOFÉ D. FAVIS	..MEMBER

A B S E N T :

HON. THELMAFLOR A. ESPEJO	..EXCUSED (OB)
HON. GEORGE R. CUCHAPIN	..EXCUSED (OB)

RESOLUTION NO. 65-2017

On motion by COUN. EDWARD V. TOLENTINO and unanimously seconded;

RESOLVED, to pass and approve, Resolution No. 65-2017 containing therein Ordinance No. 05 S. 2017, to wit:

“AN ORDINANCE ADOPTING A CEMETERY CODE FOR THE MUNICIPALITY OF MONCADA, TARLAC.”.

Section I. General Policy: It shall be the policy of the local government unit of Moncada to provide its citizens with a decent burial ground for their departed in keeping with tradition under the most efficient system of management.

Section II. Title: This Ordinance shall be known as the Cemetery Code of Moncada of 2017.

Section III. General Provisions:

III.A Rights and Obligations - That all rights and obligations relating to the care, use, transfer and sale of the tombs, otherwise known as units for purposes of this policy, are governed by the provisions of this policy.

III.B Sale Price - To maximize the use of the lot, the units shall be built in a three series-level of tombs branching along the cemetery perimeter, for sale at varying prices as follows, to wit:

A. First or Ground Level	- P14,000.00
B. Second or Middle Level	- P16,000.00
C. Third or Top Level	- P15,000.00
D. Lawn Type	- P36,000.00
E. Mausoleum – 1-unit / 2.45 sq.m.	- P45,000.00

III.C Terms and Conditions - That the units may be paid in cash or on installment basis under the following terms and conditions;

III.C.1 If paid in cash, the buyer is entitled to a discount of ten percent (10%) of the purchase price;

III.C.2 If a down payment of fifty percent (50%) of the purchase price is made and the buyer agrees to pay the balance in six (6) equal monthly installments from the date of purchase, the buyer is entitled to five percent (5%) discount of the purchase price.

III.C.3 If the buyer elects to pay on installment basis, a down payment of ten (10%) of the purchase price is required. The balance shall be payable in twelve (12) equal monthly installments. Any installment due and unpaid shall likewise bear an interest rate of two percent (2%) per month.

III.D Labor Cost and Maintenance - That the above-mentioned prices are inclusive of labor cost of interment only when unit is used for the first time. The Local Government Unit shall likewise provide the gravestone marker at cost charged to the buyer and any additional name to be engraved on the tombstone shall be subject to additional charge depending on the ongoing rate. That the buyer, his heirs or assigns shall pay a monthly maintenance fee of **P50.00** (apart. Type) **P75.00** (Lawn Type) only when the unit is already occupied. That on the first year, the charge shall be added to the original unit price and the succeeding payments shall be collected on a monthly basis.

III.E Right to Use - That pending the full payment of the purchase price, the unit shall remain the property of the Local Government Unit and that Title of Ownership shall not be passed on to the buyer, until full payment shall have been made.

III.F Failure To Pay - If the buyer fails to pay the full purchase price at the time agreed upon, the Local Government Unit, upon written notice of demand for rescission to the buyer, has the power to rescind the sale of the unit and resell it to whoever is interested.

Any payments made by the buyer are forfeited as a consequence of the Buyer's breach of contract.

III.G Deed of Sale By Notarial Act. - If the buyer prefers that a deed of sale with mortgage of the unit be executed, the same could be done at the expense of the buyer, otherwise a certificate of award in favor of the buyer will be given instead.

The provision of Section III.F does not apply when a deed of sale with mortgage is executed. Agreement embodied in the deed, specifically the non-fulfillment of the obligation, will prevail over that of Section 6 and shall be enforceable in the manner prescribed by law.

III.H Price Review. - That the prices of the units shall be reviewed every two (2) years to consider change of prices due to the cost of production and maintenance expense.

III.I Prohibition. - That the buyer, his heirs or assigns, shall not under any circumstance, introduce any improvement or innovation on the unit in order to retain their originality and uniformity.

III.J Reuse of Unit For the Apartment Type Only- That the buyer, his heirs or assigns can reuse the unit only after the lapse of seven (7) years from the date it was last used and only after obtaining a clearance from the local health authorities certifying that all existing laws, rules and regulations appertaining thereto are complied with.


III.K Deposit of Proceeds of Sale. - That all net proceeds of the sale of the units shall be deposited in the name of the Local Government Unit of Moncada, to any accredited

for the maintenance, improvement and acquisition or purchase of another lot as burial ground.

Section IV. Effectivity. - That this policy shall take effect upon approval.

APPROVED: July 17, 2017.

I HEREBY CERTIFY to the correctness of the foregoing resolution.



ABRAHAM S. SALES, JR.
ACTING SB SECRETARY

ATTESTED BY:



HON. JAIME O. DUQUE
MUNICIPAL VICE-MAYOR & PRESIDING OFFICER

APPROVED:



HON. ESTELITA M. AQUINO
MUNICIPAL MAYOR