

WHEREAS, heroes are people who deserve everyone's admiration since their acts such as bravery, great courage or strength of character are tributes of outstanding and remarkable human achievements;

WHEREAS, not even death shall erode the heroic deeds of heroes, nor the passage of time yearn to forget their names, thus, their final resting place deserved to be prepared in such a way that people across generations will have a permanent site to which they would look upon, ponder, reflect and emulate the heroes' extraordinary legacies;

WHEREAS, heroes who hail from the City of General Santos ought to be immortalized thru a special cemetery; the general public will have a continuing glimpse of wisdom relative to how these heroes had lived their meaningful lives; and to a greater extent, these heroes will significantly lift up the city's name with gratification, honor and prestige;

NOW THEREFORE, on motion of City Councilor Ramon R. Melliza, duly seconded by City Councilors _____, be it-

RESOLVED as it is hereby resolved, to adopt the following ordinance:

ORDINANCE NO. ____
Series of 2017

AN ORDINANCE ESTABLISHING THE LIBINGAN NG MGA BAYANI NG HENERAL SANTOS (LNBHS), PROMULGATING POLICIES AND GUIDELINES, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Hon. Ramon R. Melliza – Author/Sponsor

Be it enacted by the Sangguniang Panlungsod of General Santos City that:

SECTION 1. Declaration of Policy. – The City of General Santos gives special recognition and tribute to all its citizens particularly those who have done acts of heroism; acts which have contributed significantly to the preservation and upholding of human dignity and democracy, towards the promotion of peace and national sovereignty, thereby, lifting up the City's name with honor and prestige. It is upon this policy that a certified "hero" or "bayani" in Filipino, is especially entitled to the rights and privileges afforded, all under the local government's expense, in the "*Libingan ng mga Bayani ng Heneral Santos.*"

SECTION 2. Establishment of the *Libingan ng mga Bayani ng Heneral Santos City.* – There is hereby established a special cemetery in the City of General Santos to be aptly called as the "*Libingan ng mga Bayani ng Heneral Santos.*"

SECTION 3. LNBHS Committee. - There is hereby created the Libingan ng mga Bayani ng Heneral Santos (LNBHS) Committee to carry out the policy directions of the City Government of General Santos, to be composed of the Office of the City Mayor as Chair, City Health Office (CHO), City Planning and Development Office (CPDO), City Engineer's Office (CEO), Human Resource Management and Development Office (HRMDO), Liga ng mga Barangay Federation President, Philippine National Police-GSC Police Office, Philippine Army, Philippine Navy, Philippine Air Force, and such other concerned government offices, shall implement the following:

- 1.) Determine the location of a suitable site for the *Libingan ng mga Bayani ng Heneral Santos*, and to have such site acquired, surveyed, and established for such purpose.
- 2.) Order and supervise the construction of a suitable road leading to the proposed *Libingan ng mga Bayani ng Heneral Santos* from the nearest national or provincial road;
- 3.) Appoint an Administrator/ keeper and other personnel necessary for the care and use of the cemetery, and as such, may provide them salaries/wages/honoraria/allowances; such keeper and personnel may be derived from the *plantilla* positions of the LGU and/or assignment thru co-terminus/job order status of appointment;
- 4.) Order and supervise the construction of appropriate monuments, mausoleums, or tombs; this includes a separate facility/dwelling house and offices for the keeper and personnel tasked to manage and maintain the cemetery in good order and condition;
- 5.) Implement the following set of qualifications for dead or living hero/heroes:
 - a.) A bona fide resident of General Santos City who is a soldier; whether a member of Philippine Army, Marines, Navy, Airforce, PNP, or any organic and active member of any component of the Armed Forces of the Philippines (AFP), who died on active duty defending the Filipino homeland's sovereignty.
 - b.) A bona fide resident of General Santos City whether a local or national government official, or employee, Barangay officials, to include barangay tanod, who, in his/her own volition, have done acts of heroism and died as a result, or managed to survive by his own struggle and will to live, in defending the interest of the city or country; as such, "live heroes" shall be given entitlement to the privileges defined under the "*Libingan ng mga Bayani ng Heneral Santos*", upon which a pertinent Certificate shall be issued unto them; and
 - c.) A bona fide resident/civilian of General Santos City who, in his own volition, have done acts of heroism and died as a result, or managed to survive by his own will to live, in defending the interest of the city or country; "live heroes" shall be given entitlement to the privileges defined under the "*Libingan ng mga Bayani ng Heneral Santos*", upon which a pertinent Certificate shall be issued.
- 6.) The general management, regulation and control of this cemetery is hereby vested upon the City Mayor's Office; this includes the authority to declare a City resident as "hero" entitled for internment thereat; it shall further determine/decide exclusive right of burial of a declared hero or heroes, to include the construction of special vault, or specific place of burial, erection of monument, gravestone, or monumental inscriptions in the subject cemetery;
- 7.) The CMO shall determine the acquisition of exclusive burial rights to all entitled heroes in this cemetery, to include, but not limited to dead heroes; a book entered with all entitled persons shall be kept by the Administrator/keeper of the cemetery; as to the entitlement, it shall not be transferrable to any body other than the officially declared hero or heroes;
- 8.) Formulate proactive policies, procedures and other important concerns for the proper preservation and regulation of the cemetery, *i.e.*, appropriate and respectable manner or conduct of burial, the protection and maintenance of public

health, and upholding of public decency inside or within the premises of the cemetery at all times;

- 9.) Provide a scheme that would set a portion in the cemetery intended for non-ecumenical rites in order to foster respect to all churches or congregations in the city;
- 10.) Promote the enactment of policy guidelines, rules and regulations that would fit the needs of the changing times, under existing national and local laws, to effectively carry out the objectives of this Ordinance herein provided.

SECTION 4. Definition of Terms. – As used in this Ordinance, the following terms shall mean:

- a.) Hero/Bayani – refers to a person who is a bona fide resident of General Santos City, who have done act or acts of remarkable bravery, or has shown an admirable, or great courage, or strength of character in defending the Filipino nation’s general interest; acts which have contributed to the preservation and upholding of human dignity and democracy, towards the promotion of peace and national sovereignty, thereby, lifting up the City’s name with honor and prestige.
- b.) Heroic deed(s) – refers to the hero’s achievements which exemplified heroism.
- c.) Heroism – refers to the specific act of a person showing remarkable bravery or moral courage in defending the interests of the Filipino nation.

SECTION 5. Budget/Funding. – The City Government shall allocate/appropriate funds for the implementation of this Ordinance, to be incorporated in the General Fund or Supplemental Budget.

SECTION 6. Repealing Clause. - All previous ordinances, rules and regulations inconsistent with this Ordinance shall be deemed repealed or modified accordingly.

SECTION 7. Separability Clause. If for any reasons any part or provisions of this Ordinance shall be held unconstitutional or invalid, other parts of provisions thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 8. Effectivity. – This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation within the City.

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