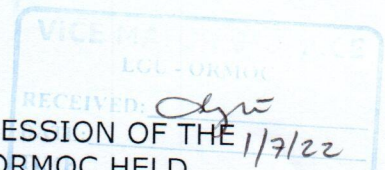


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON JANUARY 07, 2022 IN LIEU OF  
JANUARY 04, 2022



PRESENT:

Leo Carmelo L. Locsin, Jr.  
Roiland H. Villasencio,  
Tomas R. Serafica,  
Nolito M. Quilang,  
Eusebio Gerardo S. Penserga,  
Jasper M. Lucero,  
Peter M. Rodriguez,  
Vincent L. Rama,  
Gregorio G. Yrastorza III,  
Lalaine A. Marcos,  
Esteban V. Laurente,

City Vice Mayor & Presiding Officer  
SP Member, 1<sup>st</sup> Asst. Majority Floor Leader  
SP Member, Presiding Officer "Pro-Tempore"  
SP Member, 2<sup>nd</sup> Asst. Majority Floor Leader  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
SP Member  
Ex-Officio SP Member, Chapter President,  
Liga ng mga Barangay ng Ormoc  
Ex-Officio SP Member, Chapter President,  
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON LEAVE:

Benjamin S. Pongos, Jr.,

SP Member, Majority Floor Leader

**EXPLANATORY**

WHEREAS, Section 192 of the Local Government Code allows for local government units, through ordinances, to duly approve, grant tax exemptions, incentives or relief under such terms and conditions, as they may deem necessary;

WHEREAS, Section 186 of the Local Government Code allows for local government units to exercise the power to levy taxes, fees or charges on any base or subject not otherwise specifically enumerated in the LGC or taxed under the provisions of the National Internal Revenue Code, as amended, or other applicable laws;

WHEREAS, Memorandum Circular No. 153 issued June 4, 1992 prescribes the guidelines for the implementation of tax exemption privileges under the Local Government Code;

WHEREAS, the Sangguniang Panlungsod of Ormoc City received an endorsement letter from the Office of the City Mayor Richard I. Gomez, DPA, MBA for the consideration of the august Body for the enactment/ passage of the required Ordinance/Resolution;

WHEREAS, on March 8, 2020, President Rodrigo R. Duterte issued Proclamation No. 922 and declared a state of Public Health Emergency following confirmation from the Secretary of Health of cases of local transmission of the Corona Virus Disease (COVID - 19) in the country;

WHEREAS, the COVID-19 pandemic has brought about economic reverses in the entire Philippines, imposing financial burdens on entrepreneurs from all industries;



WHEREFORE, on joint motion of SP Member Lalaine A. Marcos, Chairman, Committee on Environment, Natural Resources & Energy Conservation and SP Member Tomas R. Serafica, Chairman, Committee on Ways & Means, jointly seconded by SP Members Gregorio G. Yrastorza III and Vincent L. Rama ; be it

RESOLVED, to enact;

**ORDINANCE NO. 081  
(Series of 2022)**

**AN ORDINANCE GRANTING AMNESTY ON SURCHARGES  
AND INTEREST FOR INDUSTRIAL SAND AND GRAVEL  
(ISAG) OPERATORS IN THE CITY OF ORMOC.**

BE IT ENACTED, by the Fifteenth Sangguniang Panlungsod ng Ormoc, That:

**SECTION 1. SHORT TITLE** – This ordinance shall be known as the **"2021 AMNESTY ON SURCHARGES ON SAND AND GRAVEL EXTRACTION FEES OF ORMOC CITY"**.

**SECTION 2. POLICY STATEMENT** – It shall be the policy of the City Government of Ormoc to grant tax exemptions or relief under such terms and conditions as deemed necessary.

**SECTION 3. AMNESTY GRANT** – There is hereby a grant of amnesty to delinquent quarry taxpayers with valid and existing Industrial Sand and Gravel Permits at the time of stockpile assessment, on the surcharge and interest for unpaid ad valorem tax of subject resources billed by the City Treasurer's Office from the period January 1, 2021 until the period of availment as defined under Section 5 of this ordinance.

**SECTION 4. COVERAGE** – This Ordinance shall apply ONLY to surcharges and interests of ad valorem tax imposed on holders of valid and existing Industrial Sand and Gravel Permits at the time of stockpile assessment, for the extraction of resources covered under City Ordinance No. 94-47, otherwise known as the Ormoc City Mining Ordinance, as amended, and / or Republic Act No. 7942, otherwise known as the Philippine Mining Act, Under Section 5 of City Ordinance No. 32 (enacted October 15, 1992), which were billed from the period January 31, 2021 until the date of effectivity of this ordinance.

**SECTION 5. PERIOD OF AVAILMENT** – The period to avail amnesty subject hereof shall be within six (6) months from the date of effectivity of this ordinance after which the City shall enforce the collection of delinquent taxes through administrative and/or judicial action pursuant to Section 256 and 258 of Local Government Code, and avail of other reliefs as may be mandated under the Philippine Mining Act and applicable ordinances.

**SECTION 6. GUIDELINES AND CONDITIONS-** ISAG operators shall follow the following guidelines and conditions required for the availment of amnesty on interest and surcharges.

- 6.1 Submit a duly accomplished application form for amnesty to be submitted to the City Environment and Natural Resources Office (ENRO) within the period of availment.



- 6.2 Within two days from receipt of the application form, the ENRO shall assess it and if found to be complete and in order, an Assessment Form shall be issued to the applicant.
- 6.3 The applicant shall present the Assessment Form to the City Treasurer's Office for payment.
- 6.4 The City Treasurer's Office shall process payment provided other unpaid taxes like permit fees and current year taxes are already paid in full.
- 6.5 Payments made under this program shall be unconditional and not paid under protest.

**SECTION 7. MODE OF PAYMENT** – The total amount of tax for extraction of sand, gravel and quarry resources may be paid in full or in staggered basis within the period of availment. Surcharge and interest shall automatically be imposed on the unpaid delinquent taxes in case the taxpayer fails to complete payment within the period herein provided.

**SECTION 8. ADMINISTRATIVE PROVISION** – For the effective implementation of this ordinance, the following shall be observed.

- 8.1 The ENRO and the City Treasurer's Office shall prepare the application and necessary forms to be used in this program within fifteen (15) days upon approval of this ordinance.
- 8.2 The ENRO shall conduct intensive information drive on the ordinance.
- 8.3 The City Treasurer's Office shall submit quarterly reports to the City Mayor and Sangguniang Panlungsod on the progress of the program.

**SECTION 9. SEPARABILITY CLAUSE** – If for any reason any portion or provision of this ordinance is declared unconstitutional or invalid, the other section or provision hereof, which are not affected thereby shall continue to be in full force and effect.

**SECTION 10. REPEALING CLAUSE** – Ordinances, resolution, memoranda, orders and other issuances, which are inconsistent with this ordinance are hereby repealed or modified accordingly.

**SECTION 11. EFFECTIVITY CLAUSE** – This Ordinance shall take effect immediately.

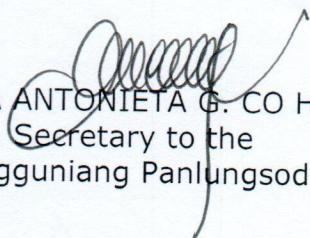
ENACTED, January 07, 2022.

RESOLVED FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the City Treasurer; the City Budget Officer; the City Accountant; the City Auditor; the ENRO; BPLO; the Sand and Gravel Operators Association, Ormoc City; the City Local Government Operations Officer-DILG; and other offices concerned;


CARRIED by Ten (10) Affirmative Votes with One (1) Inhibition registered, by SP Member Roiland H. Villasencio.



I HEREBY CERTIFY to the correctness of the above ordinance.

  
MARIA ANTONIETA G. CO HAT  
Secretary to the  
Sangguniang Panlungsod

ATTESTED:

  
LEO CARMELO L. LOCSIN, JR.  
City Vice Mayor & Presiding Officer

APPROVED:

RICHARD I. GOMEZ  
City Mayor

JAN 21 2022

(Date)