

5 JUN. 1997

ORMOC CITY

DATE OUT

DATE: 6/6/97

BY: [Signature]

EXCERPT FROM THE PROCEEDINGS OF THE REGULAR SESSION OF THE SEVENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON JUNE 5, 1997

PRESENT:

Hon. Benjamin F. Tugonon,	Vice-Mayor & Presiding Officer
Hon. Celso P. Adolfo,	Majority Floor Leader, Kagawad
Hon. Claudio P. Larrazabal,	Asst. Majority Floor Leader, Kagawad
Hon. Benjamin B. Lladoc,	Kagawad
Hon. Sotero M. Pepito,	Kagawad
Hon. Alfredo F. Capahi,	Kagawad
Hon. Manuel T. Fiel,	Kagawad
Hon. Jose C. Alfaro, Jr.,	Kagawad
Hon. Mariano Y. Corro,	Minority Floor Leader, Kagawad
Hon. Fernando P. Parrilla,	Chapter Pres., Liga ng mga Barangay ng Ormoc, Ex-Officio, Kagawad
Hon. Chiqui B. Labagala,	SK Federation President, Ex-Officio, Kagawad
Hon. Deborah Robin B. Conejos,	(Appointed in lieu of Hon. Jose B. Conejos who resigned), Kagawad
Hon. Gregorio A. Yrastorza, Jr.,	(On Leave), Kagawad

RESOLUTION NO. 97-100

EXPLANATORY NOTE

The enactment of this proposed Ordinance is anchored in the General Welfare provision of the Local Government Code of 1991 (RA 7160), particularly Section 16 thereof which empowers local government units to enact and implement measures for the general well-being of their inhabitants. Its basis is the police power of the State as delegated to local government units.

Specifically, this proposed Ordinance prohibits the flying of kites, the burning of any material in quantities that could affect the visibility in the flight path of the aircraft to the runways, within the premises of an airport and its surroundings within the territorial jurisdiction of Ormoc City, and the entering, loitering of unauthorized persons, vehicles and all kinds of animals within the airport and other prohibited designated areas thereof, as these apparently pose a hazard not only to such persons, vehicles and animals but more particularly for any aircraft and its occupants who use the airport.

WHEREFORE, on motion of Kagawad Mariano Y. Corro, Chairman, Committee on Laws and Ordinances and Kagawad Jose C. Alfaro, Jr., Chairman, Committee on Transportation and Communications, jointly seconded by mga Kagawad Claudio P. Larrazabal and Chiqui B. Labagala; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass and enact;

ORDINANCE NO. 60

AN ORDINANCE PROHIBITING THE FLYING OF KITE OR KITES, THE BURNING OF MATERIALS IN QUANTITIES THAT COULD AFFECT THE VISIBILITY IN THE FLIGHT PATH OF THE AIRCRAFT TO THE RUNWAYS, WITHIN THE PREMISES AND SURROUNDINGS OF AIRPORT WITHIN THE TERRITORIAL JURISDICTION OF ORMOC CITY, AND THE ENTERING, LOITERING WITHIN THE SAME AREA BY PERSONS, VEHICLES AND ANIMALS OF ANY KIND, WITHOUT PROPER PERMISSION FROM THE MANAGEMENT/ADMINISTRATION OF SAID AIRPORT, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the SEVENTH SANGGUNIANG PANLUNGSOD NG ORMOC in REGULAR SESSION assembled, That:

SECTION 1. No kite or kites shall be flown or caused to be flown within a radius of three (3) kilometers from an airport within the territorial jurisdiction of Ormoc City.

SECTION 2. Burning of any material or materials, especially dried palay stalks, in quantities that would produce so much smoke that would create a misty or foggy-like condition and thus cause poor visibility in the flight path of the aircraft to the runways, within a radius of 500 meters from an airport within Ormoc City is prohibited and declared unlawful.

SECTION 3. No person or persons, vehicle or vehicles, animal or animals of any kind, shall enter or loiter within the premises of an airport within the territorial jurisdiction of Ormoc City and other prohibited-designated area or areas thereof without the permission from the management/administration of said airport.

SECTION 4. Any person found guilty of violating the foregoing provisions shall suffer the penalty of fine not more than THREE THOUSAND (P3,000.00) PESOS or imprisonment of not more than six (6) months, or both, at the discretion of the Court.

SECTION 5. For the purpose of this Ordinance, the penalty for the violation of Section 3 hereof shall be imposed upon the driver of the vehicle, and the person who allowed, permitted or caused the entry of the animal, including the owner of the vehicle and the animal when they were present at the time of the violation thereof.

SECTION 6. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 7. If, for any reason, any provision of this Ordinance is declared unconstitutional or unlawful, the other provisions hereof shall not be affected thereby.

SECTION 8. This Ordinance shall take effect on August 1, 1997, after its posting and publication in a local newspaper of general circulation.

ENACTED, June 5, 1997.

RESOLVED, FURTHER, to furnish copies of this Ordinance, one each, to His Honor, the City Mayor; the City Administrator, the City Legal Officer, the City Prosecutors' Office, the MTCCourt; the Director, Ormoc PNP; the Management, Ormoc Airport; the Barangay Chairmen of Brgys. Airport, Nasunogan, Libertad and Salvacion; at least three (3) copies be posted on Bulletin Boards at strategic places, others concerned, -all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing Resolution-Ordinance.

OSCAR LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:

BENJAMIN TUGONON
Vice Mayor & Presiding Officer

APPROVED:

EUFROCINO M. CODILLA, SR.
City Mayor

6/11/97
(Date)