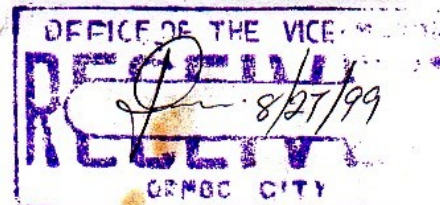


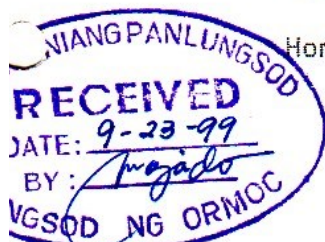
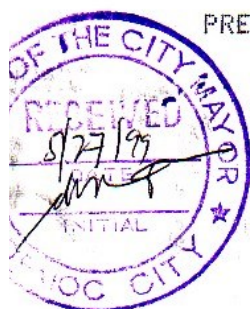
REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE EIGHTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON AUGUST 26, 1999

PRESENT:

Hon. Celso P. Adolfo,	City Vice Mayor & Presiding Officer
Hon. Jose S. Serafica,	City Councilor, Floor Leader
Hon. Nepomuceno P. Aparis I,	City Councilor, Assistant Floor Leader
Hon. Dennis Y. Capuyan,	City Councilor
Hon. Mariano Y. Corro,	City Councilor
Hon. Sotero M. Pepito,	City Councilor
Hon. Alfredo F. Capahi,	City Councilor
Hon. Eduardo P. Tan,	City Councilor
Hon. Jose C. Alfaro, Jr.,	City Councilor
Hon. Claudio P. Larrazabal,	City Councilor
Hon. Fernando P. Parrilla,	Ex-Officio City Councilor,
	Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Chiqui B. Labagala,	Ex-Officio City Councilor,
	SK Federation President



EXPLANATORY NOTE

This proposed Ordinance has its legal basis Article X, Section 5 of the 1987 Constitution which grants to each Local Government Unit the power to create its own source of revenues and levy taxes, fees and charges subject to such guidelines and limitations as the Congress may provide consistent with the basic policy of local autonomy, which taxes, fees and charges shall accrue exclusively to the Local Government Unit, and as implemented by Section 186 of Republic Act 7160, otherwise known as the Local Government Code of 1991 as well as Article 274 of the Rules and Regulations Implementing said Code.

Moreover, Section 458, par. 2, sub par, X, on the powers of the Sangguniang Panlungsod, in part provides: "Subject to national law, PROCESS and APPROVE SUBDIVISION PLANS FOR RESIDENTIAL, COMMERCIAL OR INDUSTRIAL PURPOSES AND OTHER DEVELOPMENT PURPOSES, AND TO COLLECT PROCESSING FEES AND OTHER CHARGES, THE PROCEEDS OF WHICH SHALL ACCRUE ENTIRELY TO THE CITY: X X X."

Based on the foregoing considerations, City Planning & Development Coordinator, Engr. Raoul E. Cam recommended to this Sangguniang the enactment of an Ordinance Fixing the Fees and Charges relative to the establishment and operation of subdivision, to which this Sanggunian concurs to the enactment thereof.

WHEREOF, on motion of Councilor Mariano Y. Corro, Chairman, Committee on Ways and Means, jointly seconded by Councilors Claudio P. Larrazabal and Fernando P. Parrilla; be it

RESOLVED, as it is hereby resolved, to pass and enact,

ORDINANCE NO. 73

AN ORDINANCE FIXING FEES AND CHARGES RELATIVE TO THE ESTABLISHMENT AND OPERATION OF SUBDIVISION.

Be it ordained by the Eight Sangguniang Panlungsod ng Ormoc, in regular session assembled, that:

SECTION 1. This Ordinance shall be known and cited as "ORMOC CITY SUBDIVISION FEES AND CHARGES."

SECTION 2. Definition of Terms: As used herein, the following terms shall mean.

1. SIMPLE SUBDIVISION - as per provisions of P.D. 957, Rule VI, Section 15, paragraph (e), states that a subdivision project less than one hectare in area, covered by a simple subdivision plan where no street or passage is delineated on the plan, provided that in the event piece-meal or partial submission of project plans are made the same shall be considered in its entirety and when applicable the provisions of P.D. 1216 on open space shall be observed.

2. COMPLEX SUBDIVISION PROJECT - a subdivision project wherein a street, passageway or open space are delineated in the plan.

3. TOWN HOUSES - buildings designed or used as residence for one or more families.

4. ECONOMIC HOUSING - a type of housing project provided to moderately low income families with lower interest rates and longer amortization periods with a maximum selling price of ₱375,000.00/house and lot.

5. SOCIALIZED HOUSING - a type of housing project provided to moderately low income families with lower interest rates and longer amortization periods with a maximum selling price of ₱180,000.00/house and lot.

6. INDUSTRIAL SUBDIVISION - is a tract of land subdivided into plots for establishments engaged in industrial production and services.

7. COMMERCIAL SUBDIVISION - a tract or a parcel of land registered under Act No. 496 which is partitioned primarily into individual lots for commercial use with or without improvements thereon and offered to the public for sale in cash or installment terms.

8. FARM LOT SUBDIVISION - is a planned community intended primarily for intensive agricultural activities, and secondarily for housing; a planned community consists of the provision for basic utilities, judicious allocation of areas, good layout based on sound planning principles.

9. MEMORIAL PARK PROJECT - a privately owned cemetery provided with a systematic supervision and maintenance and where park-like atmosphere is its outstanding quality.

10. CEMETERY PROJECT - a public or private land used for the burial of the dead and others indicated for cemetery purposes.

SECTION 3. The following fees and charges are hereby imposed and collected on subdivision permits/clearances/approvals and inspections as herein below indicated, to wit:

I. APPROVAL OF RESIDENTIAL SUBDIVISION UNDER P.D. 957

PROJECTS/ACTIVITIES

FEES/CHARGES

- A. Approval of Simple Subdivision projects - P200.00/ha. or fraction thereof
- B. Complex Subdivision projects (Including townhouses)
 - 1. Preliminary Approval & Locational Clearance (PALC):
 - a. not exceeding 5 hectares - P250.00/ha. or fraction thereof
 - b. in excess of 5 hectares - P100.00/ha. or fraction thereof
 - 2. Final Approval and Development Permit - P1,200.00/ha. or fraction thereof
 - a. Additional fee on floor area of houses/buildings sold with the lot - P2.00/sq.m.
 - 3. Inspection Fee - P500.00/ha. or fraction thereof
 - 4. Alteration of Plan (affected areas only)
 - a. Alteration of Plan Approval - P1,200.00/ha. or fraction thereof
 - b. Additional Fee on Floor area of houses/buildings sold with the lot - P2.00/sq.m.
 - c. Inspection Fee - P500.00/ha. or fraction thereof

II. APPROVAL OF COMPLEX RESIDENTIAL SUBDIVISION UNDER B.P. 220

PROJECTS/ACTIVITIES

FEES/CHARGES

A. Subdivision

- 1. Preliminary Approval and Locational Clearance (PALC)
 - a. Socialized Housing
 - a.1) not exceeding 10 hectares - P70.00
 - a.2) in excess of 10 hectares - P20.00/ha. or fraction thereof
 - b. Economic Housing
 - b.1) not exceeding 5 hectares - P100.00
 - b.2) in excess of 5 hectares - P50.00/ha. or fraction thereof
- 2. Final Approval and Development Permit - P200.00/ha. or fraction thereof
- 3. Inspection Fee
 - a. Socialized Housing - P110.00/ha. or fraction thereof
 - b. Economic Housing - P200.00/ha. or fraction thereof
- 4. Alteration of Plan (affected areas only) - P200.00/ha. or fraction thereof

5. Building Permit (per sq. m. of floor area of housing unit) - P2.00/sq.m.

III. APPROVAL OF INDUSTRIAL SUBDIVISION

FEES/CHARGES

- A. Preliminary Approval and Locational Clearance
1. not exceeding 5 hectares - P300.00/ha. or fraction thereof
 2. in excess of 5 hectares - P100.00/ha. or fraction thereof
- B. Final Approval and Development Permit - P1,000.00/ha. or fraction thereof
- C. Inspection Fee - P1,000.00/ha. or fraction thereof
- D. Alteration of Plan (affected areas only)
1. Alteration of Plan Approval - P1,000.00/ha. or fraction thereof
 2. Inspection Fee - P1,000.00/ha. or fraction thereof

IV. APPROVAL OF COMMERCIAL SUBDIVISION

FEES/CHARGES

- A. Preliminary Approval and Locational Clearance
1. not exceeding 2 hectares - P300.00/ha. or fraction thereof
 2. in excess of 2 hectares - P100.00/ha. or fraction thereof
- B. Final Approval and Development Permit - P5,000.00/ha. or fraction thereof
- C. Inspection Fee - P500.00/ha. or fraction thereof
- D. Alteration of Plan (affected areas only)
1. Alteration of Plan Approval - P5,000.00/ha. or fraction thereof
 2. Inspection Fee - P500.00/ha. or fraction thereof

V. APPROVAL OF FARM LOT SUBDIVISION

FEES/CHARGES

- A. Preliminary Approval and Locational Clearance
1. not exceeding 5 hectares - P200.00/ha. or fraction thereof
 2. in excess of 5 hectares - P50.00/ha. or fraction thereof
- B. Final Approval and Development Permit - P500.00/ha. or fraction thereof
- C. Inspection Fee - P300.00/ha. or fraction thereof

D. Alteration of Plan (affected areas only)- P500.00/ha. or fraction thereof

VI. APPROVAL OF MEMORIAL PARK/CEMETERY PROJECT

FEES/CHARGES

A. Preliminary Approval and Locational Clearance

1. For Memorial Projects

1.a not exceeding 1 hectare

- P500.00 for the first hectare

1.b in excess of 1 hectare

- P100.00/ha. or fraction thereof

2. For cemeteries

2.a not exceeding 1 hectare

- P200.00 for the first hectare

2.b in excess of 1 hectare

- P50.00/ha. or fraction thereof

B. Final Approval and Development Permit

1. Memorial Projects

- P2.00/sq.m.

2. Cemeteries

- P1.00/sq.m.

C. Inspection Fee

1. Memorial Projects

- P500.00/ha. or fraction thereof

2. Cemeteries

- P100.00/ha. or fraction thereof

D. Alteration of Plan (affected areas only)

1. Alteration of Plan Approval

1.a Memorial Projects

- P2.00/sq.m.

1.b Cemeteries

- P1.00/sq.m.

2. Inspection Fee

2.a Memorial Projects

- P500.00/ha. or fraction thereof

2.b Cemeteries

- P100.00/ha. or fraction thereof

SECTION 4. All charges or fees herein provided, are non-refundable and shall be paid to the Office of the City Treasurer of Ormoc which shall issue the corresponding official receipt therefor.

However, payment of the above corresponding charges/fees shall not mean approval of the permits herein applied for.

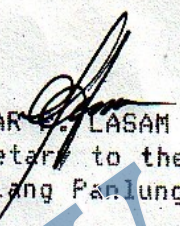
SECTION 5. SEPARABILITY CLAUSE. In case any provision of this Ordinance shall be held or decided as invalid or unconstitutional, the validity of the other provisions hereof shall not be affected thereby.

SECTION 6. REPEALING CLAUSE. Any Ordinance, rules and regulations or parts thereof, inconsistent with the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

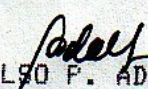
SECTION 7. EFFECTIVITY. This Ordinance shall take effect on October 1, 1999 after it shall have been posted at conspicuous places like, but not limited to, SP Bulletin Board, City Hall Bulletin Board, Executive Building Bulletin Board, Public Market, for three (3) consecutive weeks, and published once in a newspaper of general circulation in Ormoc City.

ENACTED, August 26, 1999.

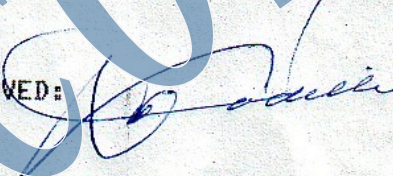
I HEREBY CERTIFY to the correctness of the foregoing ordinance.


OSCAR E. LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:


CELSO P. ADOLFO
City Vice Mayor & Presiding Officer

APPROVED:


EUFROCINO M. CODILLA, SR.
City Mayor

City Mayor

Sept. 23, 1999
(Date)