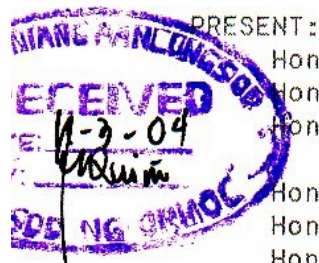


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE TENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON OCTOBER 28, 2004



PRESENT:

Hon. Nepomuceno P. Aparis I,	Vice Mayor & Presiding Officer
Hon. Manuel T. Fiel,	City Councilor, Assist. Minority Floor Leader
Hon. Claudio P. Larrazabal,	City Councilor, Assist. Majority Floor Leader (Acting Majority Floor Leader)
Hon. Mariano Y. Corro,	City Councilor
Hon. Fe S. Lladoc,	City Councilor
Hon. Gregorio A. Yrastorza, Jr.	City Councilor
Hon. Sotero M. Pepito,	City Councilor
Hon. Jose C. Alfaro, Jr.,	City Councilor
Hon. Cheryl L. Alfar,	Ex-Officio City Councilor, SK Federation President

ABSENT:

Hon. Jose S. Serafica,	(O.B. - Ormoc),	City Councilor,
		Minority Floor Leader
Hon. Eduardo P. Tan,	(Forced Leave),	City Councilor
Hon. Emeterio Y. Larrazabal, Jr.,	(Sick Leave),	Ex-Officio
	City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc	

PREFATORY STATEMENT

WHEREAS, the Local Government Code of 1991 (Rep. Act No. 7160) empowers Local Government Units to create its own sources of revenues and levy taxes, fees and charges subject to the provisions thereof, consistent with the basic policy of local autonomy. Such taxes, fees and charges shall accrue exclusively to the Local Government Unit;

WHEREAS, this Sanggunian is in receipt of a communication from the Honorable City Mayor Eric C. Codilla, requesting this council to conduct studies and recommendations, among others, on local withholding taxes based on Gross Income/Receipts;

WHEREAS, this Sanggunian received a copy of a letter dated July 29, 2004, addressed to City Mayor Eric C. Codilla from City Treasurer, Angelo I. Roman, requesting the Sangguniang to pass a resolution "Authorizing the City Treasurer, this city, to deduct and withhold 75% of 1% of the gross government money payments to contractors and suppliers as payment of Business Tax to the City Government of Ormoc";

NOW, THEREFORE, on motion of City Councilor Mariano Y. Corro, Chairman, Committee on Laws & Ordinances, jointly seconded by City Councilors Fe S. Lladoc & Sotero M. Pepito; be it

RESOLVED, to enact:

ORDINANCE NO. 116

AN ORDINANCE MAXIMIZING AND ENSURING THE COLLECTION OF BUSINESS TAXES FROM CONTRACTORS AND SUPPLIERS OF GOODS AND SERVICES, SUBJECT TO THE BUSINESS, TAX TO THE CITY OF ORMOC.

BE IT ENACTED BY THE 10TH SANGGUNIANG PANLUNGSOD NG ORMOC, in session assembled, That -

SECTION 1. This Ordinance is applicable only to contractors and suppliers of goods and services who transact business with the City Government of Ormoc except for transaction on purchase of goods and services paid through Petty Cash Fund.

SECTION 2. There shall be deducted and collected as creditable withholding tax equivalent to 75% of 1% (0.0075) of the collectible amount for contractors and suppliers of goods and services from the City Government of Ormoc.

SECTION 3. The City Treasurer and City Accountant of Ormoc are charged with the responsibility of deducting the aforementioned withholding tax, and for which a CERTIFICATE OF CREDITABLE TAX WITHHELD AT SOURCE shall be issued to the contractors and suppliers of goods and services.

SECTION 4. The City Treasurer and City Accountant of Ormoc are tasked of designing the form of the CERTIFICATION OF CREDITABLE TAX WITHHELD AT SOURCE.

SECTION 5. The tax withheld shall be deducted from the amount of the business tax due and payable to the City Government of Ormoc from the contractors and suppliers of goods and services from whom the tax was withheld.

SECTION 6. Any excess of the tax withheld shall be refunded to the taxpayer concerned within ninety (90) days from the time the excess thereof is determined by the City Treasurer.

SECTION 7. The City Accountant and the City Treasurer of Ormoc are jointly responsible and accountable in the proper implementation of this Ordinance.

SECTION 8. Any ordinance or provisions thereof in conflict with this ordinance is hereby considered amended or repealed.

SECTION 9. If, for any reason, any provision of this Ordinance is declared invalid or unconstitutional, the remainder not affected by such declaration shall remain in full force and effect.

SECTION 10. Within ten (10) days after the approval of this Ordinance, copies thereof shall be posted at prominent places at the City Hall, Executive and Sangguniang Panlungsod buildings, and other public places, all in Ormoc City for a period of three (3) consecutive weeks, and shall be published once in a local newspaper of general circulation in the City of Ormoc.

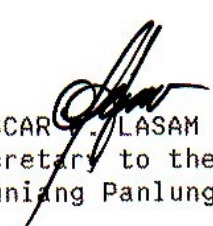
Section 11. This Ordinance shall take effect on January 1, 2005.

ENACTED October 28, 2004.

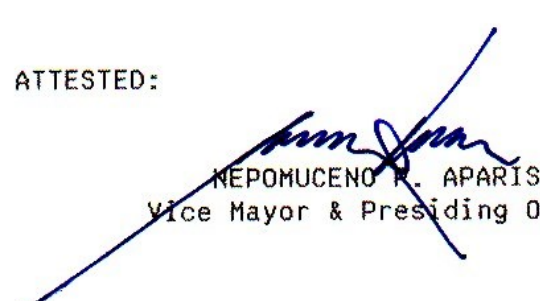
RESOLVED, FURTHER, to furnish copies of this Ordinance one each to His Honor, the City Mayor, the City Administrator, the City Treasurer, the City Accountant, the City Budget Officer, the City Auditor and copies for posting at Public Bulletin Boards, and others concerned;

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing ordinance.


OSCAR C. LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:


NEPOMUCENO R. APARIS I
Vice Mayor & Presiding Officer

APPROVED:


ERIC C. CODILLA
City Mayor

11/13/09
(Date)