

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 DECEMBER 16, 2004

PRESENT:

Hon. Nepomuceno P. Aparis I, Vice Mayor & Presiding Officer
Hon. Jose S. Serafica, City Councilor, Minority Floor Leader
Hon. Manuel T. Fiel, City Councilor, Assist. Minority Floor Leader
Hon. Eduardo P. Tan, City Councilor
Hon. Claudio P. Larrazabal, City Councilor, 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. Ruben R. Capahi, City Councilor
Hon. Emeterio Y. Larrazabal, Jr., Ex-Officio City Councilor,
Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Cheryl L. Alfar, Ex-Officio City Councilor,
SK Federation President

ABSENT:

N O N E

EXPLANATORY NOTE

Local Government Units are empowered, under the Rules and Regulations Implementing the Local Government Code of 1991, particularly Rule VIII, Article 43 thereof, to temporarily or permanently close or open any road, alley or park or square within its jurisdiction through an Ordinance.

Article 45 of the said Implementing Rules and Regulations enumerates the instances whereby a Local government Unit may close any national or local road, alley, park or square, the duration of which shall be determined by the local chief executive concerned in a written order. Letter (b) of said article provides:

"Art. 45. Temporary Closure -

X X X
X X X

- (b) An LGU may temporarily close and regulate the use of any local street, road, thoroughfare, or public place where shopping malls, Sunday markets, flea or night markets, or shopping areas may be established and where goods, merchandise, foodstuff, commodities, or articles of commerce may be sold and dispensed to the general public."

Relying on the aforecited provision of the Rules and Regulations Implementing the Local Government Code of 1991, the Honorable City Mayor of Ormoc, through a letter, requested this august Body for the passage of an Ordinance temporarily closing part of Macaasin St., and part of Burgos and J. Navarro Streets, this city;

FOREGOING PREMISES CONSIDERED, on motion of Ruben R. Capahi, Chairman, Committee on Laws & Ordinances, jointly seconded by City Councilors Eduardo P. Tan & Jose C. Alfaro, Jr.; be it

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

ORDINANCE NO. 118

AN ORDINANCE TEMPORARILY CLOSING MACAASIN STREET AND PART OF BURGOS AND J. NAVARRO STREETS, FOR THE ESTABLISHMENT OF A SHOPPING AREA WHERE GOODS, MERCHANDISE, FOODSTUFF, COMMODITIES AND OTHER ARTICLES OF COMMERCE SHALL BE SOLD AND DISPENSED TO THE GENERAL PUBLIC, THE DURATION OF WHICH SHALL BE SPECIFIED BY THE CITY MAYOR.

BE IT ORDAINED by the Tenth Sangguniang Panlungsod ng Ormoc, that:

SECTION 1. The portion of Burgos and J. Navarro Streets, this city, fronting the Mini-forest, and Macaasin Street, at the back of the Ormoc City Hall, shall be temporarily closed for the establishment of a shopping area where goods, merchandise, foodstuff, commodities and other articles of commerce shall be sold and dispensed to the general public, the duration of which shall be specified by the City Mayor.

SECTION 2. Prohibitions. No person shall erect or place any stall, or any other structure used for vending any kind of commodity, outside of the area specified by Section One hereof. A violation of this section shall be a ground for automatic revocation of the vendor's permit to sell within the closed area.

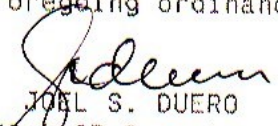
SECTION 3. Effectivity. This Ordinance shall take effect immediately upon its approval.

ENACTED, December 16, 2004.

RESOLVED, FINALLY, to furnish copies of this Ordinance one each to His Honor, the City Mayor; the City Administrator, the City Legal Officer, the City Engineer, the City Planning & Development Officer, the Ormoc City Police Director, the Traffic Chief, Traffic Management Office, Ormoc PNP and others concerned, -in Ormoc City;

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing ordinance.


JOEL S. DUERO
OIC / SP Secretary
(Loc. Leg. Staff Officer V)

ATTESTED:


NEPOMUCENO P. APARIS I
Vice Mayor & Presiding Officer

APPROVED:


ERIC C. CODILLA
City Mayor

12/20/04
(Date)