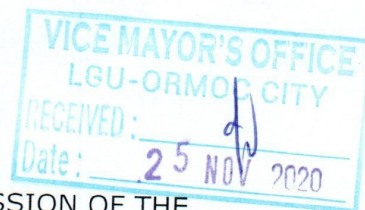


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



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 NOVEMBER 24, 2020

PRESENT:

Leo Carmelo L. Locsin, Jr.  
Benjamin S. Pongos, 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  
SP Member  
SP Member, Majority Floor Leader  
SP Member  
SP Member  
SP Member, Asst. Majority Floor Leader  
SP Member  
SP Member  
SP Member  
SP Member

Joan Marbie C. Simbajon,  
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

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

**EXPLANATORY STATEMENT**

WHEREAS, the Sangguniang Panlungsod was in receipt of an Indorsement Letter from the City Mayor's Office (CMO), dated October 16, 2020, requesting the Sangguniang Panlungsod for the amendment of Ordinance No. 065, series of 2018, relative to the chapter on the "Guidelines for the Conduct of Bidding or Drawing of Lots and Granting of Award", for the purpose of allowing present occupants to be lessees thereof, subject to terms and conditions as may be prescribed;

WHEREAS, to recall, Ordinance No. 065, also known as "Ormoc City Public Transport Terminal Ordinance of 2018", was passed by this Sanggunian on May 31, 2018, to direct and govern the management and operation of all existing and those to be established Public Transport Terminals in the city;

WHEREAS, during the discussions at the committee level, City Administrator, Vincent L. Emnas, manifested that since the approval of said Ordinance, the Terminal Leasing Committee had not yet conducted bidding and granting of award to qualified applicants for the use of terminal stalls, as there are existing vendors claiming to be the legal and rightful occupants of which the City needs to resolve and settle;

WHEREAS, consistent with the City's Government's drive of enhancing efficiency and effectiveness in the city administration of all its Economic Enterprise undertaking, such as the Public Transport Terminals, it is imperative that an amendment be passed by the City Government of Ormoc;

WHEREAS, Section 16 of Republic Act (RA) 7160, otherwise known as the Local Government Code of 1991, states that every Local Government Unit (LGU) shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;



WHEREAS, Section 17 of Republic Act (RA) 7160 likewise states that LGU shall likewise exercise such powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities enumerated therein, such as but not limited to xxx (4)(i) Adequate communication and transportation facilities;

WHEREAS, foregoing premises considered, this Sanggunian finds great merit of the City Mayor's request to amend Ordinance No. 065, allowing the present occupants to be lessees, as it will finally settle issues in the awarding of terminal stalls to lawful leaseholders and accordingly raise revenue for the City of Ormoc;

WHEREFORE, on motion of SP Member Tomas R. Serafica, Chairman, Committee on Ways & Means together with SP Member Jasper M. Lucero, Chairman, Committee on Economic Enterprise, and SP Member Benjamin S. Pongos Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Joan Marbie C. Simbajon, Esteban V. Laurente, Vincent L. Rama and Lalaine A. Marcos; be it

RESOLVED, to enact:

**ORDINANCE NO. 047  
(Series of 2020)**

**AN ORDINANCE AMENDING THE ORMOC CITY PUBLIC  
TRANSPORT TERMINAL ORDINANCE OF 2018.**

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

**SECTION 1.** Section 20 of Ordinance No. 065 is hereby amended to read as follows:

**"SECTION 20. VACANCY OF COMMERCIAL SPACES OR TERMINAL STALLS.** – A commercial space or stall is deemed vacant under any of the following conditions:

- a. When it is newly constructed and not yet leased and awarded to a qualified applicant;
- b. Death of the Lessee;
- c. Voluntary surrender by the Lessee; and
- d. Expiration of term of contract unless otherwise renewed."

**SECTION 2.** Section 21 of Ordinance No. 065 is hereby amended to read as follows:

**"SECTION 21. SECURITY DEPOSIT AND ADVANCE PAYMENT.** – A payment of a security deposit equivalent to two (2) months of the monthly rental and the payment of an advance payment of one (1) month shall be required from the winning applicant at the time of the execution of the lease contract for commercial spaces.

The security deposit shall be returned to the winning applicant without any interest, within THIRTY (30) days from the time that the contract is completed and he/ she has completely vacated the premises and upon verification that there are no more obligations due to the city or utility charges due on or damage to the premises. The deposit is not applicable as payment for monthly rentals. The advance payment shall be applied on the rent corresponding to the last month of lease.



No security deposit or advance payment shall be required of those leasing the Terminal stalls."

**SECTION 3.** Section 25 of Ordinance No. 065 is hereby amended to read as follows:

**"SECTION 25. DURATION OF REGULAR LEASE.** – The regular lease of commercial space or stall shall be understood to be for one (1) year, unless the City Mayor upon recommendation of the TMO for reasonable cause provides for or extends the period for a term not exceeding one (1) year, or unless the City Mayor upon recommendation of the TMO for just cause or for any violation of the provisions of this or any other ordinance, or any rules and regulations relating to the administration of the City Terminal stalls, revokes the same; all lease contracts are to be validated or renewed as licenses, permits and other fees are validated or renewed every year.

When the contract is renewed, the second paragraph of Section 21 shall be applied and the lessee shall be made to give security deposit and advance payment pursuant to the new and renewed contract."

**SECTION 4.** Section 47-A shall be included in Ordinance No. 065, to read as follows:

**"SECTION 47- A. TRANSITORY CLAUSE.** – Persons actually occupying terminal stalls and/ or commercial spaces herein, beginning June 05, 2018 and later and who do not have any delinquent account(s) with the city government as determined by the TLC, shall be awarded a lease contract for a period not exceeding one (1) year commencing on the execution of said contract. The amount of lease shall be at P500.00 per square meter per month for commercial spaces within the terminal building, and Php 40.00 per day for terminal stalls, in accordance with Section 12 (i).

Except for manner of awarding of the contract, all other provisions of this Ordinance shall apply to the lessees as defined under this Section."

**SECTION 5. SEPARABILITY CLAUSE.** Should any part or provision of this Ordinance be held unconstitutional and declared invalid by competent court, the other parts or provisions hereof not affected shall continue to be in full force and effect.

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

**SECTION 7. EFFECTIVITY.** This Ordinance shall take effect immediately following compliance with the publication and posting requirements in the Local Government Code of 1991.

ENACTED, November 24, 2020.

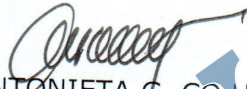
RESOLVED, FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez; the City Administrator; the City Legal Officer; the Terminal Management Office; the City Planning & Development Office; the City Treasurer's Office; the City Budget Office; the Office of the City Accountant; the City Auditor; the Permits, Franchising & Licensing Office; the Traffic Enforcement and Management Office (TEAM), Ormoc City; the Ormoc City Police Office; the City Local Government Operations Officer-DILG; and others concerned in Ormoc City;



Ord. No. 047, S. 2020

CARRIED by Eleven (11) Affirmative Votes. SP Member Benjamin S. Pongos, Jr., left the on-line video conference for an important commitment with permission.

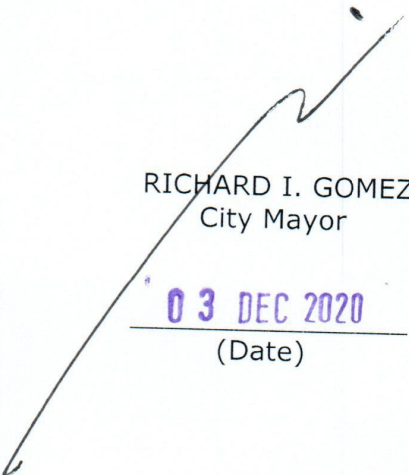
I HEREBY CERTIFY to the correctness of the above ordinance.

  
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

03 DEC 2020  
(Date)