

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON FEBRUARY 26, 2019 IN LIEU OF
FEBRUARY 25, 2019

PRESENT:

Gregorio G. Yrastorza III,	(Temporary Presiding Officer), SP Member
Vincent L. Rama,	(Acting City Vice-Mayor),
	SP Member, Majority Floor Leader
Tomas R. Serafica,	(Acting Majority Floor Leader),
	SP Member, Asst. Majority Floor Leader
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Nolito M. Quilang,	SP Member
John Eulalio Nepomuceno O. Aparis II,	SP Member
	Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader
Jasper C. Yerro,	Ex-Officio SP Member, Chapter President,
	Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr.	(Acting City Mayor),
	City Vice Mayor & Presiding Officer
Esteban V. Laurente,	(D.B. - Manila)
	Ex-Officio SP Member, Chapter President,
	Liga ng mga Barangay ng Ormoc

ON LEAVE:

Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
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RESOLUTION NO. 2019-048

**A RESOLUTION DISAPPROVING BARANGAY ORDINANCE
NO. 2018-01 OF THE SANGGUNIANG BARANGAY OF
TAMBULILID, THIS CITY, ENTITLED: "AN ORDINANCE
REGULATING PARKING AND BUILDING STRUCTURES
ON THE MAIN ROADS IN BARANGAY TAMBULILID"
FOR BEING INCONSISTENT WITH EXISTING LAWS
AND CITY ORDINANCES.**

WHEREAS, the Fourteenth Sangguniang Panlungsod ng Ormoc received a copy of Barangay Ordinance No. 2018-01 from the Sangguniang Barangay of Tambulilid, this City, entitled: "AN ORDINANCE REGULATING PARKING AND BUILDING STRUCTURES ON THE MAIN ROADS IN BARANGAY TAMBULILID", a copy of said Ordinance is hereto attached and made an integral part hereof;

WHEREAS, the Ordinance was submitted to this Sanggunian pursuant to its review powers over enacted ordinances of all barangays within its territory as provided for in Sections 458 and 57 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991" (LGC), in order to find out whether the subject Ordinance approved by the Sangguniang Barangay is within the scope of its prescribed powers and also whether the same is not inconsistent with law or city ordinances;

WHEREAS, this Sanggunian, in the exercise of its review powers, and after thorough examination of the aforesaid Barangay Ordinance, finds that the same is inconsistent with R.A. No. 7160 as the power to approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities such as the regulation of the use of streets, avenues, alleys, sidewalks, bridges, parks and other public places including the regulation of traffic on all streets and bridges, prohibition of encroachments or obstacles thereon, and when necessary in the interest of public welfare, authorize the removal or encroachments and illegal constructions in public places, which power is vested with the Sangguniang Panlungsod;

WHEREAS, this Sanggunian, after thorough examination finds that while the Ordinance is abound with noble ends and purposes for the Barangay, however, the power to regulate the same is beyond the powers vested by law to the Sangguniang Barangay;

WHEREAS, this Sanggunian, recognizes the pressing need of the Barangay and its constituents in addressing the causes of traffic accidents, vehicle congestion and problems in road accessibility;

WHEREAS, in order to take action and address the needs of the concern of Barangay Tambulid in a manner that will render the solution conformant and compliant with applicable laws, ordinances and rules and regulations, this Sanggunian further recommends that the concern of Barangay Tambulid be forwarded to the Committee on Justice, Peace and Order in order that the same may be integrated with the current Traffic Code of Ormoc City;

WHEREFORE, FOREGOING PREMISES CONSIDERED, on motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, jointly seconded by SP Members Tomas R. Serafica and Jasper C. Yerro; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION DISAPPROVING BARANGAY ORDINANCE NO. 2018-01 OF THE SANGGUNIANG BARANGAY OF TAMBULID, THIS CITY, ENTITLED: "AN ORDINANCE REGULATING PARKING AND BUILDING STRUCTURES ON THE MAIN ROADS IN BARANGAY TAMBULID" FOR BEING INCONSISTENT WITH EXISTING LAWS AND CITY ORDINANCES;

ADOPTED, February 26, 2019.


RESOLVED, FURTHER, that copies of this resolution be furnished each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the Office of the Liga ng mga Barangay ng Ormoc; the Sangguniang Barangay of Tambulid; the OIC-City Director, DILG; and other offices concerned.

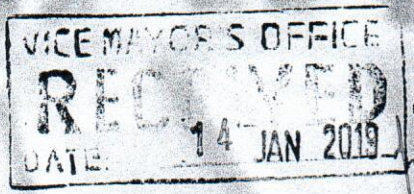
CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
(OIC- SP Secretary)
Supervising Administrative Officer

ATTESTED:


GREGORIO G. YRASTORZA III
(Temporary Presiding Officer)
SP Member



Republic of the Philippines
OFFICE OF THE PUNONG BARANGAY
Barangay Tambulilid
Ormoc City

Referred
JAN 14 2019
PUNONG ORMOC

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE 08th SANGGUNIANG
BARANGAY OF TAMBULILID HELD AT THE BARANGAY HALL, TAMBULILID, ORMOC CITY
NOVEMBER, 20 2018.**

Re-process

Present: Hon. Bernardina A. Mascariñas
Hon. Edgardo T. Sasing
Hon. Merlita A. Sabino
Hon. Porferio A. Fiel
Hon. Rodrigo T. Sasing
Hon. Esterlina D. Gabon
Hon. Christopher L. Abadiano
Hon. Ramon P. Capangpangan

- Punong Barangay
- Kagawad
- Kagawad
- Kagawad
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- Kagawad

Absent;

Hon. Jasper C. Yerro

Others Present:

Mrs. Evelyn G. Rumol
Mrs. Germinia P. German

- Brgy. Treasurer
- Brgy. Secretary

PREPATORY STATEMENT

WHEREAS, it is imperative that causes of traffic accidents, fuel and energy wastage, trip delays and congestion occurring daily along the main road in our Barangay be minimized if cannot be totally eradicated;

WHEREAS, the 8th Sangguniang Barangay Council deemed it wise to provide ways and means to maximize the safe use of roads in the barangay;

WHEREAS, illegal parked vehicles and any structure along the above-mentioned road that impedes road accessibility;

WHEREAS, based on the assessment made by this council, it is found out that there is a pressing need to create a barangay ordinance to be strictly implemented that would discipline which will address the long-before concern;

WHEREAS, this legislative action and proposal are pursuant to Book III, Chapter IV, Section 391, paragraph a(1) of Republic Act 7160, otherwise known as the "Local Government Code of 1991", which empowers the Sangguniang Barangay to enact ordinances as may be necessary to discharge the responsibilities conferred upon it by law or ordinance and to promote the general welfare of the inhabitants of this barangay upon the review of the Sangguniang Panlungsod ng Ormoc.

WHEREFORE, all foregoing premises considered, on motion of SB member Ramon B. Capangpanga, Committee Chair on Peace and Order, severally Seconded by SB Members Edgar T. Sasing, Rodrigo T. Sasing, Porferio A. Fiel, Esterlina D. Gabon, Merlita A. Sabino, and Christopher L. Abadiano; be it

RESOLVED, as it is hereby **RESOLVED** to enact

BARANGAY ORDINANCE NO. 2018-01

**AN ORDINANCE REGULATING PARKING AND BUILDING STRUCTURES ON THE
MAIN ROADS IN BARANGAY TAMBULILID**

BE IT ORDAINED, by the 8th Sangguniang Barangay of Tambulilid in session duly assembled that:

SECTION 1. TITLE. This ordinance shall be called "BARANGAY TAMBULILID MAIN ROAD REGULATION ON ILLEGAL PARKING AND STRUCTURE ORDINANCE 2018".

SECTION 2. MAIN ROAD. The following are hereby declared as main road and as a "NO PARKING AND STRUCTURE ZONE" at all times:

- a. Road from Mac Builders to Riverside bridge
- b. Riverside bridge down to Camella Homes' front area;
- c. Road facing Daika Bakeshop down to the Tambulilid Elementary School.
- d. Road going to block 7
- e. Road going to the diversion national road.
- f. Road from the intersection to the Tanod Outpost in DSWD
- g. Road going to the left-side of the Tanod Outpost in DSWD going to the end of the cemented pavement
- h. Road on the right-side of the Tanod Outpost in DSWD going to the Basketball area

SECTION 3. All inner streets are the portion which one-side parking are allowed from 8:00 pm in the evening up to 4:30 am in the morning given that other vehicles can still have access on the other lane.

SECTION 4. ILLEGAL PARKING. All vehicles seen parking on either side within the concreted portion of the roads specified on Section 2, shall be deemed as an illegally-parked vehicles and is subject to the penal clause as described in this ordinance.

SECTION 5. ILLEGAL STRUCTURE. All structures (e.g temporary or permanent cottage, table, animal cage, or any deemed obstructions) went over the concreted roads specified in section 2 will be considered an illegal structure and is subject to the penal clause as described in this ordinance.

SECTION 6. PENAL CLAUSE. All motorists, drivers and individuals found violating any provision of this Ordinance shall be issued a Barangay Citation Ticket. The violators may opt to pay A Barangay Fine of **Php 500.00** to the Barangay Treasurer at the Barangay Hall within (5) working days from the issuance of the Barangay Citation Ticket, otherwise, an appropriate consequences or if repetitively done, an appropriate case for violation of this Barangay Ordinance shall be filed in the court.

Should he/she be found liable for violation of this Ordinance, the violator shall pay a Fine of Not Less Than Five Hundred Pesos (Php 500.00), and Not More Than One Thousand Pesos (1,000.00), and/or Imprisonment of Not More Than Ten (10) days, at the discretion of the court.

SECTION 7. ENFORCEMENT. The Barangay Tanod in coordination with Kagawad Peace and Order Committee Chair, and other concerned barangay Officials shall ensure the strict implementation of this Ordinance.

SECTION 8. TRAFFIC AND OTHER SIGNAGES. The Barangay Tanods in Coordination with the Peace and Order Committee Chair will ensure that proper sign visible Traffic and other signage must be placed in the areas designated for the purpose upon the approval of this Ordinance.

SECTION 9. LOADING AND UNLOADING. All loading and unloading in the main roads specified in section 2 shall be done in a fast manner and shall not exceed 15 minutes from it started and 15 minutes after its finish.

SECTION 10. NON-APPLICABILITY CLAUSE. This Ordinance shall not apply to Police and Law Enforcement vehicles; fire trucks, and ambulances when such vehicles are engaged in law enforcement operations or responding to emergency situations.

SECTION 11. SEPARABILITY CLAUSE. If for any reason, any provision, portion or part of this ordinance is found to be inconsistent with any law, other provision or part or parts thereof not so affected shall remain in full force and effect.

SECTION 12. REPEALING OR AMENDATORY CLAUSE. All other ordinances, rules and regulations or part or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance are also hereby repealed, amended and or modified accordingly.

SECTION 13. EFFECTIVITY. This ordinance shall take effect upon its announcement on the Barangay Assembly.

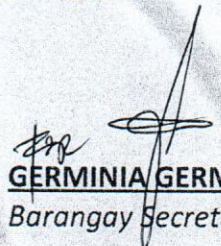
SECTION 14. TRANSITORY PROVISION. The Penal Provision of this Ordinance shall take effect on December 1, 2018.

ENACTED, November 25, 2018.

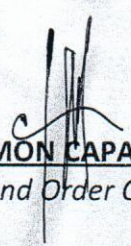
RESOLVED, FURTHER, to furnish Copies of this Ordinance one each to the Sangguniang Panlungsod and other offices concern;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above ordinance.


GERMINIA GERMAN
Barangay Secretary

ATTESTED:


SB. RAMON CAPANGPANGAN
Peace and Order Comm. Chair

APPROVED:


PB. BERNARDINA A. MASCARIÑAS
Punong Barangay