

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 MARCH 18, 2019

PRESENT:

Vincent L. Rama,	(Temporary Presiding Officer), SP Member, Majority Floor Leader
Leo Carmelo L. Locsin, Jr.	(Excused), City Vice Mayor & Presiding Officer
Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Jasper C. Yerro,	Ex-Officio SP Member, Chapter President, Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON LEAVE:

Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
John Eulalio Nepomuceno O. Aparis II,	SP Member Minority Floor Leader
Lea Doris C. Villar,	SP Member, Asst. Minority Floor Leader

RESOLUTION NO. 2019-065

A RESOLUTION DECLARING THAT BARANGAY ORDINANCE NO. 005, SERIES OF 2019 OF THE SANGGUNIANG BARANGAY OF CURVA, ORMOC CITY, ENTITLED: "AN ORDINANCE IMPOSING AND FIXING FEES FOR THE USE OF BARANGAY FACILITIES" UNDER REVIEW, TO BE NOT INCONSISTENT WITH EXISTING LAWS AND CITY ORDINANCES AND INTERPOSING NO OBJECTIONS TO ITS IMPLEMENTATION PROVIDED THAT THE RECOMMENDED AMENDMENTS ARE ADOPTED BY THE SANGGUNIAN CONCERNED.

WHEREAS, the Fourteenth Sangguniang Panlungsod ng Ormoc received a copy of Barangay Ordinance No. 005, Series of 2019 from the Sangguniang Barangay of Curva, this City, entitled: "AN ORDINANCE IMPOSING AND FIXING FEES FOR THE USE OF BARANGAY FACILITIES", 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 Ordinances, finds that the same was enacted for the purpose of raising revenues for the Barangay, which will in turn be utilized to deliver basic services and promote the general welfare and convenience of the Barangay constituents;

WHEREAS, this Sanggunian, after thorough examination finally finds that while the Ordinance is valid and lawful however, certain provisions of the same need to be modified and amended in a manner that will render it conformant and compliant with applicable laws, ordinances and rules and regulations, and considering further that the recommended modifications are not of substantial nature, not to mention of the Ordinance's urgency and necessity, the outright return of the Ordinance to the Barangay is no longer deemed proper and practical, hence this resolution basically approves the same subject to the compliance of the modifications and amendments found herein;

WHEREAS, the recommended modifications and amendments to be incorporated and effected on the Ordinance are the following:

1. A provision indicating the title of the said Ordinance, such that Section 1 shall read as follows:
 - a. Section 1. TITLE. This ordinance shall be known as "THE USE OF BARANGAY FACILITIES ORDINANCE OF BARANGAY CURVA, ORMOC CITY".
2. A provision indicating the scope of the said Ordinance, such that Section 2 shall read as follows:
 - a. Section 2. SCOPE. This Ordinance shall regulate the use of facilities owned by the Barangay, including the imposition and collection of charges for its use, when the same are not used in official Barangay activities.
3. The provision providing for the rate for use or rental of said facilities shall now be provided under Section 3, and that the rental for the chairs and tables shall indicate the rental rate of each facility on a per day rate.
4. Deletion of subsections B and C of Section 3 of the said Ordinance so as to avoid confusion in relation to the rental rates of chairs and tables.
5. A subsection shall be added stating that classification of rates applicable to residents and non-residents should the renter be part of a group.
6. Addition of a Separability Clause stating that if any provision of the Ordinance or the application of such provision to any person or circumstances is declared unconstitutional, the remainder of such Ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.
7. The Effectivity Clause should state that the Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

WHEREAS, this Sanggunian, finds that the Ordinance was enacted within the scope and authority of the Barangay, and therefore, manifests herein no objections to its implementation, and even urges that they be implemented immediately in order to speedily further the noble ends they seek for welfare of the Barangay;

WHEREFORE, FOREGOING PREMISES CONSIDERED, on motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Tomas R. Serafica, Nolito M. Quilang and Gregorio G. Yrastorza III; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a RESOLUTION DECLARING THAT BARANGAY ORDINANCE NO. 005, SERIES OF 2019 OF THE SANGGUNIANG BARANGAY OF CURVA, ORMOC CITY, ENTITLED: "AN ORDINANCE IMPOSING AND FIXING FEES FOR THE USE OF BARANGAY FACILITIES" UNDER REVIEW, TO BE NOT INCONSISTENT WITH EXISTING LAWS AND CITY ORDINANCES AND INTERPOSING NO OBJECTIONS TO ITS IMPLEMENTATION PROVIDED THAT THE RECOMMENDED AMENDMENTS ARE ADOPTED BY THE SANGGUNIANG CONCERNED;

ADOPTED, March 18, 2019.

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

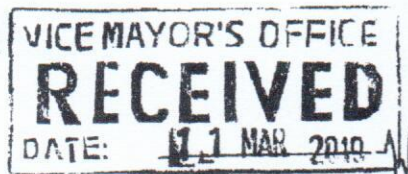
CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above resolution.

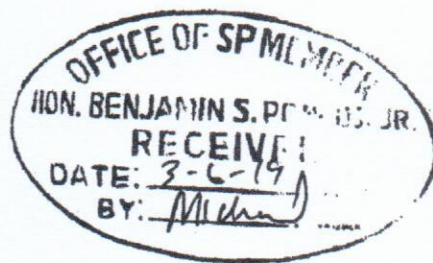

MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


VINCENT L. RAMA
(Temporary Presiding Officer)
Majority Floor Leader
SP Member



Republic of the Philippines
Office of the Sangguniang Barangay
Barangay Curva, Ormoc City



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF SANGGUNIANG BARANGAY OF BARANGAY CURVA, ORMOC CITY, HELD AT BARANGAY SESSION HALL ON JANUARY 15, 2019 9:00 am.

Present: Hon. Isidro V. Lusanta - PunongBarangay/Presiding Officer
Hon. Jeremias M. Cabahug - SB Member
Hon. Fe B. Apas - SB Member
Hon. Warlyn A. Gato - SB Member
Hon. Joseph A. Alcala - SB Member
Hon. Mario G. Cabahug - SB Member
Hon. Jose Antonio S. Caingcoy - SB Member
Hon. Lucrezia C. Dela cruz - SB Member
Hon. Charmaine A. Canonigo - SK Chairperson

Other present:

Kiesha S. De La Corta - Barangay Secretary
Carla A. Singson - Barangay Treasurer

ORDINANCE NO. 005-2019

Sponsored by: SB Member Joseph A. Alcala

PREFATORY STATEMENT

Under Local Government Code of 1991, Barangays are authorized to generate income and allowed to levy fees or charges for the services rendered in connection with the regulation for the barangay owned properties subject to the provision herein, consistent with the basic policy of local autonomy, such taxes, fees and other charges shall accrue exclusively to the Local Government Unit.

Relative to this matter, during Barangay Assembly on October 14, 2018 attended by the residents of Barangay Curva, the proposed charges for the use of Barangay Facilities was presented to the public by SB Member Joseph A. Alcala, Chairman of the Committee on finance and Appropriation. Gaining no objection from the public, an Ordinance was promulgated.

"AN ORDINANCE IMPOSING AND FIXING FEES FOR THE USE OF BARANGAY FACILITIES"

SECTION 1. Rate for the Use/Rental of Barangay Facilities:

A. BARANGAY GYMNASIUM

For Private Individuals / Groups:

Day Time	8:00 A.M. – 12:00 P.M. (Half day) -----	P 500.00 w /
Electricity	8:00 A.M. – 12:00 P.M. (Whole day) -----	P 1,000.00
w/Electricity		
Night time	6:00 P.M. Onwards-----	P 200.00 / Hour
Center Lights Only	6:00 P.M. Onwards-----	P 100 / Hours
Sound System (Speaker, Microphone & Amplifier)	-----	P 100.00 / Hour
Chairs (Monoblock)	-----	P 5.00 each
Tables	-----	P 25. 00 each

For Curva Residents:

Daytime (Half or Whole Day) -----P Free w / o Electricity
(Half or Whole Day) -----P 500.00 w/ Electricity
Night Time (6:00 pm Onwards) -----P 150.00 / Hour
Center Lights Only (6:00 pm Onwards) -----P 50.00 / Hour

B. RENTAL OF CHAIRS (MONOBLOCK)

For Private and Curva Residents -----P 5.00 Each

C. RENTAL OF TABLES

For Private and Curva Residents -----P 50.00 Each

D. FOR CURVA RESIDENTS, TABLES AND CHAIRS ARE FREE DURING CHAPEL FIESTA & VESPERS OF THE DEAD.

SECTION 2. Time of Payment. The fees imposed in SECTION 1 hereof, therefore, shall be paid upon application for reservation. However, the Sangguniang Barangay may, for a justifiable reason or cause, extend the time of payment of such fees without surcharge or penalties but only for a period not exceeding 15 days.

SECTION 3. Place of Payment. All fees and charges payable under the ordinance shall be paid to the barangay Treasurer who shall immediately issue therewith the corresponding government prescribed official receipt showing, among other things, the nature of the fees and charges and the amount actually collected.

SECTION 4. Surcharge and Penalties on Unpaid Fees or Charges. If the fees or charges imposed are not paid on time in accordance with the provision thereof, there shall be charge of twenty percent (20%) of the amount of the fees or charges due, and interest at the rate of two percent (2%) per month of the unpaid fees, or charges including surcharges, until such amount is fully paid, but in no case shall the total interest on the unpaid amount or portion thereof exceed twelve (12) months.

SECTION 5. Repealing Clause. All ordinances, rules and regulations, or parts thereof, whose provisions are in conflict with or contrary to the provisions of this ordinance are hereby repealed, amended, or modified accordingly.

SECTION 6. Effectivity. This Ordinance shall take effect upon the affirmative action of the Sangguniang Panglungsod of Ormoc City in the exercise of its review powers.

"Carried Unanimously"

ADJOURNMENT: There being no other matter to discuss, meeting was adjourned at precisely 10:27 am.

I hereby certify that I personally prepared the above minutes and the same is true and correct in accordance with actual event.


HON. ISIDRO V. LUSANTA

Punong Barangay/Presiding Officer


Attested:


KESHIA S. DELA CRUZ


Barangay Secretary

APPROVED: _____

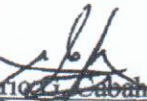
CONFROME:


Jeremias M. Cabahug

SB Member


Warlyn A. Gato

SB Member


Maricel G. Cabahug

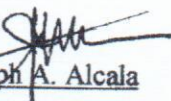
SB Member


Lucrecia C. Dela Cruz

SB Member


Fe B. Apas

SB Member


Joseph A. Alcala

SB Member


Jose Antonio Caingcoy

SB Member


Charmaine Mave Canonigo

Sk Chairperson

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