



EXCERPT FROM THE MINUTES OF THE INAUGURAL SESSION OF THE SIXTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT ITS HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON JUNE 30, 1992

PRESENT:

Hon. Benjamin F. Tugonon,
Hon. Sotero M. Pepito,
Hon. Jose B. Conejos,
Hon. Celso P. Adolfo,
Hon. Sixto T. Pongos,
Hon. Benjamin B. Lladoc,
Hon. Mariano Y. Corro,
Hon. Nestor C. Penserga,
Hon. Claudio P. Larrazabal,
Hon. Jose C. Alfaro, Jr.,
Hon. Alfredo F. Capahi,

Vice-Mayor & Presiding Officer
Kagawad, Majority Floor Leader
Kagawad, Assistant Majority Floor Leader
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ABSENT:

N o n e .

RESOLUTION NO. 05

A RESOLUTION ADOPTING IN TOTO THE RULES AND PROCEDURES OF
THE FIFTH SANGGUNIANG PANLUNGSOD NG ORMOC.

The Honorable Sangguniang Panlungsod ng Ormoc, through a motion
presented by Kagawad Mariano Y. Corro, duly seconded by Kagawad Alfredo F.
Capahi; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to adopt in toto the Rules and
Procedures of the Fifth Sangguniang Panlungsod ng Ormoc;

RULES AND PROCEDURES OF THE SIXTH
SANGGUNIANG PANLUNGSOD NG ORMOC

RULE I - ORGANIZATION AND ELECTION OF OFFICERS

Section 1. Inaugural Session - On the very day fixed by law for
assumption of elective offices, or at the first opportunity after their
assumption of office as Members (Mga Kagawad) of the Sangguniang Panlungsod
ng Ormoc, the City Sanggunian shall convene in the session hall to be
presided by the Vice-Mayor-elect who shall be designated as President,
Chairman, or Presiding Officer of the Sangguniang Panlungsod ng Ormoc. The
said Presiding Officer shall call the Inaugural Session to order and
immediately direct the Kalihim (Secretary) ng Sangguniang Panlungsod to call
the roll of Mga Kagawad-elect and require him to report to the Presiding
Officer the existence of a quorum.

Section 2. Election of Officers. - The Sanggunian shall immediately
proceed to the election of a Majority Floor Leader and such other officers
as the Sanggunian, by majority vote of those present may decide.

RULE II - OFFICERS, POWERS AND TENURE OF OFFICE

Section 1. Officers. - The following shall be the officers of the Sangguniang Panlungsod ng Ormoc:

A. THE VICE-MAYOR. - The Vice-Mayor shall be the President, Chairman, or Presiding Officer of the Sangguniang Panlungsod ng Ormoc with the following powers and duties, unless otherwise provided for by law:

(a) He shall preside over all sessions of the Sanggunian, call said sessions to order, verify if a quorum is existing and, in the absence of a quorum adopt such measures as to secure the attendance of Mga Kagawad in the sessions;

(b) He shall recognize any Kagawad who is entitled to the floor;

(c) He shall state all questions and/or motions before the Sanggunian and, when moved regularly, put the same into a vote and announce the result thereof. He should not participate in any discussion, except to clarify matters. He may vote on all questions during voting only in case of a tie;

(d) He shall rule promptly on all pending questions and points of orders, subject to appeal by any Kagawad which appeal shall not be debatable;

(e) He shall have general control over all officers of the session hall, the ante-chambers and corridors in order that all persons found therein shall be in proper decorum;

(f) He shall maintain and preserve order and decorum during the session and, in case of disturbance or disorderly condition in the aforementioned places, he shall adopt appropriate measures and call upon such peace officers as may be needed to preserve and maintain peace and order therein;

(g) He shall sign and, whenever necessary, authenticate all orders, acts, memoranda, warrants, orders of arrest, subpoenas and proceedings of the Sanggunian;

(h) He shall sign all ordinances, motions and resolutions directing the payment of money or creating liability enacted or adopted by the Sanggunian;

(i) He shall appoint members of special or conference committees and members of the permanent committee when so authorized by the Sanggunian;

(j) He shall be the presiding officer in all caucuses of the Kagawads and/or committees created by the Sanggunian, unless otherwise provided by the said Body;

(k) He shall represent the Sanggunian in all matters for which he shall be authorized under existing laws, and shall perform such other powers and duties as may be given to him by the Sanggunian from time to time; and

(l) He shall issue a written order for purposes of supervision, inspection or investigation to be conducted by any Kagawad in the Sanggunian district or other districts requiring his presence for such supervision, inspection or investigation in any barangay of Ormoc City, which order shall support any claim for a Kagawad's transportation allowance for use of his own motor vehicle pursuant to Section 2096 of the Revised Administrative Code and as authorized by Executive Order No. 31, series of 1954.

B. MAJORITY FLOOR LEADER. - The Sanggunian shall elect by a majority vote a Majority Floor Leader from among the members (Mga Kagawad) thereof who shall have the following powers and duties:

(a) He shall assist the Presiding Officer in the speedy transaction of all business in the Sanggunian by announcing from time to time the business in the order in which it is to be acted upon by the Sanggunian as per agenda;

(b) He shall confer with the Kalihim (Secretary) ng Sangguniang Panlungsod from time to time as efficient methods of accomplishing the work of the Sanggunian may arise.

(c) He may seek the help of the heads of the different departments of the City Government with a view to collecting data for ready reference of the Presiding Officer of the Sanggunian and Mga Kagawad; and

(d) He shall hold office for such period of time as may be fixed by the Sanggunian and be removable by a majority vote of the Kagawads;

C. KALIHIM NG SANGGUNIANG PANLUNGSOD. - There shall be a Kalihim (Secretary) ng Sangguniang Panlungsod, appointed by the City Mayor, who shall perform the following:

(a) He shall attend all the sessions of the Sanggunian;

(b) He shall draw up, prepare or cause the preparation of the minutes of the sessions of the Sanggunian and certify said minutes;

(c) He shall read or cause to be read, by himself or through a reader designated by him, all ordinances, motions, memorials, petitions or other documents which he shall report to the Sanggunian, or when required by the Sanggunian or its Presiding Officer;

(d) He shall certify all acts, orders, motions, resolutions and ordinances approved by the Sanggunian and stamp them with the official seal of the Sanggunian which shall be under his custody;

(e) He shall transmit to the proper committees all matters referred to them by the Sanggunian;

(f) He shall send out proper notices of all called sessions, other meetings and public hearings; and

(g) He shall perform all the duties embodied in Republic Act No. 179, as amended by Republic Act No. 429, otherwise known as the Charter of Ormoc City.

D. OTHER OFFICERS. - The Sanggunian may, when expedience so demands, create positions for other officers as it may deem proper.

RULE III - ORGANIZATION OF SANGGUNIANG DISTRICTS

Section 1. For purposes of efficient supervision and administration of the city, there are hereby created Sanggunian Districts as follows:

- DISTRICT I - City Proper, Barangays Cogon Combado and Buenavista
- DISTRICT II - Barangays Macabug, Mabini, Danhug, San Antonio, Can-untog, Quezon Jr., Mahayahay and Boroc
- DISTRICT III - Barangays Bantigue, Hugpa, Camp Downes, Can-adieng, Summanga, Patag, Danao and Alta Vista
- DISTRICT IV - Barangays Donghol, Bagong, Magaswi, San Pablo, Dona Feliza Mejia, San Isidro, Bagong Buhay, and Mahayag
- DISTRICT V - Barangays Alegria, Punta, Batuan, Linao, Naungan, Tambulilid, and San Juan
- DISTRICT VI - Barangays Ipil, Sto. Nino, Salvacion, Dayhagan, Airport, Concepcion, Catmon and Juaton
- DISTRICT VII - Barangays Licuma, Curva, Mabato, San Vicente, Domonar, Mas-in, Green Valley, Esperanza, and R.M. Tan
- DISTRICT VIII - Barangays Leondoni, Manlilinao, Nueva Sociedad, Lao, Don Felipe Larrazabal, Libertad, Margen, Liloan, and Biliboy
- DISTRICT IX - Barangays San Jose, Sabang Bao, Labrador (Balion), Guintiguian, Dr. Hermenegildo C. Serafica (Bayog), Monterico, Don Potenciano Larrazabal, and Nasunogan
- DISTRICT X - Barangays Maticaa, Kadaohan, Valencia, Cagbuhangin, Hibunawon, Nueva Vista, Cabaon-an, and Cabulihan
- DISTRICT XI - Barangays Dolores, Milagro, Tungonan, Kabingtan, Liberty, Gaas, and Luna

PROVIDED, HOWEVER, That the chairmanship, charge or representation of the districts herein created shall be reshuffled among the Members (Mga Kagawad) of the Sangguniang Panlungsod once every two (2) years or at any time upon proper resolution as approved by the Body.

RULE IV - COMMITTEES OF THE SANGGUNIANG PANLUNGSOD

Section 1. Standing Committees. - In the Inaugural Session, or in the next regular session following, the Sangguniang Panlungsod shall create the following standing committees with powers and prerogatives especially on matters herein mentioned:

A. COMMITTEE ON AGRICULTURE AND AGRARIAN REFORM - Matters relating to agriculture and its improvement.

B. COMMITTEE ON CITIES SISTERHOOD PROGRAM - Matters relating to establishing a tie-up with sister cities and promoting an exchange program in public administration, culture and socio-economic activities.

C. COMMITTEE ON COTTAGE INDUSTRIES - Matters relating to small scale industries recognized by NACIDA.

D. COMMITTEE ON EDUCATION AND CULTURAL DEVELOPMENT - Matters relating to city schools, their maintenance, tuition fees, school projects, and naming of schools.

E. COMMITTEE ON ENERGY DEVELOPMENT & CONSERVATION - Matters relating to preservation and distribution of petroleum products and the like.

F. COMMITTEE ON ENVIRONMENTAL CONTROL - Matters relating to ecology, pollution and the surroundings.

G. COMMITTEE ON FINANCE - All matters relating to funds for the expenditures of the city government and for the payment of public indebtedness, claims against the government, appropriation or adjustment of funds and, generally, all matters relating to public expenditures.

H. COMMITTEE ON GENERAL SERVICES - Matters relating to maintenance of janitorial, messengerial, auxiliary and other utility services.

I. COMMITTEE ON GOOD GOVERNMENT - Matters relating to the City Government and the Administration.

J. COMMITTEE ON HEALTH & PUBLIC WELFARE - Matters relating to sanitation and health of the inhabitants, creation of health centers in places where they are deemed appropriate.

K. COMMITTEE ON INFRASTRUCTURE - Matters relating to the construction, maintenance and repair of public buildings, roads, streets, and bridges, parks, monuments, playgrounds, donations, leases, exchange or expropriation of lands, subdivisions, building permits, amendments to zoning and other public improvement projects.

L. COMMITTEE ON INTERNAL RULES - Matters relating to parliamentary procedures and decorum in the business and deliberation of the Sanggunian.

M. COMMITTEE ON LABOR - Matters relating to labor, stevedoring, arrastre services and the like.

N. COMMITTEE ON LAWS AND ORDINANCES - Matters relating to propose penal ordinances, proposals or measures involving legality, lease of lots, donations, naming of streets and schools and legal orders from the courts and proposed measures amending existing city penal ordinances.

O. COMMITTEE ON MANPOWER DEVELOPMENT - Matters relating to availability of human resources or personnel for competent services in industries in the community.

P. COMMITTEE ON MARKETS & SLAUGHTERHOUSES - Matters relating to the operation, maintenance, improvement and administration of the markets and slaughterhouses.

Q. COMMITTEE ON NATURAL RESOURCES - Matters relating to harnessing of wells and springs, reforestation, conservation of watersheds, preservation of lakes and rivers and all other natural resources.

R. COMMITTEE ON POLICE, FIRE AND PUBLIC SAFETY - Matters relating to the police and fire departments, their maintenance and discipline, the city jail, juvenile problems, police cases, traffic regulations, fire prevention, housing projects and public safety.

S. COMMITTEE ON PUBLIC INFORMATION - Matters relating to dissemination of information on projects and performances of the city administration through the press, radio and other media.

T. COMMITTEE ON PUBLIC PROPERTIES - Matters relating to acquisition and disposition of public properties, titling and registration of real properties, barangay or school sites, etc.

U. COMMITTEE ON RURAL DEVELOPMENT & BRGY AFFAIRS - Matters relating to development of the barangays and districts.

V. COMMITTEE ON SOCIAL WELFARE - Matters relating to population, family planning, child and infant care, responsible parenthood, the aged and the disabled, and control of mendicancy.

W. COMMITTEE ON SPORTS DEVELOPMENT - Matters relating to sports, operation and maintenance of the sports complex.

X. STEERING COMMITTEE - In determination of the order in which business of the Sanggunian shall be taken up.

Y. COMMITTEE ON TRADE & COMMERCE - Matters relating to commercial transactions and the marketing of products and merchandise.

Z. COMMITTEE ON TRANSPORTATION & COMMUNICATIONS - Matters relating to the proper administration and control of transportation facilities, such as; public utility vehicles, shipping vessels, aircrafts, and the like, and also, matters relating to the administration of various communication facilities and services.

AA. COMMITTEE ON TOURISM - Matters relating to the management, accommodation and guidance of tourists, and other programs relating to and/or pertinent to the development of tourism industry.

BB. COMMITTEE ON URBAN DEVELOPMENT - Matters relating to development of the poblacion.

CC. COMMITTEE ON WAYS AND MEANS - Matters relating to taxation, or revenue raising for expenses of the city.

DD. COMMITTEE ON YOUTH DEVELOPMENT - Matters relating to the upliftment of the moral, physical, and intellectual well-being and development of the youth.

EE. COMMITTEE ON ZONING AND BEAUTIFICATION - Matters relating to beautification of public or semi-public places, zoning of industrial, commercial and residential districts, subdivision of lots, and the like.

Section 2. Composition.- A Committee shall be composed of a chairman and a vice-chairman and such number of members as the sanggunian may determine.

Section 3. Meeting or Conference Procedure.- In any meeting or conference of a committee, the following procedure should be followed:

(a) The chairman shall convene the committee to a meeting;

(b) Any person shall have the right to appear at a committee meeting or meetings and present his views on the matter before it at such time as, upon request, the committee may schedule;

(c) No person shall be present during the final deliberations of the committee, except its members and such employees of the Sanggunian as may be necessary to facilitate the performance of its functions; and

(d) After final deliberation by the committee, the said committee, through its chairman, shall submit the report to the Sanggunian or to the Presiding Officer, written or verbal, and in case of written reports the same must be signed by the chairman and members thereof.

Section 4. Quorum. - The attendance or presence of at least three (3) members in any committee hearing or public hearing is required to constitute a quorum. In case there is no quorum the chairman of the committee shall declare the hearing adjourned for lack of quorum. Unexplained absences in three successive committee hearings shall operate to relinquish membership thereof.

Section 5. Committee Report. - (a) Any written report of the committee must be signed by the chairman and majority of the members present; if presented verbally, it must be with the acquiescence or consent of the majority of the members; (b) Consideration of any report of the committee on internal rules shall be deemed always in order and, while pending, the Presiding Officer shall not entertain any motions unless it be for adjournment, recess or postponement of the question to a certain day.

Section 6. Tenure of Office of Committee Chairman and Members. - The committee chairman and members as organized and approved by this Body under Resolution No. 790 dated March 3, 1980, a copy of which resolution is hereto attached and marked as Annex "A" hereof, shall be subject to change only once every three (3) years or at any time upon proper resolution duly enacted and approved by the Sanggunian.

RULE V - SESSION, QUORUM AND ATTENDANCE

Section 1. Session in general. - In line with Section 3 of Circular No. 31, dated December 10, 1987 of the Joint Commission on Local Government Personnel Administration; and pursuant to paragraph 1, Section 174 (last sentence) of Batas Pambansa Blg. 337 otherwise known as the Local Government Code, and of Resolution No. 5 of the Fifth Sangguniang Panlungsod ng Ormoc, the City Sangguniang shall, for the transaction of its business, hold four (4) regular sessions every month which shall be on the first four Wednesdays thereof: PROVIDED, HOWEVER, That if a pertinent Wednesday falls on a legal or special public holiday, the regular session shall be held on such other day during such week as may be selected by the Presiding Officer or, in his absence, the Majority Floor Leader. The City Sangguniang may hold special sessions from time to time as the City Mayor may call: PROVIDED, FINALLY, That special sessions be called only when public interest so demands and no more than two (2) sessions shall, however, be held in a single day.

Section 2. Time. - The regular session shall be held at the session hall of the City Sanggunian Panlungsod Building to commence at 9:30 o'clock in the morning of Wednesday and may end at such time as the business of the Sanggunian is finished or such time as the Body may agree.

Section 3. Quorum. - A quorum in such number of the members (Mga Kagawad) present in order that the business can legally be transacted. Six (6) Mga Kagawad present, including the Presiding Officer, shall constitute a quorum: PROVIDED, HOWEVER, That in public hearings conducted by the Sanggunian the Attendance of three (3) Mga Kagawad may be sufficient to hold the same. In case there is no quorum, the Presiding Officer shall then declare the session adjourned for lack of quorum.

Section 4. Attire. - Unless for a justifiable cause, all Kagawads shall attend all the sessions of the Sanggunian and public hearings or investigations in formal attire such as coat and tie, barong Tagalog, barong polo shirt.

RULE VI - STEPS PREPARATORY TO CALL A MEASURE

Before calling any measure such as ordinance or resolution requiring time for serious or careful deliberation on the floor, the following procedures shall be observed:

1. Filing with the Kalihim ng Sangguniang Panlungsod;
2. Inclusion in the order of business as a measure on first reading;
3. Transmittal to the proper committee;
4. Submission of the committee report to the Body; and
5. Placing in the calendar for ordinary business.

RULE VII - HOW BUSINESS IS CONDUCTED

The order of business of the Sangguniang Panlungsod shall be as follows:

- (a) Roll call of Mga Kagawad;
- (b) Reading of the minutes of the previous session, unless dispensed with and considered approved;
- (c) Report of officials and/or employees summoned by the Sangguniang Panlungsod or through voluntary appearance;
- (d) Report of standing committees;
- (e) Completion of business unfinished in the previous session;
- (f) Consideration of the present business; and
- (g) Privileged speech as hereinafter provided for in these rules.

RULE VIII - HOW BUSINESS IS PRESENTED AND DEBATED

Section 1. Business Presentation. - Business is brought before the Sangguniang either by motion of a Kagawad or by the presentation of a communication to the assembly. A Kagawad given the floor shall be allowed to speak not longer than ten (10) minutes, unless with leave of the assembly or body by a majority vote.

Section 2. Speech time limitation and frequency. - No Kagawad can speak a second time to a question if any other Kagawad who has not spoken on the question desires to speak. The Kagawad, upon whose motions the subject was brought before the assembly or body, is entitled to close the debate with a speech for five minutes only if he has already exhausted his ten minutes, but not until everyone else wishing to speak has spoken. Merely asking a question or making a suggestion is not considered speaking.

Section 3. Right to debate. - The right of Kagawads to debate and make motion cannot be cut off by the Chair's putting a question to a vote with such rapidity as to prevent the Kagawad's getting the floor after the Chair has inquired if the assembly is ready for the question. Even after the Chair has announced the vote, if it is found that a Kagawad arose and addressed the Chair with reasonable promptness after the Chair asked, "Are you already for the question?" he is then entitled to the floor, and the question is in exactly the same condition as it was before it was put to a (RES. NO. 8, PAGE 9)

vote. But if the Chair given ample opportunity for Kagawads to claim the floor before putting the question to a vote and they do not avail themselves of it, they cannot claim the right of debate after the voting has commenced.

Section 4. Decorum in debate. - In any debate a Kagawad must confine himself to the question before the assembly and avoid personalities. He cannot reflect upon any act of the assembly, unless he intends to conclude his remarks with a motion to rescind such action, or else while debating such a motion, it is allowable to arraign the motives of a Kagawad, but the nature or consequences of a measure maybe condemned in strong terms.

A Kagawad who has the floor maybe interpellated by another after the interpellator is recognized by the Chair, and the Chair may ask the speaker if he is willing to be interrupted, and the speaker may at once consent or decline. Such interruption of the speaker is subject to parliamentary rules.

Section 5. Call to order. - If at any time the Chairman rises to state a point of order, give information or otherwise speak within his privilege, the Kagawad speaking must take his seat until the Chairman has been heard first. When called to order by the Chair the Kagawad must sit down until the question of order is decided. If his remarks are decided to be improper, he cannot proceed if any one objects without leave of the assembly expressed by a vote upon which question no debate is allowed.

Section 6. Improper words. - Improper words should be taken down by the Kagawad who objects to them, or by the Kalihim, and then read to the speaker. If he denies them the assembly shall decide by a majority vote whether they are his words or not. If a speaker cannot justify the words he used and will not suitably apologize for using them, it is the duty of the assembly to act in the case.

Section 7. Disturbance. - During debate, and while the Chairman is speaking, or the assembly or body is engaged in voting, no Kagawad is permitted to disturb the assembly by whispering, walking across the floor, or any other way.

RULE IX - A G E N D A

Section 1. Matters. - Only items or matters listed in the agenda shall be taken up in the session of the Sanggunian the nature and substance of which must be described: PROVIDED, HOWEVER, That with the consent of the Body, urgent matters may be submitted by any Kagawad. Urgent matters are those which involve public interests the delay in consideration of which shall prejudice essential activities of the government.

Section 2. Money matters. - No money matters shall be treated unless calendared, except those pertaining to the Sanggunian.

Section 3. Distribution. - The agenda shall be distributed among the Kagawads not less than one (1) day preceding the session.

RULE X - MINUTES AND JOURNAL

Section 1. Minutes: How made. - The minutes of the Sangguniang Panlungsod shall be typewritten, mimeographed, or printed duly signed by the Kalihim.

Section 2. Minutes: Publication and distribution. - The minutes of the Sangguniang Panlungsod shall be published in a journal under the direction of the Kalihim and the distribution of authenticated copies of the same shall be determined by the Sanggunian in a resolution or motion to that effect.

Section 3. Correction of minutes. - If a Kagawad finds any error in the minutes, a motion to correct the errors shall be presented in the next succeeding regular session and said motion shall be resolved during said session.

Section 4. Journal: Its contents. - The Sangguniang Panlungsod shall keep a journal of its proceedings which shall contain a concise and exact account of what takes place in every session. The following shall be contained in the journal:

- (a) Files of ordinances and resolutions introduced by the Kagawads;
- (b) Ordinances and resolutions approved;
- (c) Objections to ordinances and resolutions vetoed and affirmative and negative votes of the Sanggunian;
- (d) Number of votes over the veto of the City Mayor; all nominal votes; and
- (e) Extract of all petitions, communications and messages addressed to the Sangguniang Panlungsod arranged by order of the dates of receipt thereof.

Section 5. Copies released with authority. - Copies of records on file shall not be released without express authority of the Sangguniang Panlungsod.

RULE XI - ORDINANCES

Section 1. Form of Ordinance. - All ordinances shall invariably contain: (a) Title; (b) Enacting Clause; (c) Penalty clause if necessary; (d) Separability clause if necessary; and (e) Effectivity clause. It may also contain a preamble and/or Explanatory note as may be desired by its author.

Section 2. Procedure. - No proposed ordinance shall be deemed enacted and approved by the Sangguniang Panlungsod unless the following procedure shall be observed:

A. FIRST READING -

1. The Kalihim shall read only the title of the ordinance.
2. The ordinance proper shall be referred to the proper committee or committees or persons for reference for future action: PROVIDED, HOWEVER, That upon motion duly seconded, the Sanggunian, upon being convinced of the urgency of the measure, shall order its publication, which motion for publication shall not be subject to debate.

B. PUBLICATION

If the committee or committees or persons concerned recommend favorably the proposed ordinance to the Sanggunian the latter may order its publication in typewritten or mimeographed form. Copies of the proposed ordinance shall be furnished to each and every Kagawad at least two (2) days before final action thereon can be taken.

C. SECOND READING-

1. On the day of the consideration of the proposed ordinance the Kalihim shall read the same in full, together with the amendments as the committee or committees or persons concerned may have proposed, unless the reading of the entire text is dispensed with by a majority vote of all Kagawads present.

2. The Proposed ordinance shall thereafter be opened for debate, discussion, modification, amendment and final action.

D. THIRD READING-

After having been approved in second reading the proposed ordinance shall be submitted for third and Final Reading for approval of the Sanggunian with all amendments adopted by the same. Upon last reading of the ordinance no more amendments thereof shall be allowed and the question upon its passage shall be taken immediately thereafter and the ayes and nays entered in the journal.

E. AMENDMENTS-

Any amendment to an existing ordinance shall be calendared and placed in the agenda.

RULE XII - DECLARATION OF OUT OF ORDERS: PUNISHMENT

Section 1. Non-Observance of the Rules, Refusal to abide, and Punishment. - Any Kagawad who fails to observe the Rules herein prescribed shall be declared out of order and may be compelled to take his seat if he has the floor. Upon motion of any kagawad and duly seconded, the Sanggunian by a majority vote may, in case of refusal to abide by the ruling of the Presiding Officer, officially reprimand such erring Kagawad and which reprimand shall appear in the minutes of the session of the Sanggunian.

Section 2. Dereliction of duty. - In case of dereliction of duty as when a Kagawad refuses or fails without sufficient cause to attend the session after a quorum is questioned, the same penalty provided for in the next preceding section shall be imposed.

RULE XIII - ORGANIZATION OF BUSINESS

Section 1. Status of unfinished business. - Unfinished business at the end of any session shall not be affected by the closing of the same but shall be taken up again at the next session in the same status in which it was at the close of the preceding session. This provision, however, is not applicable to unfinished business at the expiration of the term of the Kagawads.

RULE XIV - MOTIONS

Section 1. Kinds of motions. - Motions are classified as follows:

1. Main Motion
2. Incidental or subsidiary motion
3. Privileged motion

Section 2. Motions and their precedence. - When a main motion is pending the following motions may be entertained in the order in which they appear below as presented and considered simultaneously, to wit:

1. Adjourn
2. Recess
3. Question of privilege
4. Lay on the table
5. Limit debate
6. Previous question
7. Postpone definitely
8. Refer to committee
9. Amend
10. Postpone indefinitely

Section 3. Incidental or Subsidiary Motions. - The following incidental or subsidiary motions may also be considered during the pendency of a main motion, to wit:

1. Appeal
2. Point of Order
3. Parliamentary inquiry
4. Withdraw a motion
5. Suspend the rules
6. Objection to consideration of a question
7. Division of the house

The above motions shall be resolved by majority of all Kagawads present as undebatable.

Section 4. Privileged Motions. - The following, in the order of their priority, are privileged motions:

1. Motion to Adjourn
2. Motion to recess
3. Question of privilege
4. Call for order of the day

The aforesaid motions take precedence over the main motions and subsidiary or incidental motions. They are undebatable and, except privileged motion to recess they cannot be subject to amendments.

RULE XV - VOTING

During the session of the Sanggunian the voting may either be:

- (a) Viva-Voce - By saying "aye" or "nay" or by raising of the hands; or
- (b) Nominal. - Upon ruling of the Chair, the Kalihim shall call the name of each Kagawad present according to alphabetical order or the order of their election. Each Kagawad may say YES or NO or abstain from voting and the Kalihim shall record the vote or abstention of the Kagawads in the minutes. The Kalihim shall, thereafter, read the list of the Kagawads with their corresponding votes or abstentions. The Presiding Officer shall then announce the result thereof. Voting on all appropriation ordinances or resolutions, or motions directing the payment of money or creating liability, or voting to repass an ordinance vetoed by the Mayor shall be by nominal voting. All others aside from the foregoing, shall be by viva-voce.

RULE XVI - AMENDMENTS

Any amendment to these Rules shall be presented in writing and shall be approved by a vote of two-thirds (2/3) of all Kagawads.

RULES XVII - SUPPLEMENTARY RULES

Unless contrary to the instant Rules, any rules or orders and regulations of other parliamentary bodies and those contained in any standard manual for parliamentary procedure are supplementary hereto.

RULE XVIII - MISCELLANEOUS

Section 1. Privileged Speech. - Before the consideration of any business during a regular session any Kagawad may ask permission of the Presiding Officer to deliver a privileged speech on any subject for not more than twenty (20) minutes: PROVIDED, HOWEVER, That if more than one kagawad desire to speak, the Presiding Officer shall apportion the time among the kagawads who desire to speak.

Section 2. Required number of votes. - Passage of any measure shall require a number of votes as follows:

MOTION OR RESOLUTIONS
(a) Directing payment of money
or creating liability

(b) Overriding Mayor's veto

REQUIRED NUMBER OF VOTES
Simple majority of membership

Two-thirds (2/3) vote of
Membership

(c) Suspension of the rules

Two-thirds (2/3) vote of membership or by general assent

(d) Recall of tabled motion

Two-thirds (2/3) vote of members present

All other resolutions or motions shall require a majority vote. Mere silence or abstention shall not be considered as affirmative vote.

Section 3. Reconsideration. - When a report, motion or resolution or proposed ordinance has been adopted or lost, only a member who voted with the losing side shall be entitled to present a motion for reconsideration when the matter is still within the control of the Sanggunian: **PROVIDED, HOWEVER,** That a kagawad who voted with the minority may present a motion for reconsideration if seconded by a Kagawad from the prevailing side. Any kagawad who abstained from voting shall have absolutely no right to ask for a reconsideration.

Section 4. Appeal. - A motion for reconsideration of the votes taken shall be raised by any kagawad if duly seconded and, upon ruling of the Chair, a majority vote shall be required to repass it.

Section 5. Effectivity. - This rules shall take effect upon its adoption by the Sangguniang Panlungsod.

ENACTED, July 30, 1992.

"RESOLVED, FURTHER, to furnish a copy of this resolution each to His Honor, the City Mayor, the Honorable Vice-Mayor & Presiding Officer, the Floor Leader, all other Mga Kagawad ~~and the Secretary~~ of the Sangguniang Panlungsod, -all in Ormoc City;

CARRIED (UNANIMOUSLY.)

I HEREBY CERTIFY to the correctness of the above-quoted resolution.

BENJAMIN A. TUGONON
Vice-Mayor & Presiding Officer

ATTESTED:

OSCAR P. LASAM
City Secretary

APPROVED:

EUFROCINO M. CODILLA, SR.
City Mayor

ATTESTED AS APPROVED:

ROVINIEU E. MENDOLA
Secretary to the Mayor

/magch'92
/dsk:92-1(NEW)