



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SIXTH
SANGGUNIAN PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO SESSION HALL, SANGGUNIAN PANLUNGSOD
BUILDING ON SEPTEMBER 29, 1994

PRESENT:

Hon. Benjamin F. Tugonon,	Vice-Mayor & Presiding Officer
Hon. Sotero M. Pepito,	Majority Floor Leader, Kagawad
Hon. Jose B. Conejos,	Assistant Majority Floor Leader, Kagawad
Hon. Celso P. Adolfo,	Kagawad
Hon. Sixto T. Pongos,	Kagawad
Hon. Benjamin B. Lladoc,	Kagawad
Hon. Mariano Y. Corro,	Kagawad
Hon. Nestor C. Penserga,	Kagawad
Hon. Claudio P. Larrazabal,	Kagawad
Hon. Jose C. Alfaro, Jr.,	Kagawad
Hon. Alfredo F. Capahi,	Kagawad
Hon. Fernando P. Parrilla,	Chapter Pres. Liga ng mga Barangay ng Ormoc, Ex-Officio, Kagawad

Hon. Angelyn R. Paca,

SK Fed. Pres., Ex-Officio, Kagawad

ABSENT:

N O N E

RESOLUTION NO. 162

A RESOLUTION DISAPPROVING ORDINANCE NO. 94-002 OF THE
SANGGUNIAN BARANGAY OF BRGY. GREEN VALLEY, ENTITLED: "AN
ORDINANCE IMPOSING A CURFEW, TO ALL PERSONS, WITHIN THE
JURISDICTION OF THIS BARANGAY, FROM 10:00 O'CLOCK IN THE
EVENING TO 4:00 O'CLOCK IN THE MORNING, PROVIDING
PENALTIES AND EXCEPTIONS THEREOF, FOR THE REASON THAT
SANGGUNIAN BARANGAY ARE NOT EMPOWERED TO IMPOSE THE
PENALTY OF IMPRISONMENT".

WHEREAS, submitted to this Sanggunian for review pursuant to
Section 57 of Republic Act 7160, otherwise known as the Local Government
Code of 1991, is Ordinance No. 94-002 of the Sangguniang Barangay of
Barangay Green Valley, this city, entitled: "AN ORDINANCE IMPOSING A
CURFEW, TO ALL PERSONS, WITHIN THE JURISDICTION OF THIS BARANGAY, FROM
10:00 O'CLOCK IN THE EVENING TO 4:00 O'CLOCK IN THE MORNING, PROVIDING
PENALTIES AND EXCEPTIONS THEREOF";

WHEREAS, the review made by the Sanggunian of the aforementioned
Ordinance disclosed the following defects:

1. That Section 5, Paragraph C thereof provides the penalty
of "imprisonment of not less than 15 days" which provision
is beyond the power of the Sangguniang Barangay to impose,
as Section 391, Paragraph A, sub-paragraph 14 of the Local
Government Code of 1991 empowers Sangguniang Barangay to
"Prescribe fines in the amount not exceeding ₱1,000.00 for
violation of Barangay Ordinance";
2. The title of Sec. 9 which reads "Separability" should be
changed to "Repealing Clause";
3. That another Section providing for "Separability" may be
added.

NOW, THEREFORE, on motion of Kagawad Mariano Y. Corro, Chairman, Committee on Laws and Ordinances, duly seconded by Kagawad Benjamin B. Lladoc, be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution DISAPPROVING ORDINANCE NO. 94-002 OF THE SANGGUNIANG BARANGAY OF GREEN VALLEY, ENTITLED: "AN ORDINANCE IMPOSING A CURFEW, TO ALL PERSONS, WITHIN THE JURISDICTION OF THIS BARANGAY, FROM 10:00 O'CLOCK IN THE EVENING TO 4:00 O'CLOCK IN THE MORNING, PROVIDING PENALTIES AND EXCEPTIONS THEREOF FOR THE REASON THAT SANGGUNIANG BARANGAY ARE NOT EMPOWERED TO IMPOSE THE PENALTY OF IMPRISONMENT";

ENACTED, September 29, 1994.

RESOLVED, FURTHER, to furnish copies of this resolution each to His Honor, the City Mayor; the Punong Barangay of Barangay Green Valley, and to all others concerned, -all in Ormoc City.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

BENJAMIN B. TUGONON
Vice-Mayor & Presiding Officer

ATTESTED:

OSCAR L. LASAM
City Secretary

APPROVED:

EUFROCINO M. CODILLA, SR.
City Mayor

10/4/94
(Date)