

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON MARCH 21, 1996



Hon. Benjamin F. Tugonon, Vice-Mayor & Presiding Officer
Hon. Celso P. Adolfo, Majority Floor Leader, Kagawad
Hon. Claudio P. Larrazabal, Asst. Majority Floor Leader, Kagawad
Hon. Benjamin B. Lladoc, Kagawad
Hon. Sotero M. Pepito, Kagawad
Hon. Alfredo F. Capahi, Kagawad
Hon. Manuel T. Fiel, Kagawad
Hon. Gregorio A. Yrastorza, Jr., Kagawad
Hon. Mariano Y. Corro, Minority Floor Leader, Kagawad
Hon. Fernando P. Parrilla, Chapter Pres., Liga ng mga Barangay ng
Ormoc, Ex-Officio, Kagawad
Hon. Angelyn R. Paca, SK Federation President, Ex-Officio, Kagawad

ABSENT:

Hon. Jose C. Alfaro, Jr., Kagawad

NOTE: One (1) seat vacant - By virtue of the resignation of
Honorable Kagawad Jose B. Conejos

RESOLUTION NO. 96-45

A RESOLUTION RETURNING TO THE SANGGUNIANG BARANGAY OF
BRGY. IPIL, ORMOC CITY, ITS ORDINANCE NO. V S. 1995
ENTITLED, "AN ORDINANCE PROHIBITING DISPOSAL OF WASTE,
GARBAGE ON THE RIVER BANKS, RIVERS, SHORELINES AND SEAS
ON THE VICINITY OF BARANGAY IPIL, ORMOC CITY", FOR
REASONS BEING EMPHASIZED IN THIS RESOLUTION, AS
RESOLVED.

PRESENTED to this august Body for deliberation is Ordinance No. V
s. 1995 entitled, "AN ORDINANCE PROHIBITING DISPOSAL OF WASTE, GARBAGE
ON THE RIVER BANKS, RIVERS, SHORELINES AND SEAS ON THE VICINITY OF
BARANGAY IPIL, ORMOC CITY";

WHEREAS, the Honorable MEMBERS of the SANGGUNIANG PANLUNGSOD in
SESSION, through the representation of the Honorable Chairman, Committee
on Laws & Ordinances, have observed some material defects in some
provisions of the aforecited ordinance, hence, be returned to the
Sangguniang Barangay of Origin for proper amendments;

WHEREFORE, foregoing premises considered, on motion of Kagawad
Mariano Y. Corro, Chairman, Committee on Laws & Ordinances, jointly
seconded by mga Kagawad Fernando P. Parrilla and Benjamin B. Lladoc; be
it

RESOLVED, AS IT IS HEREBY RESOLVED, to return to the Sangguniang
Barangay of Brgy. Ipil, this city, its Ordinance No. V s. 1995 entitled,
"An Ordinance prohibiting disposal of waste, garbage on the river banks,
rivers, shorelines and seas on the vicinity of Barangay Ipil, Ormoc
City", for the following reasons:

1. The proposed Ordinance does not explicitly define the prohibited act. There must be a particular section therein which defines the punishable act. The title of the Ordinance is not sufficient to take the place of the specific provision defining the punishable act.
2. The proposed Ordinance does not contain an explanatory note as required by Article 107 of the Rules and Regulations Implementing the Local Government Code of 1991, paragraph (b) thereof, which in part provides: "X X X In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification for its approval. X X X X"
3. As can be gleaned from the contents of the submitted Ordinance, this was approved by the Sangguniang Barangay of Ipil on July 23, 1995, yet. Please take note that Article 111 of the aforementioned Rules and Regulations Implementing the Local Government Code of 1991, paragraph (a) thereof, provides: "Within ten (10) days after its enactment, the sangguniang barangay shall furnish copies of all barangay ordinances to the sangguniang panlungsod or sangguniang bayan concerned for review as to whether the ordinance is consistent with law and city or municipal ordinances."

ENACTED, March 21, 1996.


RESOLVED, FURTHER, to furnish copies of this resolution each to His Honor, the City Mayor; the City Administrator, the City Treasurer, the DILG-CGO Officer and the Barangay Chairman of Brgy. Ipil, -all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


BENJAMIN F. TUGONON
Vice Mayor & Presiding Officer

ATTESTED:


HERMOSENA P. SUMALINOG
Secretary to the
Sangguniang Panlungsod