



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 JULY 11, 1996



PRESENT:

Hon. Celso P. Adolfo,	Acting Presiding Officer, 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

ABSENT:

Hon. Benjamin F. Tugonon, (O.B. - Tacloban),	Vice-Mayor & Presiding Officer
Hon. Jose C. Alfaro, Jr.,	(O.B. - Tacloban), Kagawad

NOTE: Two (2) seats vacant - (By virtue of the resignation of Honorable Kagawad Jose B. Conejos and due to expiration of term of Honorable Kagawad Angelyn R. Paca as SK Federation President.)

RESOLUTION NO. 96-104

A RESOLUTION INFORMING THE SANGGUNIANG PAMBARANGAY OF BARANGAY CAMP DOWNES, THIS CITY, THROUGH ITS PUNONG BARANGAY HONORABLE DIOSDADA BALDIZANSO THAT THEIR RESOLUTION NO. 5, SERIES OF 1996, ENTITLED: "A RESOLUTION EARNESTLY REQUIRING RENTAL FEE TO BORROWER OF BARANGAY EQUIPMENTS BORROWED USED WITHIN OR OUTSIDE THE JURISDICTION OF BARANGAY CAMP DOWNES AND SHOULD BE RETURNED AFTER IT SERVE THE PURPOSE" MUST BE PASSED IN THE FORM OF AN ORDINANCE CONSIDERING THAT SAID RESOLUTION GENERATES REVENUES AND FURTHER A PRIOR PUBLIC HEARING MUST BE CONDUCTED FOR THE PURPOSE TO COMPLY WITH THE PERTINENT PROVISIONS OF THE LOCAL GOVERNMENT CODE OF 1991.

WHEREAS, this Sanggunian is in receipt of Resolution No. 5, Series of 1996, of the Sangguniang Pambarangay of Barangay Camp Downes, entitled: "A RESOLUTION EARNESTLY REQUIRING RENTAL FEE TO BORROWER OF BARANGAY EQUIPMENTS BORROWED USED WITHIN OR OUTSIDE THE JURISDICTION OF BARANGAY CAMP DOWNES AND SHOULD BE RETURNED AFTER IT SERVE THE PURPOSE";

WHEREAS, the aforementioned resolution of the Sangguniang Pambarangay of Barangay Camp Downes is a revenue generating resolution, hence it must be passed in the form of an ORDINANCE as mandated by Section 132, of the Local Government Code of 1991, which provides: "The power to impose a tax, fee, or charge or to generate revenue under this Code shall be exercised by the sanggunian of the local government unit concerned through an appropriate ordinance" (Underscoring supplied for emphasis);

WHEREAS, Section 186 of the same Code, in part provides: "X X X Provided, further, That the ordinance levying such taxes, fees or charges shall not be enacted without any prior public hearing conducted for the purpose";

FOREGOING PREMISES CONSIDERED, on motion presented by Kagawad Mariano Y. Corro, Chairman, Committee on Laws and Ordinances, jointly seconded by mga Kagawad Benjamin B. Lladoc and Fernando P. Parrilla; be it


RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution informing the Sangguniang Pambarangay of Barangay Camp Downes, this City, through its Punong Barangay, Honorable Diosdada Baldizanso, that their Resolution No. 5, Series of 1996, entitled: "A RESOLUTION EARNESTLY REQUIRING RENTAL FEE TO BORROWER OF BARANGAY EQUIPMENTS BORROWED USED WITHIN OR OUTSIDE THE JURISDICTION OF BARANGAY CAMP DOWNES AND SHOULD BE RETURNED AFTER IT SERVE THE PURPOSE" must be passed in the form of an Ordinance, considering that said resolution generates revenues, and further, a prior public hearing must be conducted for the purpose to comply with the pertinent provisions of the Local Government Code of 1991;

ENACTED, July 11, 1996.


RESOLVED, FURTHER, to furnish copies of this resolution to Honorable City Mayor Eufrocino M. Odilla, Sr., the City Treasurer, the City Legal Officer, the Sangguniang Pambarangay of Barangay Camp Downes through its Punong Barangay, Honorable Diosdada Baldizanso, and all other offices concerned.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


CELSO P. ADOLFO
Acting Presiding Officer
Majority Floor Leader
Kagawad

ATTESTED:


OSCAR LASAM
Secretary to the
Sangguniang Panlungsod