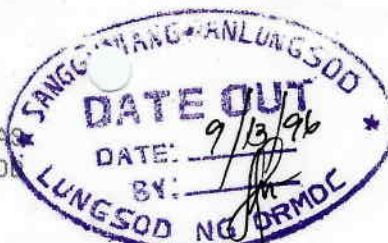


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 SEPTEMBER 12, 1996



PRESENT:
Hon. Benjamin F. Tugonon, Vice-Mayor & Presiding Officer
Hon. Benjamin B. Lladoc, Kagawad
Hon. Sotero M. Pepito, Kagawad
Hon. Alfredo F. Capahi, Kagawad
Hon. Manuel T. Fiel, Kagawad
Hon. Jose C. Alfaro, Jr., 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. Chiqui B. Labagala, SK Federation President, Ex-Officio,
Kagawad

ABSENT:

Hon. Celso P. Adolfo, (O.B. - Manila), Majority Floor Leader,
Kagawad
Hon. Claudio P. Larrazabal, (Sick Leave), Asst. Majority Floor
Leader, Kagawad

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

RESOLUTION NO. 96-153

A RESOLUTION RETURNING TO THE SANGGUNIANG BARANGAY OF
BRGY. CAMP DOWNES, THIS CITY, ITS RESOLUTION NO. 7 S.
1996, ENTITLED, "A RESOLUTION EARNESTLY AMENDING
RESOLUTION NO. 5 S. 1996 DATED MAY 4, 1996, REQUIRING
RENTAL FEE TO BORROWER OF BARANGAY EQUIPMENT
BORROWED/USED WITHIN OR OUTSIDE THE JURISDICTION OF
BARANGAY CAMP DOWNES AND SHOULD BE RETURNED AFTER IT
SERVED THE PURPOSE", WITH THE INFORMATION THAT SAID
RESOLUTION IS VIOLATIVE TO THE PROVISION OF SECTION
132 OF THE LOCAL GOVERNMENT CODE OF 1991, WHICH STATES:
"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"; HENCE, A MERE
RESOLUTION WILL NO SUFFICE.

WHEREAS, this Sanggunian is in receipt of Resolution No. 7 s. 1996
of the Barangay Council of Brgy. Camp Downes, this city, entitled, "A
Resolution earnestly amending Resolution No. 5 s. 1996 dated May 4,
1996, requiring rental fee to borrower of barangay equipment
borrowed/used within or outside the jurisdiction of Brgy. Camp Downes
and should be returned after it serve the purpose";

WHEREAS, the Honorable Members of the 7th Sangguniang Panlungsod,
in SESSION, have observed that the said Resolution has violated the
provisions of Section 132 of the Local Government Code of 1991, which
reads: "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";

NOW, THEREFORE, 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 Barangay Camp Downes, this city, its Resolution No. 7 s. 1996, entitled, "A Resolution earnestly amending Resolution No. 5 s. 1996 dated May 4, 1996, requiring rental fee to borrower of barangay equipment borrowed/used within or outside the jurisdiction of Barangay Camp Downes and should be returned after it served the purpose", with the information that said Resolution is violative to the provision of Section 132 of the Local Government Code of 1991, which states: "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"; hence, a mere Resolution will not suffice;

ENACTED, September 12, 1996.

RESOLVED, FURTHER, to furnish copies of this Resolution each to His Honor, the City Mayor; the ABC President, the DILG-CLGO Officer and the Barangay Chairman of Brgy. Camp Downes, all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

OSCAR LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:

BENJAMIN F. GONON
Vice Mayor & Presiding Officer