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SANGGUNIANG PANLUNGSOD NG ORMOC

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SANGGUNIANG PANLUNGSOD NG ORMOC

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

2 MAY 1997
RECEIVED
ORMOC CITY

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 APRIL 30, 1997 IN LIEU OF
- MAY 1, 1997

PRESENT:

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. 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
Hon. Deborah Robin B. Conejos,	(Appointed in lieu of Hon. Jose B. Conejos who resigned), Kagawad

ABSENT:
(NONE)

RESOLUTION NO. 97-75

A RESOLUTION REQUESTING AND AUTHORIZING THE CITY LEGAL OFFICER, ATTY. CLETO L. EVANGELISTA, JR., TO TAKE ALL THE APPROPRIATE LEGAL STEPS NECESSARY TO PROTECT AND UPHOLD THE INTEREST OF THE CITY GOVERNMENT OF ORMOC RELATIVE TO THE ADVERSE RESOLUTION OF THE DEPARTMENT OF JUSTICE IN THE CASE "LIDE MANAGEMENT CORPORATION, APPELLANT, VERSUS, CITY GOVERNMENT OF ORMOC, APPELLEE, APPEAL NO. 97-01 (LEGALITY/VALIDITY OF TAX ORDINANCE NO. 96-01)" AND TO APPRISE THIS SANGGUNIAN OF THE STEPS TAKEN THEREON.

WHEREAS, TAX ORDINANCE NO. 96-01 entitled: "AN ORDINANCE IMPOSING A SPECIFIC TAX OR ANY PERSON WHO EXTRACTS SUBTERRANEAN WATER WITHIN THE TERRITORIAL JURISDICTION OF THE CITY OF ORMOC FOR COMMERCIAL AND/OR INDUSTRIAL PURPOSES AND REGULATING THE DRILLING OF SAID SUBTERRANEAN WATER, AND PROVIDING PENALTIES THEREON", was appealed by LIDE Management Corporation (LMC) to the Department of Justice;

WHEREAS, the Department of Justice on March 26, 1997, ruled that aforementioned Tax Ordinance No. 96-01 is invalid, ineffective and unconstitutional;

WHEREAS, it is the sense of the members of this Sanggunian that the Resolution of the Department of Justice be studied and that appropriate legal steps be taken in order to protect and uphold the interest of the City Government of Ormoc;

WHEREFORE, on MASS MOTION of the Body and with OVERWHELMING SECONDS, so be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution requesting and authorizing the City Legal Officer, Atty. Cleto L. Evangelista, Jr., to take all the appropriate legal steps necessary to protect and uphold the interest of the City Government of Ormoc relative to the adverse resolution of the Department of Justice in the case of "LIDE MANAGEMENT CORPORATION, Appellant, versus, City Government of Ormoc, Appellee, Appeal No. 97-01 (Legality/Validity of Tax Ordinance No. 96-01)" and to apprise this sanggunian of the steps taken thereon;

ENACTED, April 30, 1997.

RESOLVED, FURTHER, to furnish copies of this Resolution, one each, to City Legal Officer, Atty. Cleto L. Evangelista, Jr.; the Honorable City Mayor, Eufrocino M. Codilla, Sr., the City Administrator, the City Treasurer, and other Offices concerned.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

OSCAR B. LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:

BENJAMIN F. LUGONON
Vice Mayor & Presiding Officer