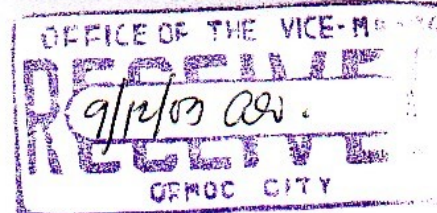


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE NINTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO C. ENECIO SESSION HALL ON
SEPTEMBER 11, 2003

PRESENT:

Hon. Celso P. Adolfo,	Vice Mayor & Presiding Officer
Hon. Nepomuceno P. Aparis I,	City Councilor, Majority Floor Leader
Hon. Jose S. Serafica,	City Councilor, Minority Floor Leader
Hon. Ruvinieu E. Mendola,	City Councilor, Assist. Maj. Floor Leader
Hon. Demosthenes F. Tugonon,	City Councilor
Hon. Eduardo P. Tan,	City Councilor
Hon. Rafael C. Omega, Jr.,	City Councilor
Hon. Fernando P. Parrilla,	City Councilor
Hon. Gregorio A. Yrastorza, Jr.,	City Councilor,
	Assist. Minority Floor Leader
Hon. Jovencio A. Laurente,	City Councilor
Hon. Fe S. Lladoc,	City Councilor
Hon. Emeterio Y. Larrazabal, Jr.,	Ex-Officio City Councilor
	Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Cheryl L. Alfara,	Ex-Officio City Councilor
	SK Federation President

ABSENT:

NONE

RESOLUTION NO. 2003-159

A RESOLUTION DISAPPROVING ORDINANCE NO. 02 SERIES OF 2003 OF BARANGAY DISTRICT 12, THIS CITY, ENTITLED: "AN ORDINANCE TEMPORARILY CLOSING LOPEZ JAENA STREET FROM THE JUNCTURE OF SAN PEDRO STREET TO ARRADAZA STREET FROM 6:00 A.M. TO 6:00 P.M., MONDAY TO FRIDAY, DURING SCHOOL DAYS", FOR REASONS CITED HEREUNDER.

WHEREAS, this Sanggunian is in receipt of Barangay Ordinance No. 02, s. 2003, entitled: "AN ORDINANCE TEMPORARILY CLOSING LOPEZ JAENA STREET FROM THE JUNCTURE OF SAN PEDRO STREET TO ARRADAZA STREET FROM 6:00 A.M. TO 6:00 P.M., MONDAY TO FRIDAY DURING SCHOOL DAYS;"

WHEREAS, the Sangguniang Panlungsod ng Ormoc is by law granted the Power to Review as to whether said resolution or ordinance is consistent with law and city ordinances (Sec. 57, 1991, LGC);

WHEREAS, Article 45, Rule VIII of the RRILGC of 1991 states, that:

Temporary Closure. - (a) Any national or local road, alley, park, or square may be temporarily closed during actual emergency or fiesta celebrations, public rallies, agricultural or industrial fairs, or undertaking of public works and highways, telecommunications, and waterworks projects, the duration of which shall be specified by the local chief executive concerned in a written order, as follows:

- (1) During fiesta celebrations - for a period not exceeding nine (9) days;
- (2) During agricultural or industrial fairs or expositions - for a period as may be determined to be necessary and reasonable;

- (3) When public works projects or activities are being undertaken for a period as may be determined necessary for the safety, security, health, or welfare of the public or when such closure is necessary to facilitate completion of the projects or activities.
- (b) An LGU may temporarily close and regulate the use of any local street, road, thoroughfare, or public place where shopping malls, Sunday markets, flea or night markets, or shopping areas may be established and where goods, merchandise, foodstuff, commodities, or articles of commerce may be sold and dispensed to the general public.
- (c) No national or local road, alley, park, or square shall be temporarily closed for athletic, cultural, or civic activities not officially sponsored, recognized, or approved by the LGU.

WHEREAS, said ordinance does not fall within the provisions for Temporary Closure of City Streets;

WHEREAS, the power to regulate the use of city streets belongs to the Sangguniang Panlungsod (Art. 99, Sec. 5 paragraph v) not to the Sangguniang Barangay;

WHEREAS, the Ormoc PNP Traffic Management Section does not recommend closure of city streets for it will result to congestion;

NOW, THEREFORE, on motion of City Councilor Nepomuceno P. Aparis I, Chairman, Committee on Laws and Ordinances, jointly seconded by City Councilors Ruviniou E. Mendola and Demosthenes F. Tugonon; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution DISAPPROVING ORDINANCE NO. 02 SERIES OF 2003 OF BARANGAY DISTRICT 12, THIS CITY, ENTITLED: "AN ORDINANCE TEMPORARILY CLOSING LOPEZ JAENA STREET FROM THE JUNCTURE OF SAN PEDRO STREET TO ARRADAZA STREET FROM 6:00 A.M. TO 6:00 P.M., MONDAY TO FRIDAY, DURING SCHOOL DAYS", FOR REASONS CITED HEREUNDER;

ADOPTED, September 11, 2003.

RESOLVED, FURTHER, to furnish copies of this resolution each to the Sangguniang Barangay of District 12, through its Punong Barangay, the Honorable City Mayor of Ormoc, Carmelo J. Locsin; the Chapter President, Liga ng mga Barangay ng Ormoc and others concerned, -in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

OSCAR LASAM
Secretary to the
Sangguniang Panlungsod

ATTESTED:

CELSE P. ABOLFO
Vice Mayor & Presiding Officer