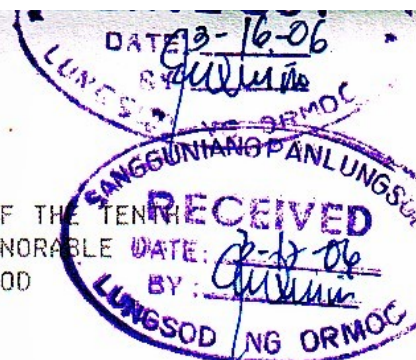


REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE TENTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON MARCH 16, 2006

PRESENT:

Hon. Nepomuceno P. Aparis I,	Vice Mayor & Presiding Officer
Hon. Jose S. Serafica,	City Councilor, Minority Floor Leader
Hon. Manuel T. Fiel,	City Councilor, Assist. Minority Floor Leader
Hon. Eduardo P. Tan,	City Councilor
Hon. Claudio P. Larrazabal,	City Councilor, Majority Floor Leader
Hon. Mariano Y. Corro,	City Councilor
Hon. Fe S. Lladoc,	City Councilor
Hon. Gregorio A. Yrastorza, Jr.	City Councilor
Hon. Sotero M. Pepito,	City Councilor
Hon. Ruben R. Capahi,	City Councilor
Hon. Cheryl A. Arcuino,	Ex-Officio City Councilor, SK Federation President

ABSENT:

Hon. Jose C. Alfaro, Jr.,	(Sick Leave),	City Councilor
Hon. Emeterio Y. Larrazabal, Jr.,	(On Leave),	Ex-Officio
City Councilor, Chapter President, Liga ng mga Barangay ng Ormoc		

RESOLUTION NO. 2005-059

A RESOLUTION RETURNING TO THE SANGGUNIANG BARANGAY OF BARANGAY DISTRICT XXI, THIS CITY, THEIR ORDINANCE NO. 2006-001 ENTITLED: "AN ORDINANCE PRESCRIBING THE RATES ON THE ISSUANCE OF BARANGAY CLEARANCE AND FILING FEES" FOR THE REASONS STATED IN THE SECOND "WHEREAS" HEREOF.

WHEREAS, this Sanggunian is in receipt of Barangay Ordinance No. 2006-001 from Barangay District XXI, this city entitled: "AN ORDINANCE PRESCRIBING THE RATES ON THE ISSUANCE OF BARANGAY CLEARANCES AND FILING FEES" for review as required by Section 57 of the Local Government Code of 1991;

WHEREAS, upon review of said ordinance by this august Body, it has been found out that:

- a) The imposition of Business Tax is not in conformity with section 152 of the Local Government Code. (Scope of taxing Powers)
- b) The imposition of filing fees for complaints filed with the lupon of P50.00 for Personal and P100.00 for Juridical Persons runs counter with the provisions of Sec. 4 Rule VI of the Implementing Rules and Regulations of the Revised Katarungang Pambarangay Law which allows only a filing fee in the amount not less than Five (5) Pesos not more than Twenty (20) Pesos;
- c) The said Barangay Ordinance (Ord. No. 2006-001) was passed without a Public Hearing being conducted as provided for in Sec. 187 of the Local Government Code of 1991;



WHEREAS, the Sangguniang Pambarangay of District XXI, is hereby advised to make the necessary amendments to their subject ordinance in conformity with the foregoing observations, and thereafter to return the same to this Sanggunian for review and approval;

FOREGOING PREMISES CONSIDERED, on motion of City Councilor Mariano Y. Corro, Chairman, Committee on Laws & Ordinance, severally seconded by City Councilors Ruben R. Capahi, Manuel T. Fiel & Eudardo P. Tan; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution RETURNING TO THE SANGGUNIANG BARANGAY OF BARANGAY DISTRICT XXI, THIS CITY, THEIR ORDINANCE NO. 2006-001 ENTITLED: "AN ORDINANCE PRESCRIBING THE RATES ON THE ISSUANCE OF BARANGAY CLEARANCE AND FILING FEES" FOR THE REASON STATED IN THE SECOND "WHEREAS" HEREOF;

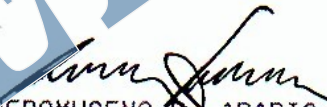
ADOPTED, March 16, 2006.


RESOLVED, FURTHER, to furnish copies of this resolution, each to His Honor, the City Mayor, the DILG-City Coordinator, Jesus Horca, Sangguniang Barangay of District XXI, the President of ABC, Barangay Affairs and others concerned, -in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ATTESTED:

  
NEPOMUCENO P. APARIS  
Vice Mayor & Presiding Officer

  
JOEL S. DUERO  
OIC - Secretary to the SP  
(Loc. Leg. Staff Officer V)