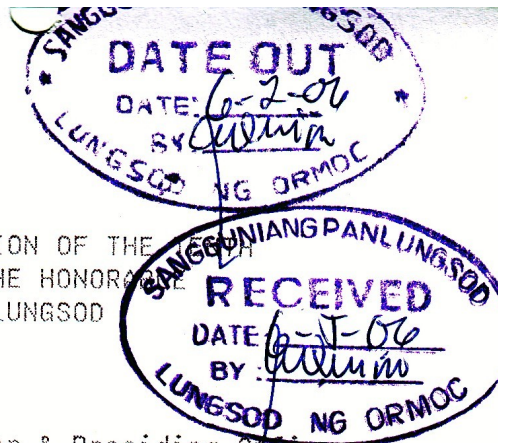


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
Lungsod ng Ormoc

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD
BUILDING ON JUNE 01, 2006



PRESENT:

Hon. Nepomuceno P. Aparis I, Vice Mayor & Presiding Officer
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. Jose C. Alfaro, Jr., City Councilor
Hon. Ruben R. Capahi, City Councilor
Hon. Emeterio Y. Larrazabal, Jr., Ex-Officio City Councilor,
Chapter President, Liga ng mga Barangay ng Ormoc
Hon. Cheryl A. Arcuino, Ex-Officio City Councilor,
SK Federation President

ABSENT:

Hon. Jose S. Serafica, (Vacation Leave), City Councilor,
Minority Floor Leader

RESOLUTION NO. 2006-120

A RESOLUTION RETURNING TO THE SANGGUNIANG PAMBARANGAY OF
BRGY. DISTRICT VIII, THIS CITY, THEIR ORDINANCE NO.
2006-001, ENTITLED: "AN ORDINANCE REGULATING THE
OCCUPATION OF THE SIDEWALKS OF THE CITY STREETS WITHIN
THE JURISDICTION OF THIS BARANGAY BY SEASONAL VENDORS
PROVIDING PENALTIES IN THE VIOLATION THEREOF" FOR THE
REASON THAT SIDEWALKS ARE FOR PUBLIC USE AND THEREFORE
ARE BEYOND THE COMMERCE OF MEN.

WHEREAS, this Sanggunian is in receipt of Barangay Ordinance No.
2006-01 of Brgy. Dist. VIII, this City, entitled: AN ORDINANCE
REGULATING THE OCCUPATION OF THE SIDEWALKS OF THE CITY STREETS WITHIN
THE JURISDICTION OF THIS BARANGAY BY SEASONAL VENDORS PROVIDING
PENALTIES IN THE VIOLATION THEREOF" submitted for review as mandated by
Section 57, par. (2) of the Local Government Code of 1991 (RA 7160) in
relation to Art. 111 of the Implementing Rules and Regulations of the
Local Government Code of 1991;

WHEREAS, the purposes of aforementioned Ordinance, among others, is
"to regulate the occupancy of the sidewalks to the commercial activities
of man", and "to impose fees for Seasonal Vendors and Individual vendors
who occupy Streets and provides penalties for the violation thereof";

WHEREAS, sidewalks and streets are to be devoted to public use and
to be made available to the public in general. As such, they are
outside the commerce of man and cannot be disposed of or even leased by
the Barangay to private persons;

WHEREFORE, foregoing premises considered, on motion of the City Councilor Mariano Y. Corro, Chairman, Committee on Laws and Ordinances, jointly seconded by City Councilors Fe S. Lladoc and Ruben R. Capahi; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution RETURNING TO THE SANGGUNIANG PAMBARANGAY OF BRGY. DISTRICT VIII, THIS CITY, THEIR ORDINANCE NO. 2006-001, ENTITLED: "AN ORDINANCE REGULATING THE OCCUPATION OF THE SIDEWALKS OF THE CITY STREETS WITHIN THE JURISDICTION OF THIS BARANGAY BY SEASONAL VENDORS PROVIDING PENALTIES IN THE VIOLATION THEREOF" FOR THE REASON THAT SIDEWALKS ARE FOR PUBLIC USE AND THEREFORE ARE BEYOND THE COMMERCE OF MEN;

ADOPTED, 1 June 2006.

RESOLVED, FURTHER, to furnish copies of this resolution each to His Honor, the City Mayor of Ormoc, the City Administrator, the ABC President, Office of the Barangay Affairs, City Director of DILG, the Sangguniang Pambarangay of Dist. VIII, Ormoc City, thru the Punong Barangay, and others concerned, all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


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

ATTESTED:


NEPOMUCENO P. APARICIO
Vice Mayor & Presiding Officer