REPUBLIKA NG PILIPINAS LUNGSOD NG DRMOC ANGGUNIANG PANLUNGSOD TANGGAPAN NG KALIHIM

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SECOND SANGGUNTANG PANLUNGSOD NG ORMOC HELD AT ITS SESSION HALL ON DECEMBER 9, 1980

PRESENT:

Hon. Benjamin F. Tugonon, Kagawad, Presiding Kagawad

Kagawad

Kagawad Kagawad

Hon. Cristobal S. Mendola,

Hon. Dionisio B. Torrevillas,

Hon. Cesar S. Samson,

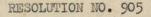
Hon. Jose O. Bandalan,

Hon. Dionisio S. Santiago, Kagawad

Hon. Romeo M. Hermosilla, ABC President, Kagawad ENT (on Official Business - Cebu Seminar-Workshop):

Hon. Jose C. Aviles, Vice-Mayor, Presiding Officer Hon. Anastacio D. Besabella, Kagawad

One Seat Vacant.



"The City Sanggunian, on motion of Karanad Torrevillas, seconder by Kagawad Mendola;

"RESOLVED, to adopt:

TAX ORDIN

AN ORDINANCE IMPOSING FEES FOR THE USE OF THE FACILITIES OF THE SEAWALL AND OTHER PROTOCIVE DEVELOR ROJECTS ALONG IMELDA POLLYARD AND VIE VICINITY OF THE PUBLIC MARKET COLLEX, PROVIDING PENALTY FOR VIOLATION THEYEOF, AND FOR OTHER PURPOSES AS AMERICAN.

BE IT ON DAYNED, the San guniang Panlungsod ng Ormoc, That:

tle. - This lax Ordinance shall be known as the Ttalty Ordinance."

finition of terms. - For purposes of this Tax Or-SECTION 2. 1 ares the fillowing terms are hereby defined:

- Consigner means one to whom a cargo or cargoes are consign-
- Shipper means one who sends cargoes loaded in a vessel or hip.
- c) Cargoes means goods or merchandise conveyed which may be in bulk, crates, various or general cargoes.
- d) Seawall means the wall or embankment constructed to resist encroachment of the sea.
- e) Protective development projects are synonymous with seawalls which are constructed for inland protection from the sea.
- f) Vessels means watercrafts or structures with or without propeller used or capable of being used as means of transportation or transporting cargoes in navigation or commerce on water, except small rowboats and sailboats.
- g) A natural person is a human being as distinguished in law from a juridical person.
- h) A juridical person is a body of persons, a corporation, a partnership or the like legal entity that is recognized by law as the subject of rights and duties.

i) Vicinity of the public market complex covers the area from the market-side of the Anilao river mouth towards the wharf, including the bus terminal area fronting the sea.

SECTION 3. Mutility fee. - There shall be paid by the person of the consignee, natural or juridical, to the City Treasurer or his duly authorized representative a utility fee of one peso and fifty centavos (P1.50) per metric ton/cubic meter of cargoes loaded or unloaded to or from vessels availing themselves of the facilities of the seawall and other protective development projects along Imelia Boulevard and the vicinity of the public market complex of Ormoc City:

PROVIDED, HOWEVER, That in cases where cargoes are to be delivered by the shipper right at the job site or in case of contract veliveries where the contract specifies that payment for other incidental expenses shall be borne by the shipper, the utility for shall be vaid by such shipper.

SECTION 4. Time and manner of payment. The utility fee herein imposed shall be paid within seventy-two (72) hours after termination of the loading or unloading of cargoes and shall be properly receipted for by the City Treasurer or his only authorized representative.

SECTION 5. Penalty for violation. - Any violation of the provisions of this Tax Ordinance shall be punishable by a fine of one hundred pesos or imprisonment of thirty days, or both such fine and imprisonment at the discretion of the court: PROVIDED, HOWEVER, That in case of a juridical person the manager or the managing person shall be held liable or responsible for such violation.

Ordinance shall be declared ultra-vires or unconstitutional the said declaration shall not in one way or another invalidate the whole of this Ordinance.

SECTION 7. level. p Any other ordinance or portions thereof in-

SECTION 8. Effectivity. - This Tax Ordinance shall take effect fifteen (15) days after its approval.

ENACTED, December 9, 1980.

"RESOLVED, FURTHER, to furnish a copy of this Tax Ordinance each to the City Treasurer and all others concerned in Ormoc City;

"CARRIED UNANIMOUSLY."

I HEREBY CERTIFY to the correctness of the above-quoted resolu-

ATTESTED:

ICTORIANO L. DE LOYOLA

Kalihim (Secretary) APPROVED:

Kagawad

IÑAXI A. LARR ZABAL

TUGONON

Presiding

City Mayor

ATTESTED AS APPROVED:

Secretary to the City Mayor

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