

REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE ELEVENTH  
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE HONORABLE  
PLACIDO ENECIO HALL, SANGGUNIANG PANLUNGSOD  
BUILDING ON SEPTEMBER 27, 2007

PRESENT:

Hon. Fernando P. Parrilla,	Temporary Presiding Officer (City Councilor)
Hon. Claudio P. Larrazabal,	City Councilor, Floor Leader
Hon. Sotero M. Pepito,	City Councilor, Assist. Floor Leader
Hon. Demosthenes F. Tugonon,	City Councilor
Hon. Mariano Y. Corro,	City Councilor
Hon. Fe S. Lladoc,	City Councilor
Hon. Filomeno P. Maglasang,	City Councilor
Hon. Rafael C. Omega, Jr.,	City Councilor
Hon. Jose C. Alfaro, Jr.,	City Councilor

ABSENT:

Hon. Nepomuceno P. Aparis I,	(Acting City Mayor), Vice Mayor & Presiding Officer
Hon. Ruben R. Capahi,	(O.B. - Tacloban), City Councilor
Hon. Cheryl A. Arcuino,	(O.B. - Cebu City), Ex-Officio City Councilor, SK Federation President

PREFATORY STATEMENT

This Ordinance has for its basis Article X, Section 5 of the 1987 Constitution which grants to each Local Government Unit the power to create its own sources of revenues and levy taxes, fees and charges subject to such guidelines and limitations as Congress may provide consistent with the basic policy of the Local Autonomy, which taxes, fees and charges shall accrue exclusively to the Local Government Unit, and as implemented by Section 186 of Republic Act 7160, otherwise known as the Local Government Code of 1991 as well as Article 274 of the Rules and Regulations implementing said code, thus, "The Ormoc City Bus Terminal Services Ordinance" was enacted by the Second Sangguniang Panlungsod ng Ormoc on April 1, 1980;

Lately, however, it has come to the knowledge of this august Body that fees imposed under "The Ormoc City Bus Terminal Services Ordinance" are no longer realistic at present and that some of its provisions need revisions to conform with the present economic condition, hence, amendment thereto is hereby sought for;

FOREGOING PREMISES, CONSIDERED, on motion of City Councilor Sotero M. Pepito, Chairman, Committee on Economic Enterprise, duly seconded by City Councilor Demosthenes F. Tugonon; be it

RESOLVED, AS IT RESOLVED, to pass and enact:

TAX ORDINANCE NO. 2007-002

AN ORDINANCE FURTHER AMENDING SECTION 4 OF TAX ORDINANCE NO. 7 AS AMENDED BY TAX ORDINANCE NO. 2000-001, OTHERWISE KNOWN AS "THE ORMOC CITY BUS TERMINAL SERVICES ORDINANCE".

BE IT ENACTED, by the Eleventh Sangguniang Panlungsod ng Ormoc, That:

SECTION 1. Section 4 of said Ordinance is hereby amended, further to read as follows:

SECTION 4-C1. LEASE OF RENTABLE SPACE AND PASSENGER ADMISSION FEES  
AT THE NEWLY RENOVATED BUS TERMINAL NO. 2 PASSENGERS LOUNGE

I. GROUND FLOOR

- A. Ticketing Booths, measuring 1.21 square meter per booth at monthly rental of One Thousand Pesos (P1,000.00) per booth.
- B. Terminal Fee at Ten Pesos (P10.00) per passenger.
- C. Waiting Area is free for ticket holders.

II. SECOND FLOOR

- A. Rentable Space as Business Center at P4,500.00 per month with an area of 30 square meters.
- B. Rentable Hallway space consisting of seven (7) spaces at P1,000.00 per space per month with an area of 1.60m x 1.60m or 2.56 square meters per space.
- C. Rentable Space for Cafeteria at P4,000.00 per month with an area of 20 square meters.
- D. Shower Room User's Fee at One Hundred Pesos (P100.00) per person provided with shower kit consisting of one (1) sachet shampoo, a small bath soap and towel.

SECTION 4-D. Section 4D shall be amended to read as follows:

- 1.) The monthly rental shall be paid to the City Treasurer or to his duly authorized representative.
- 2.) A security deposit equivalent to two (2) months rental.
- 3.) The Newly Renovated Bus Terminal passenger lounge is open on a 24-hour basis.
- 4.) Business Permits shall be issued upon compliance of the Sanitation and Market Codes of Ormoc, applicable Local Ordinances, existing and those that may be enacted in the future.
- 5.) Only passengers with Terminal Fee Tickets are allowed in the waiting area.
- 6.) Passengers are not allowed to board on any passenger vehicle before scheduled departure.
- 7.) Passenger vehicles shall approach the designated loading area of passengers before departure.
- 8.) Terminal fee tickets shall be attached to the bus tickets issued by the bus company.
- 9.) The lessee shall keep the leased stall in good sanitary condition at all times and comply with all the sanitary rules and regulations that are now, or may hereafter be, prescribed by the Sangguniang Panlungsod. The lessee shall provide trash bins for biodegradable and another for non-biodegradable wastes, and should practice waste segregation.



- 10.) Lessee, waiters and waitresses must secure health card at the City Health Office and shall be attached at the upper left front portion of the garment of the lessee and employees while working.
- 11.) Uniforms shall be worn at all times by the lessee, waiters and waitresses while on duty.
- 12.) Operation of videoke, sound system and the like are strictly prohibited.
- 13.) The lessee shall not remove, construct or alter the original structure of the stall, electrical wiring or water connection without prior permit from the lessor or his authorized representative.
- 14.) The lessee shall provide electric meter. Electric consumption shall be for the account of the lessee.
- 15.) Lessees of cafeteria, business center and hallway spaces shall provide their own tables and chairs.
- 16.) The LEASE CONTRACT shall be for a term of one (1) year only. However, should the LESSEE desire to occupy the leased premises for more than one year but not over five (5) years, he shall pay a LEASEHOLD RIGHT of ₱5,000.00 which is non-refundable aside, from the regular monthly rental on the leased-premises.
- 17.) Should the LESSEE preterminate the lease contract, he should immediately inform the LESSOR, and the transferee of the vacated leased premises shall pay a TRANSFER FEE of ₱5,000.00, per stall and a new lease contract shall be executed by the LESSOR and the transferee-LESSEE.
- 18.) The term of the lease shall not exceed three (3) years renewable thereafter, on a yearly basis under such terms and conditions as maybe agreed by the parties herein.
- 19.) If, for any other reason, the lessee discontinues his/her business or the Contract is revoked before expiration, the said stall shall be considered vacant and its occupancy shall be disposed of in the manner described under Ordinance No. 67 dated January 14, 1999 and Ordinance No. 70 dated June 10, 1999.
- 20.) The LESSEE is strictly prohibited from subleasing or selling his rights on the leased premises, and any contract entered into relative thereto, is considered null and void, and for the violation thereof, the LESSEE shall pay an administrative fine of ₱5,000.00.
- 21.) The lessee shall surrender the stall to the lessor upon expiration of the lease contract unless renewed, and shall be liable for damages which the lessor may suffer from his/her failure to surrender the same.
- 22.) In case the lessee subleases or sells his/her rights to occupy the leased stall, the said sublease or sale has no force and effect.

- 23.) The lessor reserves the right to terminate the lease contract and forfeiture of security deposit for failure or refusal of the lessee to pay the rental or any violation of the terms and conditions thereof, upon proper notice.
- 24.) In case of court litigation by virtue of non-payment of the agreed rentals or any breach of contract by the lessee, the lessor shall be entitled to collect liquidated damages and Attorney's Fee exclusive of the unpaid rental and costs, legally taxable, all in Philippine Currency.
- 25.) A copy of the guidelines and policies of this ordinance should be posted at the conspicuous place inside the stall.
- 26.) Regular inspection shall be conducted by the lessor anytime.

SECTION 2. SEPARABILITY CLAUSE. In case any provision of this ordinance shall be held or decided invalid or unconstitutional, the validity of the other provisions thereof shall not be affected thereby.

SECTION 3. REPEALING CLAUSE. Any ordinance, rules and regulations or parts thereof, inconsistent with the provisions of this ordinance are hereby repealed, amended or modified accordingly.

SECTION 4. EFFECTIVITY. In compliance with Art. 114 of RRILG, this Ordinance shall be posted at conspicuous places in the City of Ormoc and the same shall be published in a newspaper of general circulation within the territorial jurisdiction of Ormoc City. This ordinance shall take effect on the day following its publication.

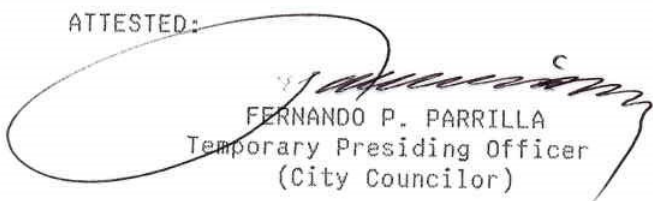
ENACTED, September 27, 2007.

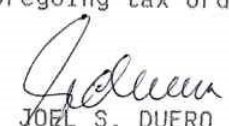
RESOLVED, FURTHER, to furnish copies of this Tax Ordinance each to His Honor, the City Mayor Eric C. Codilla, the City Administrator, the City Treasurer, the city Accountant, the City Budget Officer, the City Auditor, all in Ormoc City;

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the foregoing tax ordinance.

ATTESTED:

  
FERNANDO P. PARRILLA  
Temporary Presiding Officer  
(City Councilor)

  
JOEL S. DUERO  
Secretary to the  
Sangguniang Panlungsod

APPROVED:

  
ERIC C. CODILLA  
City Mayor  
10/9/07  
(Date)