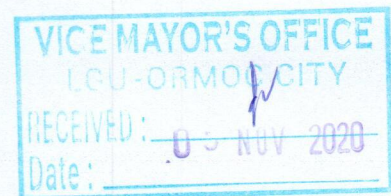


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON NOVEMBER 03, 2020



PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
Tomas R. Serafica,
Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Jasper M. Lucero,
Peter M. Rodriguez,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,
Esteban V. Laurente,

City Vice Mayor & Presiding Officer
SP Member
SP Member
SP Member, Majority Floor Leader

SP Member
SP Member
SP Member, Asst. Majority Floor Leader
SP Member
SP Member
SP Member
SP Member

Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc

Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

PREFATORY STATEMENT

WHEREAS, the 15th Sangguniang Panlungsod ng Ormoc was in receipt of an endorsement from the Office of the City Mayor dated September 16, 2019 the request for amendment of Tax Ordinance No. 99-02 entitled " An Ordinance Adopting A Revised Schedule of Water and Service Fees for the Consumer/Users of the Ormoc Waterworks System Administration (ORWASA) thereby Amending the Pertinent Provisions of Tax Ordinance No. 1, Otherwise Known As "The Ormoc City Revenue Code of 1977" And For Other Purposes." specifically requesting that the provisions relative to the water rates of the mentioned Ordinance be increased;

WHEREAS, the endorsement of the City Mayor was in relation to the letter from the Ormoc Waterworks System Administration (ORWASA) dated July 8, 2019 stating the need to increase the city's water tariff because their office already have difficulty maintaining the water supply facilities due to high labor cost, power consumption and maintenance materials. Stated also in said letter was that the last time the City had an increase was about twenty years ago and that currently the City may have the lowest water rates among cities and municipalities throughout the Philippines;

WHEREAS, to ensure that the local government thru the Ormoc Waterworks System Administration sustain its operations and expand its services, it is necessary to increase the charges of water tariff;

WHEREAS, a public hearing was conducted last September 25, 2020 in compliance of the legal requirement provided for in the Local Government Code;

WHEREAS, the foregoing premises considered, this Sanggunian finds great merit in the City Mayor's requested amendment intended for the benefit of the City and to the community as a whole;

WHEREFORE, on joint motion of SP Member Tomas R. Serafica, Chairman, Committee on Ways & Means and SP Member Jasper M. Lucero, Chairman, Committee, on Economic Enterprise, severally seconded by SP Members Roiland H. Villasencio, Esteban V. Laurente, Joan Marbie C. Simbajon, Lalaine A. Marcos and Gregorio G. Yrastorza III; be it

RESOLVED, to enact:

TAX ORDINANCE NO. 002
(Series of 2020)

AN ORDINANCE AMENDING SECTION 1 OF TAX ORDINANCE NO. 99-02, OTHERWISE KNOWN AS "AN ORDINANCE ADOPTING A REVISED SCHEDULE OF WATER AND SERVICE FEES FOR THE CONSUMERS/USERS OF THE ORMOC WATERWORKS SYSTEM (ORWASA) THEREBY AMENDING THE PERTINENT PROVISIONS OF TAX ORDINANCE NO. 1, OTHERWISE KNOWN AS "THE ORMOC CITY REVENUE CODE OF 1977" AND FOR OTHER PURPOSES.", AND INCORPORATING THEREIN CERTAIN NEW PROVISIONS.

BE IT ORDAINED by the 15th Sangguniang Panlungsod of Ormoc City, that:

SECTION 1.SHORT TITLE – This ordinance shall be known and cited as the "WATER SERVICES FEE ORDINANCE OF 2020".

SECTION 2. DEFINITION OF TERMS. –

- a. BULK WATER – the sale of water in bulk through water service connection or the sale of water in bulk other than through the ordinary and usual course of business; it could be water delivered or transported in tanks, by truck or any other vehicle of large capacity.
- b. COMMERCIAL - class of water consumer in which the utilization of water is for commercial purposes, that is with profit as the motive or for use in commercial establishment:

Commercial class is further sub classified in the following manner;

CLASSIFICATION	DEFINITION
FULL COMMERCIAL	<p>- Business establishments directly using water in their day to day operations such as, but not limited to;</p> <ul style="list-style-type: none">a. Commercial Rest Houses;b. Hotels, lodges and the likes;c. Private Hospitals;d. Cafeterias managed by cooperatives, corporations, etc.;e. Ice cream parlors;f. Beer houses;g. Bars, night clubs and disco pads;h. Restaurants;i. Gasoline stations;j. Bus stations and/or terminals;k. Concrete Hollow Blocks and concrete products manufacturers;l. Theaters;m. Carinderias;

- n. Confectioneries and bakeries;
- o. Ice plants;
- p. Private schools;
- q. Boarding houses;
- r. Billiard halls and other games and entertainment places;
- s. Resorts;
- t. Recreational facilities;
- u. Water Refilling Stations
- v. Laundry Shops
- w. Carwash
- x. Poultryes, piggeries & the likes
- y. Any residential user who sells or supplies water to others;

SEMI-COMMERCIAL A - Business establishments indirectly using water in their day to day operations such as, but not limited to;

- a. Photo services;
- b. Dental and medical clinics;
- c. Warehouses;
- d. Groceries;
- e. Gift shops;
- f. All Government Offices and Facilities, including government banks, public schools and public hospitals;
- g. Drugstores;
- h. Wholesale and retail outlets;
- i. Furniture shops;
- j. Fish and meat stalls in public markets with individual water meters.

SEMI-COMMERCIAL B - Small business establishments, with or without permit to operate legally with a capitalization of not more than PHP 10,000.00 such as, but not limited to;

- a. Sari-sari stores;
- b. Vulcanizing and repair shops;
- c. Other premises utilized for selling foods or services including premises used for living quarters

c. INDUSTRIAL – class of water consumer in which the utilization of water is for industrial in factories, industrial plants and mines, including the use of water as ingredient of a finished product, or accessories in the process of production

d. RESIDENTIAL – class of water consumer in which the utilization of water is for domestic purposes including, but not limited to, drinking, washing, bathing, cooking or other household needs, home gardens, and watering of lawns or domestic animals.

e. FIRST 10 CUBIC METER – or so called minimum cubic meter or zero to ten cu m (0-10 cu m)

SECTION 3. Section 1 of Tax Ordinance No. 99-02, otherwise known As "An Ordinance Adopting a Revised Schedule of Water and Service Fees for the Consumers/Users of the Ormoc Waterworks System (ORWASA) thereby Amending the Pertinent Provisions of Tax Ordinance No. 1, otherwise known As "The Ormoc City Revenue Code of 1977" And For Other Purposes.", is hereby further amended, to now read as follows:

"SECTION 1. Rates of Payment. - The rates of payment for water and service fees for water consumers of the Ormoc Waterworks System Administration are hereby fixed according to the following schedule:

RESIDENTIAL	RATE (PHP)
Size of meter - ½ diameter:	
Min. 10 cu.m.	100.00
11 – 20 cu. m.	+11.00
21 – 30 cu. m.	+12.00
31 – 40 cu. m.	+13.00
41 – 50 cu. m.	+15.00
Over 50 cu. m.	+16.00
FULL COMMERCIAL/INDUSTRIAL	
Size of meter - ½" diameter:	
Min. 10 cu. m.	175.00
11 – 20 cu. m.	+19.00
21 – 30 cu.m.	+21.00
31 – 40 cu.m.	+23.00
41 – 50 cu.m.	+26.00
Over 50 cu.m.	+28.00
Size of meter - ¾" diameter:	
Min. 10 cu.m.	350.00
11 – 20 cu. m.	+19.00
21 – 30 cu.m.	+21.00
31 – 40 cu.m.	+23.00
41 – 50 cu.m.	+26.00
Over 50 cu.m.	+28.00
Size of meter - 1" diameter:	
Min. of 10 cu.m.	700.00
11 – 20 cu. m.	+31.00
21 – 30 cu.m.	+34.00
31 – 40 cu.m.	+37.00
41 – 50 cu.m.	+41.00
Over 50 cu.m.	+45.00
Size of meter - 1 ½" diameter:	
Min. of 10 cu.m.	1,050.00
11 – 20 cu. m.	+46.00
21 – 30 cu.m.	+51.00
31 – 40 cu.m.	+56.00
41 – 50 cu.m.	+62.00
Over 50 cu.m.	+68.00
Size of meter - 2" diameter:	
Min. of 10 cu. m.	2,000.00
11 – 20 cu. m.	+62.00
21 – 30 cu.m.	+68.00
31 – 40 cu.m.	+75.00
41 – 50 cu.m.	+82.00
Over 50 cu.m.	+90.00

Above 2 1/2" diameter:	
Min. of 10 cu.m.	2,100.00
11 - 20 cu. m.	+92.00
21 - 30 cu.m.	+102.00
31 - 40 cu.m.	+112.00
41 - 50 cu.m.	+123.00
Over 50 cu.m.	+135.00

SEMI-COMMERCIAL A

Size of meter - 1/2" diameter:	
Min. of 10 cu.m.	155.00
11 - 20 cu.m.	+19.00
21 - 30 cu.m.	+21.00
31 - 40 cu.m.	+23.00
41 - 50 cu.m.	+26.00
Over 50 cu.m.	+28.00

Size of meter - 3/4" diameter:	
Min. of 10 cu.m.	310.00
11 - 20 cu.m.	+19.00
21 - 30 cu.m.	+21.00
31 - 40 cu.m.	+23.00
41 - 50 cu.m.	+26.00
Over 50 cu.m.	+28.00

Size of meter - 1" diameter:	
Min. of 10 cu.m.	615.00
11 - 20 cu.m.	+31.00
21 - 30 cu.m.	+34.00
31 - 40 cu.m.	+37.00
41 - 50 cu.m.	+41.00
Over 50 cu.m.	+45.00

All Government offices and facilities with existing size of meter above one (1") diameter shall be charged equivalent to the fees for one (1") diameter size of meter.

SEMI - COMMERCIAL B

Size of meter - 1/2" diameter:	
Min. of 10 cu.m.	130.00
11 - 20 cu.m.	+19.00
21 - 30 cu.m.	+21.00
31 - 40 cu.m.	+23.00
41 - 50 cu.m.	+26.00
Over 50 cu.m.	+28.00

BULK WATER FEE/SPECIAL SERVICES FEE:

Per cubic meter	65.00
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SECURITY DEPOSIT FOR WATER INSTALLATION:

Size of Meter - 1/2" diameter	1,000.00
Size of Meter - 3/4" diameter	1,500.00
Size of Meter - 1" diameter	2,000.00
Size of Meter - 1 1/2" to 2" and above diameter	3,000.00

INSTALLATION FEE:

Size of Meter - ½" diameter	600.00
Size of Meter - ¾" diameter	900.00
Size of Meter - 1" diameter	1,200.00
Size of Meter - 1 ½" to 2" and above diameter	1,700.00

RE-CONNECTION FEE:

Size of Meter - ½" diameter	300.00
Size of Meter - ¾" diameter	600.00
Size of Meter - 1" diameter	1,200.00
Size of Meter - 1 ½" to 2" and above diameter	2,400.00

CHANGE NAME FEE

600.00

TRANSFER LOCATION FEE

600.00

SECTION 4. There shall be new section added to Tax Ordinance No. 99-02 and shall be read as follows:

"SECTION 8. PROHIBITED ACTS -It is declared unlawful for any person or persons to:

- a. Destroy, damage, or interfere with any water mains, water distribution pipes, conduit pipes, or other works or property of the ORWASA;
- b. Do any malicious act which shall injuriously affect the quantity or quality of the water or sewage flow of any waterworks of the ORWASA;
- c. Tap, make, or cause to be made any connection with water lines without prior authority or consent from the management of the ORWASA.
- d. Tamper, install or use tampered water meter, sticks, magnets, reversing water meters, shortening of vane wheels and /or other devices to steal water or interfere with accurate registry or metering of water usage, or otherwise result in its diversion in a manner whereby water is stolen or wasted from the ORWASA;
- e. Steal or pilfer water meters, main lines, pipes and related or ancillary facilities of the ORWASA.
- f. Use of electric booster pump/s from drawing water directly from the mainline pipe. Except when a cistern tank or reservoir is provided where water shall be drawn therefrom.

SECTION 9. INCENTIVE AND REWARD - Any person who provides or shares reliable and relevant information or report to ORWASA of any of the prohibited acts mentioned in Section 5 of this Ordinance and duly validated by ORWASA shall be given a reward certificate entitling him or her an incentive worth Three Hundred Pesos (PHP 300.00), with a validity of one year, which shall be applied to his or her current water bill. If, however, he or she has no ORWASA account, he or she may assign it to anybody with an active account in ORWASA provided that the assignee is qualified or not delinquent.

SECTION 10. PENALTIES-Any person who shall violate any provisions of Section 5 of this Ordinance shall be meted a fine of not more than Five Thousand Pesos (PHP 5,000.00) or imprisonment of not more than one (1) year or both upon the discretion of the court.

The violator may opt to pay an Administrative Fine at the City Treasurer's Office of Ormoc City within Ten (10) days from the issuance of Notice of Violation by the ORWASA, otherwise, an appropriate case will be filed in court. The Administrative fine shall be as follows:

- | | |
|-------------------------|------------|
| a. First Offense | P 2,000.00 |
| b. Second Offense | P 3,000.00 |
| c. Third and Succeeding | P 5,000.00 |
| d. Offenses | |

Aside from the payment of the administrative fine, the offender shall likewise pay the value of the water stolen or wasted and/or the value of the damaged facilities as determined by the ORWASA.

SECITON 11. ACCRUAL OF FEES - Upon approval of this Ordinance, revenues collected by the City Treasurer's Office after deducting cost of operation and improvements, shall accrue to a Special Account of the General Fund which shall only be exclusively used for the continuing improvement program of the system."

Considering the herein insertions, all Sections of the amended Ordinance that were affected shall be renumbered accordingly.

SECTION 5. REPEALING CLAUSE - All Ordinances and/or Resolutions, or portions thereof, inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 6. SEPARABILITY CLAUSE - If for any reason any provision of this Ordinance is declared unconstitutional or invalid by any competent court, the other parts or provisions hereof which are not affected thereby shall continue in full force and effect.

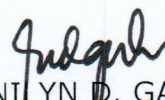
SECTION 7. EFFECTIVITY - This Ordinance shall take effect immediately upon approval and after compliance with necessary posting and publication requirements of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED, November 03, 2020.

RESOLVED, FURTHER, to furnish copies of this Ordinance, one each to, the City Mayor; the City Administrator; the City Legal Officer; the City Treasurer; the Ormoc Waterworks System Administration; the City Auditor; BPLO; the Liga ng mga Barangay President; the City Local Government Operations Officer - DILG; and others concerned.

CARRIED by Eleven (11) Votes, SP Member Vincent L. Rama was out during the voting due to zoom technical problem.

I HEREBY CERTIFY to the correctness of the foregoing Tax Ordinance.



NONILYN D. GALANO
OIC - SP Secretary
(Supervising Administrative Officer)

ATTESTED:



LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer

APPROVED:



RICHARD I. GOMEZ
City Mayor

06 NOV 2020

(Date)