
PRESENT: Hon. Jose Antonio Miguel Y. Perez - Acting City Vice Mayor/Presiding Officer
Hon. Joseph T. Bacay - Majority Floor Leader
Hon. Oscar A. Boling - Minority Floor Leader
Hon. Rany S. De Leon - Member
Hon. Rufina J. Gabriel - Member
Hon. Perlito V. Rabago - Member
Hon. Fatima Ann S. Isla - Member
Hon. Orlando R. Go - Member
Hon. Salvador C. Camba, LBP - Ex-Officio Member

Hon. Jan Marionne R. Fontelera - On Leave
Hon. Margielou Orange D. Humilde - On Leave

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RESOLUTION NO. 2014-109

RESOLUTION REMANDING BARANGAY ORDINANCE NO. 01, SERIES OF 2014 OF BARANGAY LUCAP, THIS CITY, ENTITLED: “AN ORDINANCE LEVYING PARKING FEES FROM MOTORISTS (OWNER/DIRECTOR) WHO PARK HIS/HER VEHICLE AT THE LUCAP WHARF, BRGY. LUCAP, ALAMINOS CITY, PANGASINAN IMPOSING PENALTY FOR VIOLATION THEREOF AND FOR OTHER PURPOSES” FOR BEING INCONSISTENT WITH LAW

WHEREAS, the Barangay Council of Lucap, submitted for review and evaluation their Brgy. Ordinance No. 01, series of 2014, pursuant to ART. 111, RULE XVII, of the Rules and Regulations Implementing Republic Act 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, the Laws and Rules Committee of this august body conducted initial review and evaluation on the documents submitted and found out that the subject of the said Brgy. Ordinance is not within the scope of the prescribed powers of the Sangguniang Barangay to impose because pursuant to Section 155 of the same Act charges/fees on wharves may only be imposed by the LGU if and when the structure was funded and constructed by it, which in this case finds no application;

WHEREAS, after subsequent thorough review and evaluation on the subject ordinance, this body during its regular session finally found that the same should be returned for being inconsistent with law;

NOW THEREFORE, on motion of Councilor Fatima Ann S. Isla, duly seconded by Councilor Rufina J. Gabriel, it was

RESOLVED to remand, as it is hereby REMANDED, Brgy. Ordinance No. 01, series of 2014 of Brgy. Lucap, this city for being inconsistent with law or enacted beyond the scope of the prescribed powers of the Sangguniang Barangay.

RESOLVED FURTHER, that copies of this resolution be furnished all agencies concern for their information and guidance. ADOPTED UNANIMOUSLY..........
I HEREBY CERTIFY to the correctness of the foregoing resolution consisting of two (2) pages including this page.

ATTESTED:

JOSE ANTONIO MIGUEL Y. PEREZ
Acting City Vice Mayor/Presiding Officer

JOSEPH T. BACAY
Majority Floor Leader

OSCAR A. BOLING
Minority Floor Leader

RUFINA J. GABRIEL
Member

PERLITO V. PABAGO
Member

ORLANDO R. GO
Member

SALVADOR C. CAMBA, LBP
Member

LUZ B. VALE
Secretary

KANY S. DE LEON
Member

FATIMA ANN S. ISLA
Member