CITY ORDINANCE NUMBER 96-55

CITY ORDINANCE AMENDING SECTIONS 24 AND 74 (e) OF THE REVENUE CODE OF THE CITY OF MUNTINLUPA AND FOR OTHER PURPOSES.

SPONSORED BY: COUNCILOR VICENTE Y. CHUA

Be it ORDAINED as it is hereby ORDAINED by the City Council of Muntinlupa in its regular session duly assembled that:

WHEREAS, the new Local Government Code under Section 151 in relation to section 142 empowers cities to levy taxes, fees and charges not otherwise levied by provinces;

WHEREAS, Title II Chapter II, Art. 11, Section 24 of the Revenue Code of Muntinlupa imposes franchise and other fees on tricycle operations;

WHEREAS, the same Section does not impose any penalty to those who operate tricycles and other public utilities without the corresponding government permits;

WHEREAS, out of the approximately 2,568 tricycle units operating in Muntinlupa, there are only about 1,599 which are granted permits to operate by the Tricycle Regulatory Unit (TRU);

WHEREAS, there is a need to amend such Section in order to provide for the penalty for tricycle operators operating without the corresponding city government permits;

WHEREAS, Title IV, Chapter I, Art. I, of the Revenue Code requires payment of Mayor's Permit fees for any business, occupation, and other activities;

WHEREAS, Sec. 74 (e) of the Revenue Code provides for the revocation of the Mayor's permit when the person doing business or engaging in an occupation violates the terms and conditions of such permit or does any act prejudicial to the City Government or public interest;
WHEREAS, in order to make effective the implementation of the revenue code and to provide more teeth to the regulation of businesses and occupations in the City of Muntinlupa there is a need to amend Sec. 74 (e) of the Muntinlupa Revenue Code so as to provide for the closure of business establishments operating without a valid Mayor's permit;

NOW, THEREFORE, be enacted by the City Council of the City of Muntinlupa:

SECTION 1. Amendment of Sec. 24 of the Revenue Code of Muntinlupa is hereby amended by inserting a new section to denoted Sec. 24 A, to read as follows:

Sec. 24 A - Penalties - if it is found that the tricycle for hire is operating without first obtaining the corresponding permits/franchise, such tricycle shall be impounded. The tricycle be released only upon payment by the owner/operator of a fine of ONE THOUSAND PESOS (P1,000.00) and the corresponding taxes and fees imposed under this Code.

Sec. 74 (e) of the Revenue Code of Muntinlupa is hereby amended to read as follows:

Sec. 74. Administrative Provisions

a. XXXXXXXXXXX
b. XXXXXXXXXXX
c. XXXXXXXXXXX
d. XXXXXXXXXXX
e. Revocation of Permit and Closure of Business Establishment - when a person doing business or engaging in an activity under the provision of this code violates any provisions of this Article, violates any conditions set forth in the permit, refuses to pay an
indebtedness to the Muntinlupa Government, abuses his privilege to do business or pursues an activity within Muntinlupa to the injury of public morals or peace; when the place where such business or undertaking is conducted becomes a nuisance or is permitted to be used as a resort for disorderly characters, criminals, or women of ill-repute or when the applicant has made any false statement on any portion of his application or when the business establishment is operating without first obtaining corresponding Mayor's Permit. The City Mayor or his duly authorized deputies may after investigation and a formal written notice, revoke the permit and/or order the closure of the business establishment.

Such revocation and closure shall forfeit all sums which may have been paid with respect to the right granted, in addition to the penalties provided for under this code and without prejudice to the filing of the appropriate action in court.

SECTION 2. Repealing Clause. All rules and regulations or any part thereof, in conflict or inconsistent with the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 3. Effectivity. This Ordinance shall take effect ten (10) days after its publication.

Enacted by the City Council on its 26th regular session, this 29th day of January, 1996.

ATTY. JAIME R. FRESNEDI
Vice-Mayor
HON. MELCHOR R. TEVES
Councillor

HON. DANTE B. ALMARIO
Councillor

HON. RAFAEL R. ARCIAGA
Councillor

HON. VICTOR L. ULANGDAY
Councillor

HON. ABDUL L. SAN PEDRO
Councillor

HON. REYNALDO A. ABAS, JR.
Councillor

HON. JASON T. ALCARAZ
Councillor

(Absent)

HON. REY E. BULAY
Councillor

HON. ROMAN E. NIESES
Councillor

KON. ALEJANDRO L. MARTINEZ
Councillor

HON. PATRICIO L. BONCAYAO, JR.
Councillor

KON. RUPINIO B. JOAQUIN
Councillor

HON. VICENTE Y. CHUA
Sectoral Representative
President

HON. MIGUEL LUIS F. RIOS, JR.
Sectoral Representative
President

Association of Bgy. Capt.
Federation of Sang.Kabataan
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ATTESTED BY:

NECITO M. GUIDO
City Council Secretary

APPROVED:
ATTY. IGNACIO R. BUNYE
City Mayor