ORDINANCE NO. 13-005

AN ORDINANCE AMENDING SECTION 4 OF ORDINANCE NO. 10-019 ON THE BASIS OF THE COMPUTATION OF THE RISK REDUCTION FEE.

WHEREAS, Section 129 of Republic Act 7160, otherwise known as the Local Government Code 1991, states that, "each local government unit shall exercise its power to create its own sources of revenue and to levy taxes, fees, and charges subject to the provisions herein, consistent with the basic policy of local autonomy. Such taxes, fees, and charges shall accrue exclusively to the local government units";

WHEREAS, the 6th Sangguniang Panlungsod of Muntinlupa has enacted Ordinance No. 10-019 for the purpose of providing funds for the City's risk reduction and disaster mitigation initiatives, disaster management plans and programs and facilities, connected therewith, a payment of risk reduction fee is required of all business establishments;

WHEREAS, Section 4 of the aforesaid ordinance provides that the amount of Risk Reduction Fee (FFDM) to be imposed on every business establishment shall be ten percent (10%) of one percent (1%) of the business tax due;

WHEREAS, the 6th Sangguniang Panlungsod of Muntinlupa has passed a Resolution No. 12-135 clarifying the amount of Risk Reduction Fee being imposed under City Ordinance No. 10-019;

WHEREAS, the aforesaid ordinance provides that the amount of Risk Reduction Fee (RRD) to be imposed on every business establishment shall be ten percent (10%) of one percent (1%) of the annual gross sales/receipts;

WHEREAS, the Business Permits and Licensing Office (BPLO) proposed that the amount of Risk Reduction Fee should be amended to ten (10%) of the total assessed fees and charges payable annually;
WHEREAS, the City Legal Office made its comment in the matter citing that “we find nothing legally objectionable to the subject of clarifying the amount of risk reduction fee to be collected, as part of the regulatory fees on business establishments, which is ten percent (10%) of the total assessed fees and charges, payable annually. This clarification is consistent with the provisions of the Muntinlupa Revenue Code”; 

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 7th Sangguniang Panglungsod, in session assembled that:

SECTION 1. Section 4 of Ordinance No. 10-019, read as follows:

"Amount of Risk Reduction Fee – The Risk Reduction fee to be imposed on every business establishment is ten percent (10%) of the one percent (1%) of the business tax due."

NOW SHALL BE READ AS FOLLOWS:

Amount of Risk Reduction Fee - The amount of Risk Reduction Fee to be imposed on every business establishment is ten percent (10%) of the total assessed fees and charges payable annually.

SECTION 2. Separability Clause – If for any reason or reasons any part or provisions of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 3. Repealing Clause. All previous ordinances inconsistent with this ordinance shall be deemed repealed or modified accordingly.

SECTION 4. Effectivity Clause – This ordinance shall take effect after its approval.

ENACTED, by the 7th Sangguniang Panglungsod of Muntinlupa this 9th day of September 2013, on its 10th Regular Session.

CONCURRED:

DISTRIBUT I:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ATTY. PATRICIO L. BONCAYAO, JR.
Member
Sangguniang Panglungsod

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COUN. STEPHANIE G. TEVES
Member

COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member

COUN. RINGO A. TEVES
Member

COUN. ALEXANDER B. DÍAZ
Member

DISTRICT I:

COUN. MA. DHESIREE G. AREVALO
Member

COUN. ENGR. NEPTALI S. SANTIAGO
Member

COUN. ELMER S. ESEPTEETA
Member

COUN. VERGEL C. ULANDAY
Member

COUN. ROBERT A. ABAS
Member

ABSENT:

COUN. BAL NIEFES
Member

COUN. ROBERT P. BAES
Member

COUN. ADORADO P. SAN PEDRO
Sectoral Representative
President
Association of Barangay Captains

COUN. EULOGIO DS. DIOKO, II
Sectoral Representative
President
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary
Sangguniang Panglungsod

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ATTESTED:

ARTEMIO (A.) SIMUNDA
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: SEP 18 2

Norie/7th SP