

REPUBLIKANG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD

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CITY ORDINANCE NO. 488

March 18, 2009

AN ORDINANCE GRANTING THE RIGHT-OF-WAY EASEMENT ON THE TERRITORIAL AIRSPACE OF THE CITY OF BACOLOD AND PROVIDING CONDITIONS THEREOF.

WHEREAS, Lourdes C & Sons Realty & Development Corporation is the owner and operator of one of the landmarks of the city, the L'Fisher Hotel;

WHEREAS, L'Fisher Hotel is widely acknowledged to have immensely contributed to the tourism industry of the city by providing world-class accommodations to almost all important and distinguished guests of the city who include the Presidents of the Republic;

WHEREAS, L'Fisher Hotel is presently undergoing face-lifting, renovation and expansion of its existing hotel facilities to meet the challenge of global competition, and to conveniently accommodate the growing foreign and domestic tourists visiting the city;

WHEREAS, incidental to the aforesaid renovation and expansion, is the construction of a utility bridge which will connect the new structure to the power house. However, it shall, unavoidably, pass through a public road owned by the city;

WHEREAS, a request was made by Lourdes C & Sons Realty & Development Corporation to the city for the grant of an easement of right-of-way in order for the company to complete the renovation as planned to better serve the growing tourism industry of the city.

NOW THEREFORE, BE IT ENACTED AS IT IS HEREBY ENACTED by the Sangguniang Panlungsod of the City of Bacolod, in its Session duly assembled, that:

Section I – TITLE. – This ordinance shall be known as the ordinance granting right-of-way easement on the territorial airspace of the city and providing conditions thereof.

Section II – EASEMENT OF RIGHT-OF-WAY. The city hereby grants an easement of right-of-way on the territorial airspace of the city to LOURDES C & SONS REALTY & DEVELOPMENT CORPORATION exclusively for the purpose of constructing a utility bridge to connect its electrical wires and water pipes from its hotel structures to the power house. It is understood that this bridge shall not be used for any other purposes such as pedestrian and other commercial purposes.

Section III – LOCATION. The utility bridge shall be located at 15th Street, between Lacson and Aguinaldo Streets, Bacolod City as per attached plan, a copy of which is hereby incorporated, forming an integral part of this Ordinance

Section IV – CONDITIONS & SPECIFICATIONS. The bridge shall have the following features and specifications, to wit:

- a. It must be not more than two (2) meters in width;
- b. It must be not less than four and a half (4.5) meter in height;
- c. It must be aesthetically designed;
- d. The design shall be subject to the approval of the city through the Chairman of the Committee on Public Works and Infrastructures.

Section V – NO COMMERCIAL USAGE. The grant of an easement for the construction of the utility bridge crossing 15th Street as the city's recognition of the huge contribution of the grantee to the growth of the tourism industry in the city. Further, the bridge will not be utilized for commercial and other purposes, except for electrical wires and water pipe connection from the hotel structure to the power house. However, the grantee may contribute any amount it deems reasonable to any charitable organization or Day Care Centers accredited by the city.

Section VI – SEPARABILITY CLAUSE. Any provision of this Ordinance that may be declared void or invalid by court of competent jurisdiction shall not affect other provisions or section of this ordinance and shall continue to be in force and in effect.

Section VII – EFFECTIVITY. This Ordinance shall take effect immediately upon approval hereof.

CARRIED BY THE VOTE OF:

Affirmative:

Councilors : Greg G. Gasataya, Homer Q. Bais, Jocelle Batapague, Dindo C. Ramos, Wilson C. Gamboa, Jr., Al Victor A. Espino, Napoleon A. Cordova, Celia Matea R. Flor, Catalino T. Alisbo, Alex A. Paglumotan, Reynold I. Iledan, Diosdado A. Valenzuela.

Negative : None.

Absent : None.

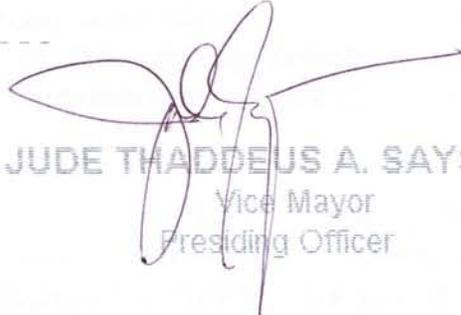
Official Travel : Councilor Roberto M. Rojas.

Author : Councilor Dindo C. Ramos.

Co-Authors : Councilors Alex A. Paglumotan and Roberto M. Rojas.

Passed : March 18, 2009 (89th Regular Session).

Comments: P a s s e d .
Councilor Kevin Daniel L. Ramos was not yet around when this ordinance was passed.


JUDE THADDEUS A. SAYSON
Vice Mayor
Presiding Officer

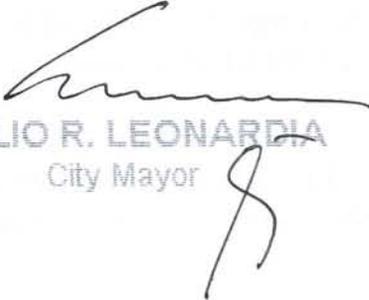
ATTESTED:

ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

By:


HELEN P. LEGASPI
Board Secretary IV

APPROVED: April 2, 2009
March , 2009.


EVELIO R. LEONARDIA
City Mayor

NTA/HPL/jbz

