

REPUBLIKA NG PILIPINAS
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
LUNGSOD NG BAKOLOD

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CITY ORDINANCE NO. 09-16-799

December 5, 2016

"AN ORDINANCE TEMPORARILY WITHDRAWING FROM PUBLIC USE PORTION OF AGUINALDO STREET CORNER NORTH CAPITOL ROAD AND AUTHORIZING MDC BUILDPLUS INC., THE USE OF THE SAME FOR PURPOSES OF PUTTING UP ITS ON-SITE FACILITIES AND FOR PRIVATE PURPOSES".

WHEREAS, the City of Bacolod encourages investments to pour into the City as it shall result to infusion of fresh funds for the city and shall generate employment for its constituents. Thus, it will provide the necessary support and favorable atmosphere for businesses to thrive thereby, entice investors to locate and do business in the City;

WHEREAS, the MDC Buildplus Inc. is requesting for authority for the exclusive use of one lane road, approximately 2.55 meters in length and 45.09 meters in width, or a total land area of 114.98 square meters, more or less, of Aguinaldo St. corner North Capitol Road for its temporary on-site facilities while construction is ongoing;

WHEREAS, MDC has exhausted all possible locations for their temporary on-site facilities within the vicinity of the construction site, but has not found any other alternative. Hence, they have no other option but to request for the use of the road from the city government;

WHEREAS, MDC BuildPlus, Inc. has likewise secured from the Provincial Government of Negros Occidental through its Hon. Governor Alfredo Marañon, a Certificate of No-Objection to use the road despite the fact, that some of its employees shall be deprived of the use of the parking spaces, shall result to traffic congestion in the area and cause the unnecessary noise brought about by the construction of its on-site facilities at the area;

NOW THEREFORE, be it ORDAINED as it is hereby ORDAINED by the Sangguniang Panlungsod in session assembled, that;

Section 1. – AREA TEMPORARILY WITHDRAWN FROM PUBLIC USE – One lane out of the four-lane road, approximately 2.55 meters in length and 45.09 meters in width or a total land area of 114.98 square meters, more or less, of Aguinaldo St. corner North Capitol Road is temporarily withdrawn from public use for purposes of the exclusive use of MDC BuildPlus Inc. as its on-site facilities for the period of six (6) months only effective upon approval of this Ordinance.

Section 2. - RENTAL - MDC BuildPlus Inc. shall pay rental for the use of the road, the amount of which shall be determined by the City Appraisal Committee;

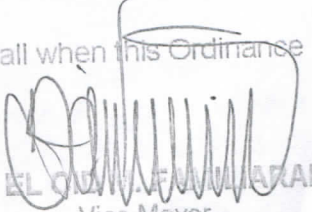
Section 3. - SAFETY - MDC BuildPlus Inc. shall ensure the safety of both motorists and pedestrians by putting up pre-cautionary measures at the site, and ensure the free-flow of traffic by assigning personnel to direct traffic thereat, any time of the day and night;

Section 4. - FINAL PROVISION - The City reserves the right to revoke the authority granted to MDC BuildPlus Inc. in case such occupation results to unbearable traffic congestion, unhealthy and unsanitary environment and other similar nuances, through a resolution duly passed and approved by the City Council;

Section 5. - EFFECTIVITY - This Ordinance shall take effect immediately upon its approval in accordance to law.

CARRIED BY THE VOTE OF:

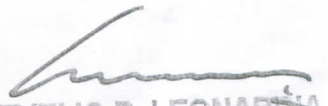
Affirmative :
Councilors: Ricardo L. Tan, Caesar Z. Distrito, Cindy L. Rojas, Elmer T. Sy, Ana Marie V. Palermo, Wilson C. Gamboa, Jr., Dindo C. Ramos, Bartolome N. Orola, Sr., Claudio Jesus Raymundo A. Puentevella, Sonya M. Verdeflor and Noli B. Villarosa.
Official Leave: Councilor Renecito S. Novero
Main Author: Councilor Dindo C. Ramos
Passed: December 5, 2016 (23rd Regular Session).
Comment: Passed.
Councilor Em L. Ang was out of the Session Hall when this Ordinance was approved.


ELMER T. SY
Vice Mayor
Presiding Officer

ATTESTED: **ATTY. VICENTE C. PETIERRE III**
Secretary to the Sanggunian

by: 
CELIA L. LABIYO
Stenographic Reporter IV

APPROVED: Dec. 21, 2016


EVELIO R. LEONARDIA
City Mayor

CLL/CGT/jpb

CD
LEGISLATIVE SERVICES SECTION
DATE 12/27/16 10:07am
BY 