

Republika ng Pilipinas
LALAWIGAN NG SURIGAO DEL SUR
TANDAG CITY

Tanggapan ng Sangguniang Panlalawigan
(Office of the Provincial Council)

EXCERPT FROM THE MINUTES OF THE 107TH REGULAR SESSION OF THE 20TH SANGGUNIANG PANLALAWIGAN OF SURIGAO DEL SUR HELD AT THE SANGGUNIANG PANLALAWIGAN SESSION HALL, LEGISLATIVE BUILDING, CAPITOL HILLS, TELAJE, TANDAG CITY, PROVINCE OF SURIGAO DEL SUR ON SEPTEMBER 3, 2024

PRESENT:

Hon. Manuel O. Alameda, Sr.	- Vice Governor (Presiding Officer)
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Regular Sangguniang Panlalawigan Members:

District I	District II
Hon. Ruel D. Momo	Hon. Conrad C. Cejoco
Hon. Amado M. Layno, Jr.	Hon. Margarita G. Garay
Hon. Antonio C. Azarcon	Hon. Gines Ricky J. Sayawan, Sr.
Hon. Valerio T. Montesclaros, Jr.	Hon. Anthony Joseph P. Cañedo
Hon. Jose Dumagan Jr.	Hon. Raul K. Salazar

Ex – Officio Members:

Hon. John Paul C. Pimentel	- President, Philippine Councilors' League, Surigao del Sur Chapter
Hon. Melanie Joy M. Guno	- President, Provincial Chapter of the Liga ng mga Barangay sa Pilipinas

ON OFFICIAL BUSINESS:

Hon. Jimmy I. Guinsod	- Indigenous Peoples Mandatory Representative, Surigao del Sur
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ABSENT:

On Sick Leave:

Hon. Yuri Art Eufy R. Sanchez	- President, Panlalawigang Pederasyon ng mga Sangguniang Kabataan
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RESOLUTION NO. 2295-24
(Series of 2024)

DENYING RESOLUTION NO. 132 DATED JULY 29, 2024 OF THE MUNICIPALITY OF MADRID, THIS PROVINCE ENTITLED "A RESOLUTION FOR THE RECONSIDERATION OF RESOLUTION NO. 1704-24 OF THE SANGGUNIANG PANLALAWIGAN OF SURIGAO DEL SUR" ON THE DECLARATION OF ORDINANCE NO. 03-2023 ON THE GROUNDS THAT IT HAS ALREADY BEEN DECLARED NULL AND VOID

SPONSORS:

HON. ANTONIO C. AZARCON, HON. CONRAD C. CEJOCO, HON. GINES RICKY J. SAYAWAN, SR., HON. RAUL K. SALAZAR, HON. ANTHONY JOSEPH P. CAÑEDO, HON. RUEL D. MOMO, HON. MARGARITA G. GARAY, HON. AMADO M. LAYNO, JR., HON. MELANIE JOY M. GUNO AND HON. JIMMY I. GUINSOD

WHEREAS, the Sangguniang Bayan of the Municipality of Madrid, this Province enacted Ordinance No. 03-2023 dated March 20, 2023 entitled “An Ordinance Imposing Environmental Protection Fee on All Commercial and Industrial Vehicles and Vessels Loading Quarry and Mineral Resources Within the Municipality of Madrid, Province of Surigao del Sur, Imposing Penalties for Violations of this Ordinance”, which was furnished to this August Body for appropriate action. The Sangguniang Panlalawigan adopted Resolution No. 938-23 entitled “Declaring the Ordinance No. 03-2023 dated March 20, 2023 of the Municipality of Madrid, this Province, Ultra Vires, it Being in Violation of Section 516 (Penalties for Violation of Tax Ordinance) of the Local Government Code of 1991”. Upon receipt of said SP Resolution, the Sangguniang Bayan of Madrid issued a Letter of Request for Reconsideration dated July 18, 2023;

WHEREAS, this August Body denied the request for Reconsideration thru SP Resolution No. 1103-23 dated August 22, 2023. Subsequently, the Sangguniang Bayan of Madrid passed again another Motion for Reconsideration thru Resolution No. 132 dated July 29, 2024 of the Municipality of Madrid, this Province entitled “A Resolution for the Reconsideration of Resolution No. 1704-24 of the Sangguniang Panlalawigan of Surigao del Sur”;

WHEREAS, this August Body maintains its assertion that Ordinance No. 03-2023 is null and void. Hence, the Motion for Reconsideration manifested in Resolution No. 132 of the Sangguniang Bayan of Madrid is denied. As a remedy, the Sangguniang Bayan of Madrid should rectify said Ordinance, make it as a new Ordinance and submit the same to the Sangguniang Panlalawigan for review;

WHEREAS, in view of the foregoing, and on motion of Hon. Antonio C. Azarcon and duly seconded by Hon. Valerio T. Montesclaros, Jr.;

NOW THEREFORE

BE IT RESOLVED by the Sangguniang Panlalawigan of Surigao del Sur to deny Resolution No. 132 dated July 29, 2024 of the Municipality of Madrid, this Province entitled “A Resolution for the Reconsideration of Resolution No. 1704-24 of the Sangguniang Panlalawigan of Surigao del Sur” on the declaration of Ordinance No. 03-2023 on the grounds that it has already been declared null and void.

RESOLVED FINALLY: To furnish copies of this Resolution to Hon. Juan Paolo L. Lopez, Municipal Mayor and to the Sangguniang Panlungsod thru Hon. Philip Y. Urquia, Vice Mayor, all of Municipality of Madrid, this Province, for their information and appropriate action.


ADOPTED this 3rd day of September, 2024 at the City of Tandag, Province of Surigao del Sur by unanimous votes of all Sangguniang Panlalawigan Members present.

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I HEREBY CERTIFY to the correctness of the foregoing Resolution.


MARITES COMA ARREZA
Acting Secretary to the Sangguniang Panlalawigan
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**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:**


MANUEL O. ALAMEDA, SR.
Vice Governor
Presiding Officer