



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 182

9TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the third day of September, Two Thousand Fifteen

ORDINANCE NO. 8439

AN ORDINANCE AMENDING CITY ORDINANCE NO. 8366 OF THE CITY OF MANILA TO INCLUDE OTHER BARANGAYS ADJACENT TO AND SIMILARLY HOSTING BUSINESS ESTABLISHMENTS OPERATING IN THE AREAS DESCRIBED THEREIN IN THE ALLOCATION OF THE REAL PROPERTY TAX AND FOR OTHER PURPOSES

PRINCIPAL AUTHORS:

HON. DENNIS B. ALCOREZA

and

HON. ERNESTO M. DIONISIO, JR.
Acting Majority Floor Leader

PREAMBLE

WHEREAS, the City Council of Manila, on November 21, 2014, passed Ordinance No. 8366 affirming City Council Resolution No. 110, Series of 2014, appropriating to Barangay 248, Zone 22, District II, City of Manila, the proceeds of real property tax covering the areas of Mayhaligue Street to the North, C.M. Recto Avenue to the South, Dagupan Street to the West and Antonio Rivera to the East;

WHEREAS, the Honorable Mayor Joseph Ejercito Estrada has approved and signed said Ordinance on November 21, 2014;

WHEREAS, aside from Barangay 248, there are other barangays which are adjacent to and similarly hosting commercial establishments in the said areas particularly Barangays 48, 49 and 51 under Zone 4 of District I and Barangays 245 and 247, under Zone 22, District II, City of Manila;

WHEREAS, Section 271 of the Local Government Code, among others, provides that the proceeds of the basic real property tax, including interest thereon specifically in cities like the City of Manila shall be distributed seventy percent (70%) for the general fund of the city and thirty percent (30%) among component barangays, whereby the latter allocation for the barangays shall be further divided or allocated fifty percent (50%) to the Barangay/s where the property or properties is/are located and fifty percent (50%) equally to all component barangays;

WHEREAS, considering that Barangays 48, 49, 51, 245, 247 and 248 are equally hosting the business establishments referred to under Ordinance No. 8366 and taking into account the above provision of the Local Government Code of 1991, there is an imperative need for this amendatory Ordinance: **NOW, THEREFORE,**

Be it ordained by the City Council of Manila, in session assembled, *THAT:*

SECTION 1. Re-allocation of the Area. – The areas referred to in Ordinance No. 8366 shall be re-allocated to include Barangays 48, 49 and 51 under Zone 4, District I and Barangays 245, 247 and 248, Zone 22, District II, all in the City of Manila.

SEC. 2. RPT Shares. – Upon the effectivity of this amendatory Ordinance, the above named Barangays shall receive and equally share in the amount equivalent to fifty percent (50%) of the thirty (30%) real property tax allocation as provided for by law. (pending the passage of an ordinance providing for a comprehensive tax-mapping of the City of Manila's 896 barangays for the purpose of real property taxation). That the RPT shares rightfully received by a Local Government Unit (LGU) such as Barangays under the amended Ordinance No. 8366, shall not in anyway affect the current and future RPT to be shared by the Barangays indicated herein.


SEC. 3. Repealing Clause. – All ordinances, resolutions, executive orders and other issuances which are inconsistent with and/or contrary to any of the provisions of this amendatory Ordinance are hereby repealed or modified accordingly.

SEC. 4. Separability Clause. - If for any reason or reasons, any part or provisions of this Ordinances shall be held unconstitutional or invalid, other parts or provisions which are not affected thereby shall continue to be in full force and effect.

SEC. 5. Effectivity Clause. - This Ordinance shall take effect immediately upon its approval.

This Ordinance was finally enacted by the City Council of Manila on October 27, 2015.


PRESIDED BY:


EDWARD V.P. MACEDA
President Pro-Tempore and
Acting Presiding Officer
City Council, Manila

ATTESTED:


LUCH R. GEMPLS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON NOV 16 2015


JOSEPH EJERCITO ESTRADA
Mayor
City of Manila

ATTESTED:


EDWARD S. SERAPIO
City Government Department Head III
(Secretary to the Mayor)

EZB:jhb/rmd/avt/rd