



PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

ORDINANCE NO. 10-019

AN ORDINANCE PROVIDING FOR THE IMPOSITION OF RISK REDUCTION FEE TO BE COLLECTED FROM BUSINESS ESTABLISHMENTS IN THE CITY OF MUNTINLUPA.

- Hon. Coun. Luvi P. Constantino
- Hon. Coun. Atty. Raul R. Corro
- Hon. Coun. Margarita Amythyst Patdu-Labios, MD
- Hon. Coun. Bal Niefes
- Hon. Coun. Alexander B. Diaz
- Hon. Coun. Ringo A. Teves
- Hon. Coun. Engr. Neptali S. Santiago
- Hon. Coun. Joselito V. Arevalo
- Hon. Coun. Robert P. Baes
- Hon. Coun. Rafael T. Sevilla
- Hon. Coun. Vergel C. Ulanday
- Hon. Coun. Adorado P. San Pedro

WHEREAS, Section 129 of Local Government Code of 1991 and Section 5, Article 10 of the 1987 Constitution state and declares that, *“each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges subject to such limitations and guidelines as congress may provide”*;

WHEREAS, the ultimate purpose of such *Risk Reduction and Disaster Mitigation* and emergency management is to save lives, preserve the environment and protect property and the economy. Emergency management is comprised of four interdependent risk-based functions: prevention/mitigation, preparedness, response and recovery. Mitigation provides a critical foundation for emergency management in the City of Muntinlupa;

WHEREAS, *Risk Reduction and Disaster Mitigation* are those that eliminate or reduce the impacts and risks of hazards through proactive measures taken before an emergency or disaster occurs;

WHEREAS, the City Government of Muntinlupa shall work together with agencies concerned in public safety and emergency management to provide for the direction and coordination of Risk Reduction disaster preparations, response, and recovery; to streamline the administration of disaster relief; to appropriate and or control the city costs of disaster assistance and for other purposes;

SECTION 1. Definition of Disaster – Disaster is defined under this section to mean the actual or threatened existence of condition of extreme peril to the safety of persons and property caused by natural or manmade events such as attacks, terrorism, chemical or oil spills or other environmental contaminations, fires, floods, storms and other hazards such as earthquakes. This may include any occurrence, which by reason of its magnitude is or is likely to become beyond the control of the normal services, personnel, equipment and facilities of the departments of the city government.

Luvi P. Constantino

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Sangguniang Panglungsod

Page 2
Ordinance No. 10-019

SECTION 2. City Policies On Disaster Mitigation – It is the policy of the city in risk reduction and disaster mitigation to take all action possible to the extent that it aims to prevent disaster, to reduce the vulnerability of city residents to any disaster that may strike, to establish capabilities for protecting citizens from adverse effects of disasters, to respond effectively to actual occurrence of disasters and other risks, and to provide for recovery in the aftermath of any emergency involving extensive damage or other debilitating influence on the normal pattern of life in the community.

As local government unit inevitably bears the bulk of the responsibility in the advent of disaster given its limited resources, it shall appropriate risk and disaster contingency funds, as necessary, for the protection of the inhabitants and property of the city from disasters.

SECTION 3. Sourcing of fund – Such funds are to be sourced from any local fund to carry out this purpose, that there is a need to levy fees from business entities and individuals as augmentation or as additional funds to the mandatory five percent (5%) calamity appropriation from the total budget of the city.

Under Ordinance No. 02-076, otherwise known as the Revised Revenue Code of Muntinlupa City the business tax being imposed is 1% of the Annual Gross Sales/receipts;

SECTION 4. 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.

SECTION 5. Risk reduction fee, imposition and use – 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 establishment which shall be equivalent to **ten percent (10%)** of the **one percent (1%)** of the said business tax due.

The risk reduction fee collected shall be exclusively used for preparedness, prevention and reduction of impact caused by natural or man made disasters. Such fund shall be used to purchase the following:

- 1) **Emergency equipment and related materials;**
- 2) **Any other expenses but subject to the prior recommendation of the Council and the prior approval of the City Council.**

SECTION 6. Mandatory review – it shall be mandatory for the legislative council of the city to **review every year** this ordinance after its approval, in order to evaluate its relevance and propose any appropriate changes as the necessity arises.

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REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 3
Ordinance No. 10-019

SECTION 7. 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.

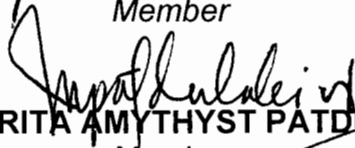
SECTION 8. Effectivity Clause – This ordinance shall take effect fifteen (15) days after posting in conspicuous places in the city and its complete publication in at least one (1) newspaper of local circulation.

ENACTED, by the 6th Sangguniang Panlungsod of Muntinlupa this 8th day of December, 2010, on its 2nd Special Session.

CONCURRED:

DISTRICT I


COUN. ATTY. RAUL R. CORRO
Member



COUN. MARGARITA AMYTHYST PATDU LABIOS, MD
Member


COUN. BAL NIEVES
Member


COUN. ALEXANDER B. DIAZ
Member


COUN. RINGO A. TEVES
Member

DISTRICT II:.


COUN. LUVI P. CONSTANTINO
Member


COUN. ENGR. NEPTALI S. SANTIAGO
Member


COUN. JOSELITO V. AREVALO
Member


COUN. ROBERT P. BAES
Member


COUN. RAFAEL T. SEVILLA
Member





REP. OF THE PHILIPPINES
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA



Sangguniang Panglungsod

Page 4
Ordinance No. 10-019

Referenced


COUN. VERGEL C. ULANDAY
Member


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

ABSENT:

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

COUN. DAN HUBERT A. BARLIS
Member


COUN. ALLEN F. AMPAYA
Member

COUN. ROBERT A. ABAS
Member


COUN. ELMER S. ESPELETA
Member

COUN. DANN HENRY G. TEVES
Sectoral Representative
President
Federation of Sangguniang Kabataan


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


CECILIA C. LAZARTE
Secretary

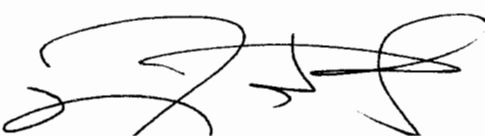
ATTESTED:


ARTEMIO A. SIMUNDAC
Vice Mayor/Presiding Officer

APPROVED:


ALDRIN L. SAN PEDRO
City Mayor
Date: _____

Norie/6th SP





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