

REGULAR SESSION NO. 70

MANILA CITY ORDINANCE NO. 8345, May 11, 2015

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PRINCIPAL AUTHOR:

HON. MARLON M. LACSON

Majority Floor Leader

EXPLANATORY NOTE

WHEREAS, as an operative principle of decentralization, Section 3(f) Republic Act 7160, otherwise known as the Local Government Code of 1991, provides, that: "Local government units may group themselves, consolidate, or coordinate their efforts, services and resources commonly beneficial to them",

WHEREAS, Section 33 of the Local Government Code of 1991, further states, that: "Local government units may, through appropriate ordinances, group themselves, consolidate, or coordinate their efforts, services and resources for purposes commonly beneficial to them. In support of such undertakings, the local government units involved may, upon approval by the sanggunian concerned after a public hearing conducted for the purpose, contribute funds, real estate, equipment, and other kinds of property and appoint or assign personnel under such terms and conditions as may be agreed upon by the participating local units through Memoranda of Agreement";

WHEREAS, the Sangguniang Barangay, as the legislative body of the barangay, shall have the power, duty and function to "exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance";

WHEREAS, in order to help advance the City Government's efforts to promote the general welfare of the inhabitants of the City of Manila and to assist fellow barangays in common projects and programs, which will redound to the benefit of the common good and to promote distributive justice, in a spirit of cooperation, coordination and mutual help, barangays may be empowered to voluntarily render assistance and provide support to the city, its departments, agencies, bureaus and instrumentalities, and other barangays within the City of Manila: NOW, THEREFORE,

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

SECTION 1. All barangays in the City of Manila are hereby authorized and empowered to provide financial grants, assistance or donations in kind to the City of Manila in support of basic services and facilities including its departments, agencies, bureaus and instrumentalities, as well as to other barangays within the city.

SEC. 2. All barangays in the City of Manila are likewise authorized and empowered to consolidate or coordinate their efforts, services and resources for purposes commonly beneficial to them and or to support such undertakings, the barangays may, contribute funds, equipment, and other kinds of property or appoint and assign personnel under such terms and conditions as may be agreed upon by the participating local units through a

Memorandum of Agreement, to be signed by the local chief executive concerned.

SEC. 3. No financial grants, assistance or donations of any kind or Memorandum of Agreement under the preceding sections may be implemented unless approval of the Sangguniang Barangay concerned is obtained.

SEC. 4. All acceptance by the participating local units or the recipient of such grants, assistance or donations shall be ratified through a resolution of the Sangguniang Barangay or the City Council, as the case may be.

SEC. 5. All ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Ordinance are hereby deemed repealed, amended or modified accordingly.

SEC. 6. If a provision, of this Ordinance is held unconstitutional or invalid, other provisions hereof which are not affected thereby shall remain in full force and effect.

SEC. 7. Effectivity Clause. - This Ordinance shall take effect fifteen (15) days after publication in a newspaper of general circulation.

This Ordinance was finally enacted by the City Council of Manila on April 15, 2014._____.

PRESIDED BY:

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

ATTESTED:

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

APPROVED BY HIS HONOR, THE MAYOR, ON _____.

JOSEPH EJERCITO ESTRADA
Mayor
City of Manila

ATTESTED:

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

CITY COUNCIL
Manila

CERTIFICATION

This is to certify that the CITY ORDINANCE NO. 8345, "AN ORDINANCE AUTHORIZING AND EMPOWERING BARANGAYS IN THE CITY OF MANILA TO PROVIDE FINANCIAL GRANTS, ASSISTANCE OR DONATIONS IN KIND TO THE CITY OF MANILA IN SUPPORT OF BASIC SERVICES

AND FACILITIES INCLUDING ITS DEPARTMENTS, AGENCIES, BUREAUS INSTRUMENTALITIES AND OTHER BARANGAYS WITHIN THE CITY, UNDER CERTAIN TERMS AND CONDITIONS," was enacted by the City Council during its regular session on April 15, 2014. The same was forwarded to the office of the Honorable City Mayor on May 8, 2014.

Considering that more than ten (10) days had lapsed, without any communication that the ordinance was approved or vetoed by the Local Chief Executive, Ordinance No. 8345 shall be DEEMED APPROVED as if was signed it, pursuant to the Section 54 par. (b) of R.A. 7160, otherwise known as the Local Government Code of 1991.

Issued this 11[th] day of May 15, 2015, in the City of Manila.

(Sgd.) LUCH R. GEMPIS, JR.

City Government Department Head III

(Secretary to the City Council)

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