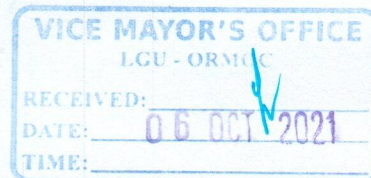
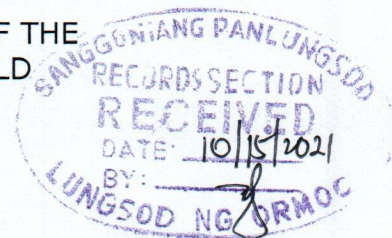


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON OCTOBER 05, 2021



PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member, Majority Floor Leader
Roiland H. Villasencio,	SP Member, 1 st Asst. Majority Floor Leader
Tomas R. Serafica,	SP Member, Presiding Officer "Pro-Tempore"
Nolito M. Quilang,	SP Member, 2 nd Asst. Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Jasper M. Lucero,	SP Member
Peter M. Rodriguez,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Lalaine A. Marcos,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Joan Marbie C. Simbajon,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

EXPLANATORY STATEMENT

WHEREAS, the 15th Sangguniang Panlungsod ng Ormoc received a letter of endorsement dated September 6, 2021 from the Office of the City Mayor regarding the request for an enactment of an Ordinance providing incentives such as Christmas gifts and Birthday gifts to existing PWD members registered in the Ormoc City Persons with Disability Affairs Office (OCPDAO);

WHEREAS, no less than the Constitution endowed provisions recognizing the importance of the disabled persons and their rights to take their proper place in society, and hence, it mandated that the disabled be given priority;

WHEREAS, such Constitutional pronouncement is given life by the enactment of laws that promote the welfare of the disabled persons, one of which is the Republic Act No. 7277 otherwise known as the "Magna Carta for Disabled Persons", which primarily aims at giving full support to the improvement of the total well-being of the disabled and their full participation as an integral part of the Philippine society and at encouraging their families and the communities they live in to reaffirm and apply the valued Filipino traditions of caring for the disabled persons;

WHEREAS, Republic Act No. 7160, otherwise known as the "Local Government Code of 1991" contains provisions which authorized Local Government Units to enact Ordinances which will promote the general welfare and well-being of disabled persons, particularly -

1. Section 16. General Welfare Clause, which read in part -

"Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support, among other things, x x x promote health and safety. x x x improve morals, enhance economic prosperity and social justice. x x x and preserve the comfort and convenience of their inhabitants."

2. Section 17. Basic Services and Facilities – x x x

“(2) For a Municipality:

x x x

(iv) Social welfare services which include programs and projects on x x x, welfare of the elderly and disabled persons; x x x

(4) For a City:

All the services and facilities of the municipality and province”.

3. Section 458. Powers, Duties, Functions and Compensation.

“(a) (5) (xiv) Provide for the care of disabled persons, x x x”.

WHEREAS, as a gesture of care, concern and attention which this City Government is very much motivated to extend to our very own PWDs, a Birthday Gift and Year-End Incentive, to be distributed to them is deemed proper and suitable, being hugely beneficial and helpful to them;

WHEREAS, aiming at making them feel their worth and value, these Birthday Gift and Year-End Incentive constitute Ormoc City’s token of gratitude for their contributions as members to our society;

NOW, THEREFORE, on joint motion of SP Member Jasper M. Lucero, Chairman, Committee on Good Government and Oversight and SP Member Vincent L. Rama, Chairman, Committee on Social Welfare, Senior Citizen, and Person with Disability, severally seconded by SP Members Roiland H. Villasencio, Nolito M. Quilang, Lalaine A. Marcos, Joan Marbie C. Simbajon, Tomas R. Serafica, Gregorio G. Yrastorza III, Peter M. Rodriguez and Estaban V. Laurente; be it

RESOLVED, to enact:

**ORDINANCE NO. 075
(Series of 2021)**

AN ORDINANCE GRANTING BIRTHDAY GIFT AND YEAR-END INCENTIVE TO ALL REGISTERED AND QUALIFIED PERSONS WITH DISABILITY (PWDs) OF ORMOC CITY, AND APPROPRIATING FUNDS THEREOF.

BE IT ORDAINED by the 15th Sangguniang Panlungsod of Ormoc City, That:

SECTION 1. This Ordinance shall be known and cited as the **“BIRTHDAY GIFT AND YEAR-END INCENTIVE ORDINANCE FOR PWDs OF ORMOC CITY”**.

SECTION 2. This Ordinance is enacted to give financial assistance to the qualified Persons with Disabilities of Ormoc City on their Birthdays and during Yuletide Season in recognition and appreciation of their contributions in nation building.

SECTION 3. That a cash gift of FIVE HUNDRED PESOS (Php 500.00) shall be given to all registered and qualified PWDs of Ormoc City for their Birthdays. And another incentive of FIVE HUNDRED PESOS (Php 500.00) shall be given to each of them on the year end/ the month of December.

SECTION 4. QUALIFICATIONS – For the availment of the gift provided for in the preceding section, the claimant-

1. Must be a Person with Disability as defined in RA No. 7277 otherwise known as the “Magna Carta for Disabled Persons” and Ordinance No. 009, series of 2019, also known as the “Ordinance Establishing the Ormoc City Persons with Disability Affairs Office”;

2. Must be totally disabled such as the following:
 - 2.1 Deaf
 - 2.2 Intellectually/mentally disabled
 - 2.3 Physically disabled
 - 2.4 Visually disabled
 - 2.5 Speech impaired
 - 2.6 Cancer
 - 2.7 Rare diseases
 - 2.8 Autistic
3. Must be a bona fide resident of Ormoc City for three (3) continuous years of actual residence prior to the availment of the benefit;
4. His/her name must appear in the roster of PWDs in the OCPDAO.

SECTION 5. DISQUALIFICATIONS – The following PWDs are disqualified to avail of the benefits under this Ordinance:

1. Those who do not fall under the preceding Section;
2. PWD's who availed the benefits for Senior Citizens under the law and Ordinances.

SECTION 6. For purposes of availing the *Birthday Gift*, the claimant shall apply personally or through a duly authorized representative, in the OCPDAO within thirty (30) days before the date of his/her date of birth.

For purposes of availing the Year-End Incentive, the claimant shall accomplish the Year-End Incentive Application Form which is prescribed by the OCPDAO, and file the same personally or through a duly authorized representative, in the OCPDAO within the months of October and November. Failure to file the Year-End Application Form with the OCPDAO shall forfeit the benefit provided under this Ordinance.

If claim is made through a representative, a simple authorization letter signed or thumb marked by the concerned PWD is sufficient and the OCPDAO shall validate the signature or thumb mark by comparing with his/her PWD ID. In cases wherein the concerned PWD is unable to make a letter of authority by reason of physical or mental incapacity, a next of kin of the PWD, may claim in his/her behalf, provided that the President of the PWD Barangay Association where the concerned PWD is a member shall issue a certification that the latter is indeed incapacitated.

SECTION 7. The Ormoc City Persons with Disability Affairs Office (OCPDAO), is mandated to process the giving of Birthday Gift and Year-End Incentive to qualified PWDs of Ormoc City. To this effect, OCPDAO must monitor the whereabouts of the registered PWDs of Ormoc City in order to make sure that they are qualified under the Ordinance and shall make an annual report of those who have remained as residents of Ormoc City, those who have permanently transferred to another place, and those who have died.

SECTION 8. The duly accomplished Birthday Gift and Year-End Incentive Application Form shall be verified and reviewed by the OCPDAO as to the entitlement of the claimant, and if found in order, the Office shall immediately prepare the payroll with the attached documents then transmit it to the appropriate office for the processing of the release of the claim. If claimant is not qualified to entitlement of the benefit, he or she should immediately be informed in writing, stating the reason/s for its disapproval.

SECTION 9. The Ormoc City Persons with Disability Affairs Office (OCPDAO), is hereby charged in the preparation of the Implementing Rules and Regulations (IRR) of this Ordinance with assistance of the City Legal Office, subject to the approval of the City Mayor, thirty (30) days from effectivity of this Ordinance.

SECTION 10. BUDGETARY AND FINANCIAL REQUIREMENT – The amount necessary to carry out the provision of this Ordinance shall be charged to the General Fund, and thereafter, shall be included in the Annual Budget of the City Government as part of the budget for the Ormoc City Persons with Disability Affairs Office (OCPDAO).

SECTION 11. SEPARABILITY CLAUSE – Should any provision of this Ordinance be declared unconstitutional or invalid by any court of competent jurisdiction, the provisions that are not affected thereby shall continue to be in full force and effect.

SECTION 12. REPEALING CLAUSE – Any provision of Ordinances, rule and regulations and/or parts thereof inconsistent with the provisions of this Ordinance are hereby modified, amended, and/or repealed accordingly.

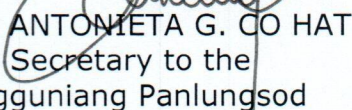
SECTION 13. EFFECTIVITY – This Ordinance shall take effect immediately upon approval and after compliance with the requirements of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED, October 05, 2021.

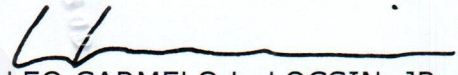
RESOLVED, FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez, the City Administrator; the City Legal Officer; the City Budget Officer; the City Accountant; the City Treasurer; the City Auditor; the OCPDAO; the CSWD; the Chapter President, Liga ng mga Barangay; the Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan; the City Local Government Operations Officer-DILG; -all other offices concerned;

CARRIED UNANIMOUSLY.

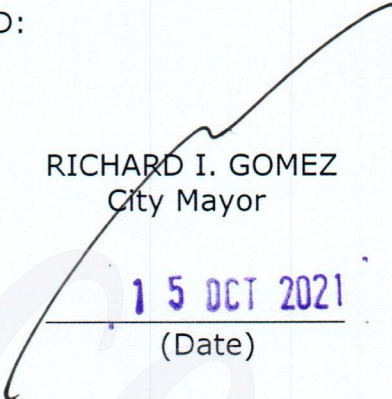
I HEREBY CERTIFY to the correctness of the above ordinance.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer

APPROVED:


RICHARD I. GOMEZ
City Mayor

15 OCT 2021
(Date)