

**[ MANILA CITY ORDINANCE NO. 8369, November  
21, 2014 ]**

**REGULAR SESSION NO. 118  
9<sup>th</sup> CITY COUNCIL**

**Begun and held in the City Council on Tuesday,  
the twelfth day of August, Two Thousand Fourteen**

**AN ORDINANCE DECLARING THE TERRITORIAL JURISDICTION  
OF BARANGAY 720, ZONE 78, DISTRICT V, MANILA, TO  
SPECIFICALLY INCLUDE THE AREA AROUND PRESIDENT  
QUIRINO AVENUE TO THE NORTH, INCLUDING OSPITAL NG  
MAYNILA MEDICAL CENTER, MANILA ZOO AND PARAISO NG  
BATANG MAYNILA, PABLO OCAMPO STREET EXTENDING TO  
PEDRO BUKANEG STREET TO THE SOUTH, INCLUDING THE  
MANILA HARBOR SQUARE AND FOLK ARTS THEATER COMPLEX,  
MANILA BAY TO THE WEST, INCLUDING THE PHILIPPINE NAVY  
HEADQUARTERS AND MANILA YACHT CLUB, ASUNCION STREET  
AND PORTION OF LEVERIZA STREET EXTENDING TO ADRIATICO  
STREET TO THE EAST, INCLUDING THE NINOY AQUINO  
STADIUM, RIZAL MEMORIAL FOOTBALL STADIUM AND RIZAL  
MEMORIAL SPORTS COMPLEX, THUS AFFIRMING THE CITY  
COUNCIL RESOLUTION NO. 23, SERIES OF 2014, AND FOR  
OTHER PURPOSES**

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**SPONSORED BY:**

**HON. MARLON M. LACSON  
Majority Floor Leader**

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**PREAMBLE**

WHEREAS, Barangay 720, Zone 78, District V, City of Manila, requested the City Council of Manila that their Barangay Resolution be approved, thus, allowing the release of their accumulated lawful share of Real Property Taxes of previous years derived from commercial and industrial establishments within their respective territorial jurisdictions;

WHEREAS, In support of their claim, a Resolution from the Liga ng mga Barangay allowing the release and use of such fund in their barangay was presented as well as the Barangay Resolution, cadastral map, business permits and clearance issued by the barangay-claimant to the various commercial and industrial establishments situated in the territorial jurisdiction being claimed.

WHEREAS, considering that there were no other similar claims from the other adjoining barangays and that the barangay-claimant was able to establish by clear and convincing evidence their claim over their respective territorial jurisdiction, the City Council of Manila passed Resolution No. 23, Series of 2014, on January 28, 2014, affirming their request for the approval of their barangay resolution thus allowing the release of their lawful share over the Real Property Taxes derived from commercial and industrial establishments within the claimed area;

WHEREAS, surprisingly and after several months, some barangay officials from the adjoining barangays filed their oppositions to the Office of the Mayor, thus, when a committee hearing was scheduled for the purpose, all barangays concerned were duly notified on the said committee hearing and were given the opportunity to present their opposing view and they were given sufficient time to file position paper attaching therewith pertinent documents to support their claims;

WHEREAS, in the said hearing, the committee was appraised of the Audit Observation Memorandum (AOM), dated June 30, 2014, of the Commission on Audit (COA) which opined: "Notwithstanding the above resolutions, we noted the absence of City Council Ordinance that would support the legal basis of the release of funds to Barangay 128 and Barangay 653 as required by Section 6 of the Local Government Code which states that a local government unit may be created, divided, merged, abolished, or its boundaries substantially altered either by law enacted by Congress in the case of a province, city, municipality, or any other political subdivision, or by ordinance passed by the *sannguniang panlalawigan* or *sangguniang panlungsod* concerned in the case of a barangay located within its territorial jurisdiction, subject to such limitations and, requirements prescribed in this code".

WHEREAS, the Committee on Laws resolves the following findings and recommendation, to wit:

1. That the barangay-claimants are correct in claiming their rightful shares over the accumulated fund of Real Property Taxes of previous years derived from commercial and industrial establishments within their respective territorial jurisdictions from the Trust Fund.
2. That this is not a case of creation, division, merging, abolition or substantial alteration as contemplated under Section 6 of the Local Government Code.
3. That in deference to the opinion of the Commission on Audit and to settle this matter once and for all, the member of this Committee recommends for the passing of the Ordinance declaring the territorial jurisdiction of the respective barangay-claimants specifying therein the metes and bounds; thus, affirming the City Council Resolutions.
4. That the proposed draft Ordinance be amended by way of substitution in consonance with the preceding paragraph: **NOW, THEREFORE;**

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

**SECTION 1.** It is hereby declared that all commercial and industrial establishments