



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 28TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (2001-2004) HELD AT THE SESSION HALL ON SEPTEMBER 4, 2002.

Present:

SB Member Ralf A. Tolosa, Presiding Officer Pro-Tempore
SB Member John P. Yap
SB Member Abcedes S. Dela Torre
SB Member Charlie D. Villanueva
SB Member Julieta A. Aron
SB Member Allan T. Bigueja
SB Member Leny S. Sacapaño
SB Member Dante C. Pagsugiron
SB Member Ladd E. Cahilig, SK Federation Presiding

Absent:

Hon. Frolibar S. Bautista, Vice Mayor (OB)
SB Member Joel V. Gelito, Liga President

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X

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MUNICIPAL ORDINANCE NO. 172
Series of 2002

AN ORDINANCE AMENDING SECTION 6 (PENALTY CLAUSE) OF MUNICIPAL ORDINANCE NO. 98-118 REGULATING THE ISSUANCE OF LOCATIONAL OR ZONING CLEARANCE AND THE IMPOSITION OF ZONING FEE IN THE ISSUANCE OF THE SAME.

SECTION 1. - **AMENDMENT.** Section 6 of Municipal Ordinance No. 98-118 shall read as follows:

"Any person, natural or juridical, who causes the construction of any building or structure without securing the Certificate of Zoning Compliance shall be fined TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00). Concerned Zoning Administrator/Officer shall issue a work stoppage order for the afore-mentioned construction to take effect within twenty four (24) hours upon receipt of such notice. Should the respondent disregard the said notice and continue to undertake the construction, a second or third and final notice, as the case may be, shall be issued and a fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) per issuance shall be imposed against the defiant respondent. The third and final notice shall be executed by the Municipal Zoning Officer under the direct supervision of the Municipal Chief Executive with the assistance of the Philippine National Police and other peace officers.

Under this Ordinance, the contractor, foreman and/or the Civil/Supervising Engineer of the Building or structure shall likewise be fined TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) for every notice of work stoppage issued against the defiant respondent.

All fines stated herein shall be paid within fifteen (15) days upon receipt of notice, failure to pay such within the prescribed period shall incur a twenty percent (20%) surcharge on the total fine imposed.

Failure of the respondent to secure the required Certificate of Zoning Compliance after the first notice, a surcharge of One Hundred Percent (100%) of the Zoning Fee shall be imposed against the said defiant respondent.

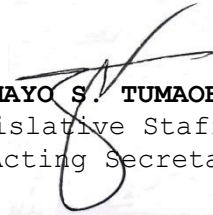
SECTION 2. - **EFFECTIVITY.** This Ordinance shall take effect upon approval and publication.

ENACTED. AUGUST 14, 2002.

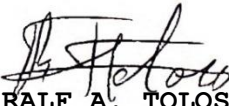
APPROVED. SEPTEMBER 4, 2002.

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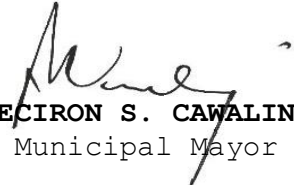
I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.


MAYO S. TUMAOB
Local Legislative Staff Asst. III
Acting Secretary

ATTESTED:


RALE A. TOLOSA
SB Member
Presiding Officer Pro-Tempore

APPROVED:


CECIRON S. CAVALING
Municipal Mayor