



Republic of the Philippines  
PROVINCE OF LEYTE  
**City of Baybay**  
-0000000-

**Office of the Sangguniang Panlungsod**

*Excerpt from the*

MINUTES OF THE 37<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD HELD ON OCTOBER 10, 2011, AT THE SP SESSION HALL, LEGISLATIVE BUILDING, CITY OF BAYBAY.

**City Ordinance No. 012 s. 2011**

AN ORDINANCE AMENDING CITY ORDINANCE NO. 002, SERIES OF 2011, OTHERWISE KNOWN AS "AN ORDINANCE REGULATING THE OPERATION OF NEW STAKEHOLDERS OF GAS/FUEL REFILLING STATION IN THE CITY OF BAYBAY, LEYTE."

INTRO. & SPONSORED BY: SP MEMBER, ATTY. ERNESTO M. BUTAWAN & SP MEMBER LEONIDO A. BERAY

**EXPLANATORY NOTE**

On February 14, 2011, City Ordinance No. 002, Series of 2011, otherwise known as "An Ordinance Regulating the Operation of New Stakeholders of Gas/Fuel Refilling Station" was approved by the Sangguniang Panlungsod. The ordinance was passed to minimize pollution, foster safety against hazards of fire and decongest traffic in poblacion area.

True enough, some fuel stations were constructed outside the poblacion area however, it did not decongest traffic especially in the immediate vicinity of the lone gas/fuel station located in the poblacion. On the contrary, it congested because of the increased number of motor vehicles in the poblacion alone. One of the solutions we expect to answer the congested traffic in the vicinity of the lone gas/fuel station is to invite investors who are willing to put up and operate gas/fuel station within the poblacion area under some conditions which are herein established and designed to answer the environmental concerns which the first ordinance sought to answer in order to protect the welfare of the residents within the immediate vicinity.

It is also timely, with the recent ruling of the Supreme Court in *League of Cities v. COMELEC, et al.*, G.R. No. 178056, declaring that Baybay is finally a City and the city government is expecting a surge in numbers of migrant visitors as well as investors.

With the explanation advanced, the following amendments are hereunder introduced, to wit:

Section 2, shall be amended to:

"No refilling gas/fuel station shall be allowed in the poblacion area unless the following conditions are met:

1. The entire area of the gas/fuel station is not less than 1,000 square meters;
2. It has a frontage of not less than 20 meters in length to be used as entry-exit in going to and coming from the gas/fuel station which is immediately facing a main thoroughfare;
3. To protect the adjoining lot owners or occupants, the gas/fuel station area should be secured by a concrete firewall of not less than 4.50 m. in height;
4. To secure all legal and environmental requirements provided by laws, administrative issuances and ordinances before operating the same;

RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Office of the Sangguniang Panlalawigan of Leyte for their information and appropriate action.

UNANIMOUSLY APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted during the regular session of the Sangguniang Panlungsod held on October 10, 2011.

**VERULINA A. FERNANDEZ**

Records Officer 1, Acting SP Secretary

LOLITO C. BUNEZ  
SP Member

ALAN D. FERNANDEZ  
SP Member

LEONIDO A. BERAY  
SP Member

HON. ERNESTO M. BUTAWAN  
SP Member


LEONIDO A. BERAY  
SP Member

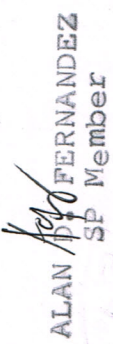
AGUSTIN B. ALO  
SP Member

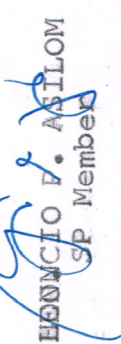
MARGARITA C. CARI  
SP Member

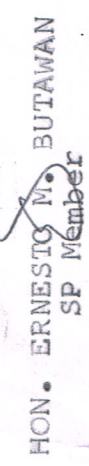
KRIZZELLE ANN A. DACERA  
SP Member



  
LORITO C. MUNTEZ  
SP Member

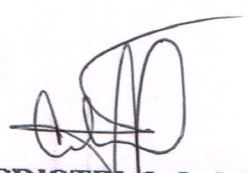
  
ALAN D. FERNANDEZ  
SP Member

  
HENRICO P. ASTILOM  
SP Member

  
HON. ERNESTO M. BUTAWAN  
SP Member

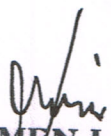
-page 2-

ATTESTED AND CERTIFIED  
TO BE DULY ADOPTED:

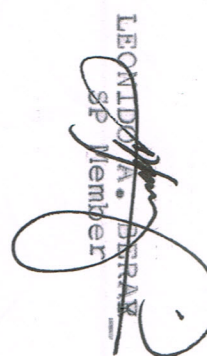


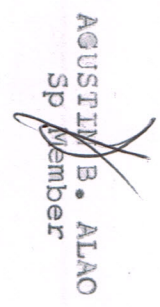
CRISTELO S. LORETO CE/GE  
SP Member, Presiding Officer

APPROVED BY HER HONOR:

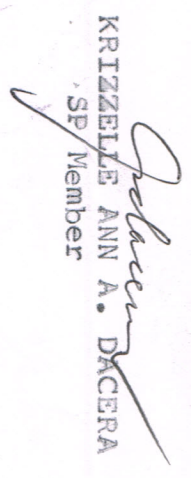


CARMEN L. CARI  
City Mayor

  
LEONILDA A. BERAY  
SP Member

  
AGUSTIN B. ALAO  
SP Member

  
MARICRITA C. CARI  
SP Member

  
KRIZZELLE ANN A. DACERA  
SP Member