



Republic of the Philippines
BATANGAS CITY

Office of the Sangguniang Panlungsod

Tel. No. 723-2175

ORDINANCE NO. 7 S. 2014

ORDINANCE FURTHER AMENDING ORDINANCE NO. 19 S. 1996
AS AMENDED BY ORDINANCE NO. 7 S. 2007

SPONSORED BY : COUN. ALYSSA RENEE A. CRUZ-ATIENZA

WHEREAS, Ordinance No. 19 S. 1996 prohibiting the putting up of Gasoline Stations within One Thousand (1000) meter radius to each other was enacted by the Sangguniang Panlungsod on December 10, 1996;

WHEREAS, Ordinance No. 19 S. 1996 was amended by Ordinance No. 7 S. 2007 which reduced the distance of One Thousand (1000) meter radius to Four Hundred (400) meter radius;

WHEREAS, there is a need to further amend Ordinance No. 19 S. 1996 as amended to improve the accessibility of gasoline Stations to the public and provide fair market competition;

NOW THEREFORE, BE IT ENACTED BY THE Sangguniang Panlungsod in session duly assembled.

SECTION 1. TITLE. - This Ordinance shall be called "An Ordinance Further Amending Ordinance No. 19 S. 1996 as Amended by Ordinance No. 7 S. 2007".

SECTION 2. AMENDMENT. - Particular provision of Ordinance No. 19 S. 1996 is hereby further amended to read as follows:

SECTION 1. TITLE. - The title of Ordinance No. 19 S. 1996 is hereby further amended to read:

"AN ACT REGULATING THE ESTABLISHMENT OF GASOLINE STATIONS AND FILLING STATIONS OF COMBUSTIBLE MATERIALS OR PRODUCTS WITHIN THREE HUNDRED METER RADIUS FROM ANY EXISTING GASOLINE STATION OF SIMILAR NATURE AND PROVIDING PENALTY FOR VIOLATION THEREOF"

SECTION 3. - PROHIBITION. It shall be unlawful for any person, whether natural or juridical, to construct or establish a gasoline Station or Filling Station within Three Hundred meter radius from any existing gasoline station or filling station.

SECTION 3. REPEALING CLAUSE. - All provisions of City Ordinances, executive orders or resolutions inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION 4. - SEPARABILITY CLAUSE - If for any reason or reasons any part of this Ordinance shall be held unconstitutional or invalid, other parts hereof which are not affected thereby shall continue to be in full force and effect.



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Continuation of Ordinance No. 7 S. 2014

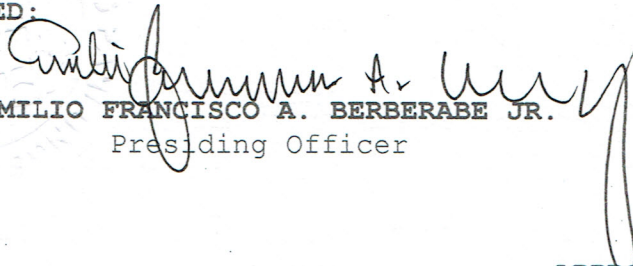
ORDINANCE FURTHER AMENDING ORDINANCE NO. 19 S. 1996
AS AMENDED BY ORDINANCE NO. 7 S. 2007

SECTION 5. - EFFECTIVITY. - This Ordinance shall take effect after approval by the City Mayor and complete publication in newspaper of general circulation in the Province and City of Batangas.

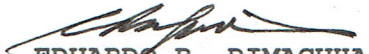
ENACTED by the Sangguniang Panlungsod of Batangas City this 23rd day of June, 2014.


ATTY. OLIVA D. TELEGATOS
Secretary
Sangguniang Panlungsod

ATTESTED:


EMILIO FRANCISCO A. BERBERABE JR.
Presiding Officer

APPROVED:


EDUARDO B. DIMACUHA
City Mayor

Date Approved: June 30, 2014



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COMMITTEE REPORT

SUBMITTED BY : THE COMMITTEE ON LAWS, RULES AND REGULATIONS

SUBJECT : Proposed Ordinance entitled "An Act Regulating the Establishment of Gasoline Stations and Filling Stations of Combustible Materials of Products within Three Hundred Meter Radius from any existing gasoline station of similar nature and Providing Penalty for Violation Thereof".

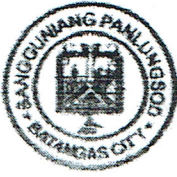
COMMENTS:

Referred to the Committee on Laws, Rules and Regulations is the above entitled ordinance for study, comment and recommendation.

After the referral to the aforementioned Committee, the Committee conducted a committee hearing on June 13, 2014. Present during the committee hearing were the Acting Chairman of Committee on Laws, Rules and Regulations Councilor Ma. Claudette U. Ambida-Alday, Councilor Alyssa Renee A. Cruz-Atienza, author and Councilor Sergie Rex M. Atienza, as member. Also present were Hon. Angelito A. Dimacuha, Atty. Teddy Deguito from City Legal Office, Ms. Ditas A. Rivera from Business Permit and Licensing Office (BPLO), Ms. Judy Ann C. Tandayu from Filoil Gulod, Ms. Jezehreel O. Justiniano from Sialay Shell, Mr. Ruel D. Añain from Galaxi Balagtas, Mr. Leo Berberabe from Octane, Mr. Jerome B. Maranan from Dimacuha Days Shell, and Ms. Cristy V. Giangan from Petron.

During the committee hearing, the following points were raised:

1. Ordinance No. 19 S. 1996 regulated the establishment of gasoline stations and filling stations of combustible materials or products within One Thousand Meters radius from any existing station of similar nature.
2. In 2007, Ordinance No. 19 S. 1996 was amended to the effect that the gasoline stations and filling stations were allowed to be established to Four Hundred Meter Radius.
3. The Proposed Ordinance was enacted to further amend so that the distance between existing gasoline stations and filling stations be shortened to Three Hundred Meter Radius.
4. The further shortening of distance between gasoline stations and filling stations is attributed mainly to the reason of the high disparity of gasoline prices in the City of Batangas compared to other cities and municipalities. The Proposed Ordinance aims to further increase the number of gasoline stations and filling stations so as to result in the decrease of gas prices.
5. The distance between gasoline stations and filling stations cannot be totally removed or lessened than Three Hundred Meter Radius because Two Hundred Meter Radius or less would make the gasoline business very saturated.
6. There is a necessity to amend Ordinance No. 19 S. 1996 as amended by Ordinance No. 7 S. 2007.



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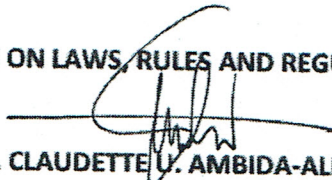
RECOMMENDATION:

In view thereof, the Committee recommends:


1. To amend Ordinance No.19 S. 1996, as amended, to the effect that the distance between gasoline stations and filling stations be shortened from 400 meter to 300 meter radius.
2. That the Proposed Amendatory Ordinance be scheduled for Second Reading in the next regular session.
3. The adoption of this Committee Report.

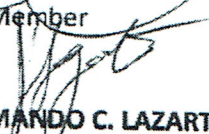
Respectfully submitted, June 16, 2014.

THE COMMITTEE ON LAWS, RULES AND REGULATIONS


COUN. MA. CLAUDETTE U. AMBIDA-ALDAY
Acting Chairman


COUN. SERGIE REX M. ATIENZA
Member


COUN. AILEEN GRACE A. MONTALBO
Member


COUN. ARMANDO C. LAZARTE
Member