



OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF THE 13th REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF TAGAYTAY CITY HELD ON OCTOBER 03, 2016 AT THE SANGGUNIAN SESSION HALL, G/F CITY HALL BLDG., THIS CITY

PRESENT:

Hon. Reymond A. Ambion	.....	Vice Mayor, Presiding Officer
Hon. Lorna S. Toledo	.....	City Councilor . Presiding Officer Pro-Tempore
Hon. Patricio A. Pello	.....	City Councilor, Majority Floor Leader
Hon. Gener M. Vergara	.....	City Councilor, Asst. Majority Floor Leader
Hon. Esteban M. Mendoza	.....	City Councilor
Hon. Yolanda A. Marasigan	.....	City Councilor
Hon. Joel B. Tibayan	.....	City Councilor
Hon. Sofronio P. Dimaranan	.....	City Councilor
Hon. Marcelo A. Austria	.....	City Councilor
Hon. Claro C. Batino	.....	City Councilor
Hon. Alexander T. Zaide	.....	City Councilor
Hon. Marcelo A. Marasigan	.....	Ex-Officio Member, ABC President

ABSENT :

None

CITY ORDINANCE NO. 185

Series of 2016

AN ORDINANCE PROVIDING FOR LOCAL INVESTMENT INCENTIVES TO TOURISM ESTABLISHMENTS WHICH ARE NOW OR MAY HEREAFTER BE ESTABLISHED IN THE CITY OF TAGAYTAY AND FOR OTHER PURPOSES

SPONSOR: HON. PATRICIO A. PELLO

Committee on Ways and Means

EXPLANATORY NOTE

WHEREAS, Chapter 5, Book II of RA 7160, otherwise known as the Local Government Code provides: "Section 192 – Authority to Grant Tax Exemption Privileges. Local Government Units may, through ordinances duly approved, grant tax exemptions, incentives or reliefs under such terms and conditions as they may deem necessary."

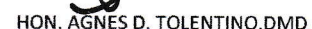
WHEREAS, the formulation of this code will strengthen economic activities, generate employment and income opportunities, and increase revenues;

WHEREAS, this code aims to encourage local and foreign investment especially tourism oriented business;

NOW THEREFORE, upon motion of Hon. Patricio A. Pello, seconded by Hon. Joel B. Tibayan **be it ordained** by the Sangguniang Panlungsod in session assembled and by authority of the same, that:

SECTION 1. This ordinance shall be known as the "LOCAL INVESTMENT CODE OF THE CITY OF TAGAYTAY".


HON. REYMOND A. AMBION


HON. AGNES D. TOLENTINO, DMD

HON. ESTEBAN M. MENDOZA
HON. LORNA S. TOLEDO

HON. YOLANDA A. MARASIGAN
HON. CLARO C. BATINO

HON. JOEL B. TIBAYAN
HON. ALEXANDER T. ZAIDE

HON. SOFRONIO P. DIMARANAN
HON. GENER M. VERGARA

HON. MARCELO A. AUSTRIA
HON. MARCELO A. MARASIGAN

HON. PATRICIO A. PELLO
HON. CESAR P. DE CASTRO

SECTION 2. Any person or entity which meets the qualifications and requirements set forth under Section 3 of this Ordinance and which will commence its business venture in the City of Tagaytay after approval of this Ordinance, may apply to avail the incentives/privileges provided herein.

SECTION 3. Subject to the provision of Section 14 hereof, this Ordinance shall apply to any person, partnership or corporation, association and cooperative, provided that they meet the following qualifications:

- a) Must be qualified to do business under existing national laws;
- b) Must be duly registered with appropriate government agencies, such as Department of Trade and Industry (DTI), the Securities and Exchange Commission (SEC), the Cooperative Development (CDA) and other appropriate agencies;
- c) Must have an initial investment of not less than THREE MILLION PESOS (Php3,000,000.00) in case of Filipino investors and not less than TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) for foreign investors.

SECTION 4. All applicants under this Ordinance must comply with the requirements of all existing applicable laws of the Republic of the Philippines.

SECTION 5. Any person, partnership, corporation, association and cooperative whose application has been accepted and granted Certificate of Registration under the pertinent provisions of this Ordinance must employ local residents of the City as Specified in City Ordinance No. 2002-199 as amended by City Ordinance No. 2004-297.

SECTION 6. For the purpose of giving effect to this Ordinance, a Local Investment Board (LIB) is hereby created with the following composition, powers and functions:

a) The Local Investment Board (LIB) shall be composed of the following:

Chairman:	The City Mayor
Vice President:	Chairman, Committee on Commerce and Industry
Members:	President, Tagaytay Tourism Council Chairman, SP Committee on Tourism Head, Tourism & Cultural Development Office Head, City Planning and Development Office President, Tagaytay Cooperative Development Council

b) Powers and Functions of the Local Investment Board (LIB)

1. To screen, evaluate, accept, approve or reject applicants who want to avail of this investment incentives/privileges;

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2. The Chairman, or any of the members of the Board can call a meeting to formulate rules and regulations to ensure compliance with the provisions of this Ordinance.
3. The Board shall meet every quarter of the year or a need arises;
4. Applications submitted to the Local Investment Board (LIB) shall be acted upon within Thirty (30) days upon receipt thereof;
5. In order to give more effect to the Local Investment and Incentive Program of this Ordinance, the Local Investment Board (LIB) is hereby empowered to conduct Trade Missions both local and foreign, for the purpose of inviting investors as well as providing necessary information and dissemination to parties willing to avail of the Investment Program of this Ordinance.
6. Trade Mission involving local and foreign International Trade Organizations as well as Trade Missions involving Board of Investors Offices, foreign embassies and consulates in the Philippines and abroad shall be headed by the City Mayor or in his/her absence, by any of his duly authorized member of the Local Investment Board (LIB); provided, that, in the case of International Trade Organizations, there is a need for an endorsement or referral by the Bureau of International Trade Promotions;
7. The Local Investment Board is hereby empowered to identify Business Growth Area (Tourism Area) and other investment area in the City of Tagaytay in accordance with the approved investment priorities of the City.

SECTION 7. An annual budgetary requirements of Five Hundred Thousand Pesos (Php500,000.00) shall be included in the annual or supplemental budget of the City for the maintenance and management expenditures and other operational expenses of the Local Investment Board.

SECTION 8. The City Tourism and Cultural Development Office shall serve as the Liaison and Secretariat of the Local Investment Board and shall assist the Board in its functions as well as process and provide all applicants with the application forms and other necessary documents to be filled up wherein all information and data of the applicants are stated; the nature of business applied for, capital investment amount, location of business, date when the business is to be established or started and the possible number of workers or employees to be utilized or hired.

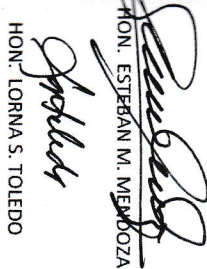
The City Tourism and Cultural Development Office shall upon authority of the Board initiate investment promotion programs for the City.



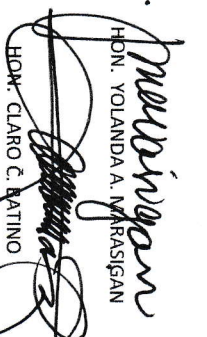
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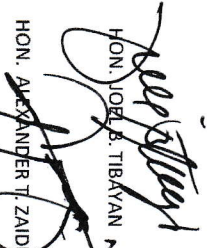
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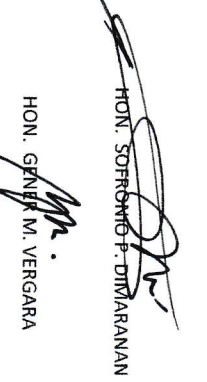
HON. ESTEBAN M. MENDOZA



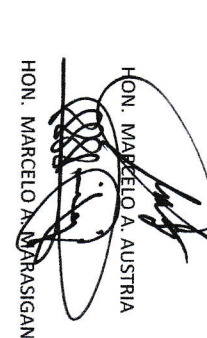
HON. YOLANDA A. NARASIGAN



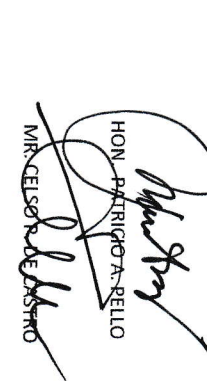
HON. JOEL B. TIBAYAN



HON. SOFRONIO P. DIMARANAN



HON. MARCELO A. AUSTRIA



HON. RICARDO A. BELLO



HON. CELSO B. DE CASTRO

SECTION 9. The Local Investment Program shall apply only to new business applications duly approved to commence their business operation after the approval of this Ordinance and shall enjoy the incentives granted by this program for a period of three (3) years.

SECTION 10. Only participating members who have invested an amount of more than FIVE MILLION PESOS (Php5,000,000.00), Philippine Currency can be granted an extension period of another two (2) years upon the recommendation of the Local Investment Board (LIB).

SECTION 11. Incentives. All qualified and accepted applicants shall enjoy and/or avail these incentives/privileges for a period stated in Section 9, hereof, viz:

- a) Exemption from inspection and examination of Books of Accounts and other pertinent records of business by the City Treasurer's Office except when allowed by the Board for three (3) years from the start of operation.
- b) Will be assisted personally by the Chief of the Business Permits and License Division and the City Treasurer in the processing/payment of Mayor's Permit, Business Permit and the Real Property Tax, including applications for water, electricity and other basic utilities.
- c) The City Government will help/assist in the promotion of their business/establishments by including in the Audio Video Presentation being showed to Lakbay Aral and other local/foreign visitors of the City, brochures and other promotional materials of the Public Information Office and the City Tourism Cultural and Development Office.
- d) The guest/s of the member establishment will be entitled to a 20% discount in the Entrance Fee of Picnic Grove and Peoples' Park in the Sky and other city-owned facilities.
- e) The member is entitled to a 20% discount for the use of the Tagaytay International Convention Center (TICC), Tagaytay Sports Center (TSAC) and other city-owned facilities.

SECTION 12. Existing businesses of whatever kind or nature that ceased to operate upon and/or after the approval of this Ordinance, for the purpose of availing of this Investment Incentive program, shall not be allowed to apply under this Ordinance. However, expansion of existing operational businesses are entitled to incentives stated in Section 11, hereof.

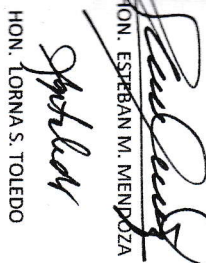
SECTION 13. Coverage. Applicants engaged in tourism oriented business shall be covered by this Investment Incentive Program.



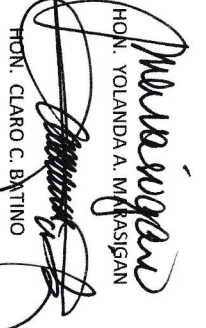
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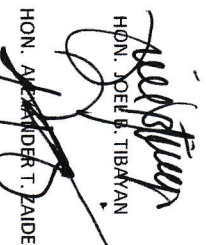
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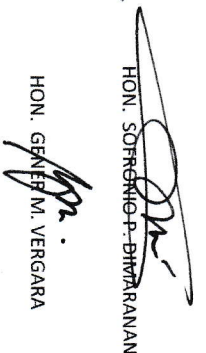
HON. LORNAS TOLEDO



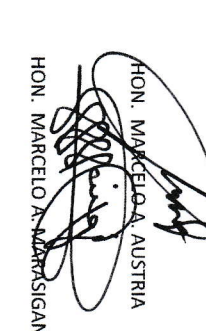
HON. YOLANDA A. MAGSAGAN




HON. JOEL B. TIBAN



HON. SOFRONIO P. DIMARANAN



HON. MARCELO A. AUSTRIA



HON. CELSO P. DE CASTRO

SECTION 14. Registration. Upon approval/acceptance of any applicant to this Local Investment Program, the applicant shall be required to pay a Registration Fee to the City Treasurer in the amount of TEN THOUSAND PESOS (Php10,000.00), after which the Board shall issue a Certificate of Registration along with the Incentive Card to the Business concerned as member/participant duly stating the incentives and privileges granted under the provisions of this Ordinance.

SECTION 15. The incentives granted to the registered members of this Local Investment Code are non-transferrable, except in the event of death, permanent incapacity of participating member, where the incentives shall be transferred to the heirs of decedent in accordance with law on succession.

SECTION 16. Annual Meeting. At the end of each calendar year but not later than April 30, all registered members to this program and the Local Investment Board (LIB) shall conduct an annual meeting to assess the status, progress of the provisions of this Ordinance and the privileges granted as stated in the Certificate of Registration.

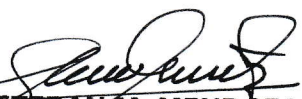
SECTION 17. Violations. Any participating member who is found to have violated any provision of existing city ordinances, the Local Investment Board (LIB) shall forfeit the incentives and privileges granted.


SECTION 18. Effectivity. This Ordinance shall take effect after compliance of the required publications or posting. Thereafter, the Local Investment Board (LIB) shall send copies to the Tagaytay Tourism Council and other major business groups and clubs operating in the City.


Section 19. Repealing Clause. Existing ordinances inconsistent with the provisions of this Ordinance are hereby repealed accordingly.

Enacted: October 03, 2016.

Concurred:


HON. ESTEBAN M. MENDOZA
City Councilor


HON. JOEL B. TIBAYAN
City Councilor


HON. MARCELO A. AUSTRIA
City Councilor


HON. YOLANDA A. MARASIGAN
City Councilor



HON. SOFRONIO P. DIMARANAN
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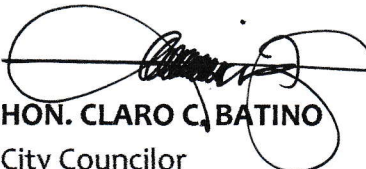

HON. ALEXANDER T. ZAIDE


HON. GENERV M. VERGARA


HON. MARCELO A. MARASIGAN



MR. CELSO B. CASTRO


HON. LORNA S. TOLEDO
City Councilor

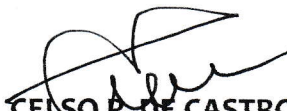

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City Councilor


HON. ALEXANDER T. ZAIDE
City Councilor



HON. GENER M. VERGARA
City Councilor


HON. MARCELO A. MARASIGAN
ABC President


CERTIFIED CORRECT:


CELSO P. DE CASTRO
Acting Secretary to the Sanggunian

ATTESTED:


HON. REYMOND A. AMBION
City Vice Mayor
Presiding Officer

APPROVED / ~~DISAPPROVED~~:


HON. AGNES D. TOLENTINO, DMD
City Mayor

OCT 10 2016



HON. ESTEBAN M. MENDOZA

HON. YOLANDA A. MARASIGAN

HON. JOEL B. TIBAYAN

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