

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON DECEMBER 06, 2019

PRESENT:

Tomas R. Serafica,

(Acting City Vice-Mayor),
SP Member, Presiding Officer "Pro-Tempore"
SP Member, 2nd Asst. Majority Floor Leader

Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Esteban V. Laurente,

SP Member
SP Member
SP Member

Joan Marbie C. Simbajon,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

Ex-Officio SP Member, Chapter President,
Liga ng mga Barangay ng Ormoc
Ex-Officio SP Member, Chapter President,
Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON OFFICIAL BUSINESS:

Roiland H. Villasencio,

(Acting City Mayor),
SP Member, 1st Asst. Majority Floor Leader
(O.B - Taiwan), SP Member

Lalaine A. Marcos,

ON LEAVE:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Jasper M. Lucero,
Peter M. Rodriguez,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member
SP Member

PREFATORY STATEMENT

WHEREAS, there is a need to streamline/simplify the process of business registration in the City of Ormoc to provide a more efficient and effective revenue collection and to promote a friendlier atmosphere for taxpayers and investors;

WHEREAS, when the regulations are simple and transparent, entrepreneurs need not suffer from red tape and time consuming transactions;

WHEREAS, the EODB ACT of 2018 or Republic Act 11032 otherwise known as "Ease of Doing Business and Efficient Government Service Delivery Act of 2018" was signed into law and seeks to make the process of putting up and running a business in the Philippines easier and more efficient;

WHEREAS, Section 11(f) of RA 11032 provides that "Barangay clearances and permits related to doing business shall be applied, issued and collected at the City in accordance with the prescribed processing time of said Act. Provided, that the share in the collections shall be remitted to the respective barangays; and

WHEREAS, Barangays in the City of Ormoc enacted Barangay Ordinances providing for tariff rates and issued Resolutions authorizing the City of Ormoc to issue barangay clearance and collect corresponding barangay clearance fee in the application for any business related transactions subject to the remittance of the aforesaid fees to the barangay and the conditions hereunder.

WHEREFORE, on joint motion of SP Member Esteban V. Laurente, Chairman, Committee on Barangay Affairs & Rural Development and SP Member Eusebio Gerardo S. Penserga, Vice-Chairman, Committee on Ways & Means, severally seconded by SP Members Nolito M. Quilang, Vincent L. Rama, Gregorio G. Yrastorza III and Joan Marbie C. Simbajon; be it

RESOLVED, to enact:

**ORDINANCE NO. 012
(Series of 2019)**

**AN ORDINANCE ON THE COLLECTION OF
CORRESPONDING BARANGAY CLEARANCE FEE IN
THE APPLICATION FOR ANY BUSINESS RELATED
TRANSACTIONS.**

BE IT ORDAINED as it is hereby ORDAINED by the Sangguniang Panlungsod of Ormoc City in a session duly assembled the following:

SECTION 1. COVERAGE. This policy applies only to the issuance of Barangay Clearance for business permit and locational clearance (as a requirement for the issuance of building permit) at the City. Other clearances for other purposes shall still be obtained at the Barangay.

SECTION 2. DEFINITION OF TERMS. The words and phrases used in this Ordinance are hereby defined as follows:

- a) **Barangay Clearance** – refers to any and all documents issued by the barangays with or without corresponding fees as defined in their ordinances relative to or in relation to the issuance of business permit and locational/zoning clearance by the City or any other permit as may be required. (IRR RA 11032)
- b) **Barangay Clearance Fees** – is an amount imposed by the barangays through an Ordinance and collected by the City in relation to the issuance of business permit and locational clearance by the City.
- c) **Business Permit** – is a document that must be secured from the City government, usually through its Business Permits and Licensing Office (BPLO), for a business to legally operate in the locality. (IRR RA 11032)
- d) **Locational Clearance** – is a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of an ordinance of a particular City. It is a requirement for the issuance of Building Permit. (House and Land Use Regulatory Board – Comprehensive Land Use Plan Guidebook)

SECTION 3. AUTHORITY TO COLLECT BARANGAY CLEARANCE FEE OF BUSINESS RELATED TRANSACTIONS – The City of Ormoc is given the authority to collect Barangay Clearance Fee subject to the remittance to the subject Barangay.

SECTION 4. RATE OF BARANGAY CLEARANCE FEE TO BE COLLECTED – The rate of Barangay Clearance Fee to be collected by the City for the issuance of clearances shall be computed in accordance with the appropriate and applicable Barangay Revenue Ordinances existing and effective at the time of assessment thereof.

SECTION 5. BARANGAY CLEARANCE SIGNATORY – Electronic Signature of Punong Barangay concerned shall appear in all barangay clearance issued.

SECTION 6. REPORTING AND REMITTANCE – The City shall remit the Barangay Clearance Fee collected to the subject Barangay not later than seven (7) working days of the ensuing month with the list of the issued Building and Business Permit.

SECTION 7. Within 60 days from the effectivity hereof, rules and regulations implementing the provisions hereof, shall be issued.

SECTION 8. SEPARABILITY CLAUSE – If for any reason, a part of this Ordinance is declared illegal or invalid, other parts or provisions hereof which are not affected thereby shall remain valid and in full force and effect.

SECTION 9. REPEALING CLAUSE – All previous Ordinance and rules/regulations which are inconsistent with the provisions of this Ordinance are hereby deemed, modified or repealed accordingly.

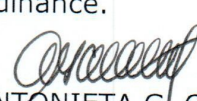
SECTION 10. EFFECTIVITY CLAUSE – This Ordinance shall take effect fifteen (15) days after its publication.

ENACTED, December 06, 2019.


RESOLVED, FURTHER to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez, the City Administrator; the City Legal Officer; the OIC-City Treasurer; the City Auditor; the BPLO; the CPDO; the OBO; the Liga President; the 110 Barangays; the City Local Government Operations Officer-DILG; and all other offices concerned;

CARRIED UNANIMOUSLY.

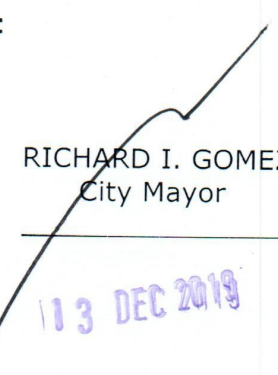
I HEREBY CERTIFY to the correctness of the above ordinance.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


TOMAS R. SERAFICA
(Acting City Vice Mayor)
SP Member
Presiding Officer "Pro-Tempore"

APPROVED:


RICHARD I. GOMEZ
City Mayor

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