

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON MARCH 11, 2019

PRESENT:

Vincent L. Rama,	(OIC-City Vice-Mayor & Temporary Presiding Officer), SP Member, Majority Floor Leader
Mario M. Rodriguez,	SP Member, Presiding Officer "Pro-Tempore"
Tomas R. Serafica,	SP Member, Asst. Majority Floor Leader
Benjamin S. Pongos, Jr.,	SP Member
Eusebio Gerardo S. Penserga,	SP Member
Gregorio G. Yrastorza III,	SP Member
Nolito M. Quilang,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Jasper C. Yerro,	Ex-Officio SP Member, Chapter President, Panlungsod Pederasyon ng mga Sangguniang Kabataan ng Ormoc

ON OFFICIAL BUSINESS:

Leo Carmelo L. Locsin, Jr. (OIC – City Mayor),
City Vice Mayor & Presiding Officer

ON LEAVE:

John Eulalio Nepomuceno O. Aparis II, SP Member
Minority Floor Leader
Lea Doris C. Villar, SP Member, Asst. Minority Floor Leader

RESOLUTION NO. 2019-059

**AN OMNIBUS RESOLUTION DECLARING THE
FOLLOWING ORDINANCES OF BARANGAY CURVA:**

- 1) BARANGAY ORDINANCE NO. 001, SERIES OF 2018 OF THE SANGGUNIANG BARANGAY OF BARANGAY CURVA, ORMOC CITY, ENTITLED: "AN ORDINANCE PROHIBITING ILLEGAL FISHING BY MEANS OF ELECTROCUTION, USE OF SIZE 1 FISHING NET AND USE OF POISONOUS SUBSTANCE ON RIVERS, CREEKS, AND CANALS IN THE BARANGAY";**
- 2) BARANGAY ORDINANCE NO. 002, SERIES OF 2018 OF THE SAME BARANGAY, ENTITLED: "AN ORDINANCE AMENDING TAX ORDINANCE NO. 2015-001 ENTITLED: "AN ORDINANCE IMPOSING FEES ON THE ISSUANCE OF BARANGAY BUSINESS CLEARANCES, BARANGAY BUSINESS TAX, CERTIFICATIONS, PERMITS AND OTHER CHARGES"; AND,**
- 3) BARANGAY ORDINANCE NO. 003, SERIES OF 2018 OF THE SAME BARANGAY, ENTITLED: "AN ORDINANCE ESTABLISHING A UNIFIED IDENTIFICATION (ID) CARD SYSTEM IN THE BARANGAY OF BARANGAY CURVA" UNDER REVIEW,**

**AS NOT INCONSISTENT WITH EXISTING LAWS
AND CITY ORDINANCES AND INTERPOSING NO
OBJECTIONS TO THE IMPLEMENTATION
THEREOF.**

WHEREAS, this Sanggunian was in receipt of a copy of Barangay Ordinance No. 001, Series of 2018, from the Sangguniang Barangay of Curva, this City, entitled: "AN ORDINANCE PROHIBITING ILLEGAL FISHING BY MEANS OF ELECTROCUTION, USE OF SIZE 1 FISHING NET AND USE OF POISONOUS SUBSTANCE ON RIVERS, CREEKS, AND CANALS IN THE BARANGAY", a copy of said Ordinance is hereto attached as Annex "A" and made an integral part hereof;

WHEREAS, this Sanggunian was also in receipt of a copy of Barangay Ordinance No. 002, Series of 2018, from the Sangguniang Barangay of Curva, this City, entitled: "AN ORDINANCE AMENDING TAX ORDINANCE NO. 2015-001 ENTITLED: "AN ORDINANCE IMPOSING FEES ON THE ISSUANCE OF BARANGAY BUSINESS CLEARANCES, BARANGAY BUSINESS TAX, CERTIFICATIONS, PERMITS AND OTHER CHARGES", a copy of said Ordinance is hereto attached as Annex "B" and made an integral part hereof;

WHEREAS, this Sanggunian was also in receipt of a copy of Barangay Ordinance No. 003, Series of 2018, from the Sangguniang Barangay of Curva, this City, entitled: "AN ORDINANCE ESTABLISHING A UNIFIED IDENTIFICATION (ID) CARD SYSTEM IN THE BARANGAY OF BARANGAY CURVA", a copy of said Ordinance is hereto attached as Annex "C" and made an integral part hereof;

WHEREAS, the aforementioned Ordinances were submitted to this Sanggunian pursuant to its review powers over enacted ordinances of all barangays within its territory as provided for in Sections 458 and 57 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991" (LGC), in order to find out whether the subject Ordinances approved by the concerned Sangguniang Barangay are within the scope of its prescribed powers, and also whether the same are not inconsistent with law or city ordinances;

WHEREAS, this Sanggunian, in the exercise of its review powers, and after thorough examination of the first aforementioned Ordinance finds that the same was enacted for the protection of the environment, particularly in keeping the rivers, creeks, canals and all forms of life in it, which, as provided under the Local Government Code of 1991 (Republic Act No. 7160) provides for the responsibility of the local government unit in the management and maintenance of ecological balance within their territorial jurisdiction;

WHEREAS, upon review and after thorough examination of second aforementioned Ordinance was enacted for the purpose of raising revenues for the Barangay, which will in turn be utilized to deliver basic services and promote the general welfare and convenience of the Barangay constituents;

WHEREAS, after review of the third aforementioned Ordinance, this Sanggunian finds that the same was enacted for the purpose of devising means to make the delivery of public service faster and easier and thus will further the promotion of the general welfare of the constituents;

WHEREAS, this Sanggunian, after thorough examination, finds that the Ordinances are not inconsistent with existing laws and city ordinances and were enacted within the scope and authority of the Barangay, and therefore, manifests herein no objections to its implementation, and even urges that they be implemented immediately in order to speedily further the noble ends they seek for welfare of the Barangay and its constituents;

WHEREFORE, FOREGOING PREMISES CONSIDERED, on motion of SP Member Benjamin S. Pongos, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Tomas R. Serafica, Nolito M. Quilang, Esteban V. Laurente, Jasper C. Yerro and Mario M. Rodriguez; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass AN OMNIBUS RESOLUTION DECLARING THE FOLLOWING ORDINANCES OF BARANGAY CURVA:

- 1) BARANGAY ORDINANCE NO. 001, SERIES OF 2018 OF THE SANGGUNIAN BARANGAY OF BARANGAY CURVA, ORMOC CITY, ENTITLED: "AN ORDINANCE PROHIBITING ILLEGAL FISHING BY MEANS OF ELECTROCUTION, USE OF SIZE 1 FISHING NET AND USE OF POISONOUS SUBSTANCE ON RIVERS, CREEKS, AND CANALS IN THE BARANGAY";
- 2) BARANGAY ORDINANCE NO. 002, SERIES OF 2018 OF THE SAME BARANGAY, ENTITLED: "AN ORDINANCE AMENDING TAX ORDINANCE NO. 2015-001 ENTITLED: "AN ORDINANCE IMPOSING FEES ON THE ISSUANCE OF BARANGAY BUSINESS CLEARANCES, BARANGAY BUSINESS TAX, CERTIFICATIONS, PERMITS AND OTHER CHARGES"; AND,
- 3) BARANGAY ORDINANCE NO. 003, SERIES OF 2018 OF THE SAME BARANGAY, ENTITLED: "AN ORDINANCE ESTABLISHING A UNIFIED IDENTIFICATION (ID) CARD SYSTEM IN THE BARANGAY OF BARANGAY CURVA" UNDER REVIEW,

AS NOT INCONSISTENT WITH EXISTING LAWS AND CITY ORDINANCES AND INTERPOSING NO OBJECTIONS TO THE IMPLEMENTATION THEREOF;

ADOPTED, March 11, 2019.

RESOLVED, FURTHER, that copies of this resolution be furnished each to the City Mayor Richard I. Gomez; the City Administrator, Mr. Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the Office of the Liga ng mga Barangay ng Ormoc; the Sangguniang Barangay of Curva; the OIC-City Director, DILG; and all other offices concerned for their information and guidance.

CARRIED UNANIMOUSLY.

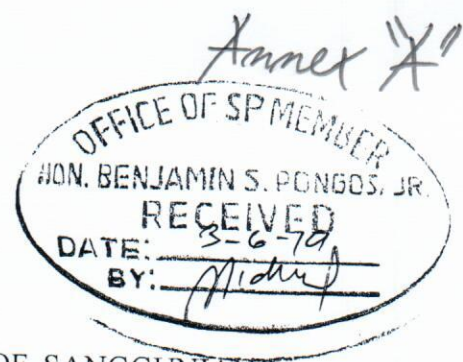
I HEREBY CERTIFY to the correctness of the above resolution.


MARIA ANTONIETA G. CO HAT
(OIC - SP Secretary)
Supervising Administrative Officer

ATTESTED:


VINCENT L. RAMA
(OIC-City Vice Mayor & Temporary Presiding Officer)
Majority Floor Leader
SP Member

Republic of the Philippines
Office of the Sangguniang Barangay
Barangay Curva, Ormoc City



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF SANGGUNIANG
BARANGAY OF BARANGAY CURVA, ORMOC CITY, HELD AT THE BARANGAY
SESSION HALL ON SEPTEMBER 15, 2018 AT 9:40 AM.

Present:	Hon. Isidro V. Lusanta	-	PunongBarangay/Presiding Officer
	Hon. Jeremias M. Cabahug	-	Kagawad
	Hon. Fe B. Apas	-	Kagawad
	Hon. Warlyn A. Gato	-	Kagawad
	Hon. Joseph A. Alcala	-	Kagawad
	Hon. Mario G. Cabahug	-	Kagawad
	Hon. Jose Antonio S. Caingcoy	-	Kagawad
	Hon. Lucrecia C. Dela Cruz	-	Kagawad
	Charmaine A. Canonigo	-	SK Chairperson

Other present:

Kiesha S. De La Corta	-	Barangay Secretary
Carla A. Singson	-	Barangay Treasurer

PREFATORY STATEMENT

WHEREAS, the role of local government units, more specifically of barangays, in environmental governance is crucial.

WHEREAS, under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, local government units shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to the provisions of this Code and national policies;

WHEREAS, pursuant to the such provision the Barangay plays a vital role in keeping the rivers, creeks, canals and all forms of life living on it safe and well;

WHEREAS, this Sangguniang Barangay aims to enact this Ordinance in order to educate the people on the proper way of fishing and to keep the rivers, creeks and canals including all forms of life living on it safe and well protected;

WHEREFORE, on motion of Hon. Warlym A. Gato SB Member on Agriculture, duly seconded by Hon. Lucrecia C. Dela Cruz be it:

RESOLVED, as it is hereby RESOLVED, to enact:

ORDINANCE NO. 001 SERIES OF 2018

**AN ORDINANCE PROHIBITING ILLEGAL FISHING BY MEANS OF
ELECTROCUTION, USE OF SIZE 1 FISHING NET AND USE OF
POISONOUS SUBSTANCE ON RIVERS, CREEKS, AND CANALS IN THE
BARANGAY.**

Be it ordained by the Sangguniang Barangay of Barangay Curva, Ormoc City in session assembled that:

SECTION 1. COVERAGE. This Ordinance shall penalize the commission of certain acts that are prejudicial or tend to cause undue damage to the rivers, creeks and canals by means of illegal ways of fishing within the jurisdiction of the Barangay.

SECTION 2. DEFINITION OF TERMS. As used in this Ordinance, the following terms have their meaning as follows:

- A. Fishing with the Use of Poisonous Substance — shall refer to the means of using any substance, plant, extracts or juice thereof, chemicals, whether raw or in processed form, harmful or harmless to human beings, which kills, disables or renders unconscious fish or fishery/aquatic products.
- B. Fine-Meshed Net/ Size 1 Fishing Net— shall refer to all nets, webbings, whether made of natural fibers, synthetic or any other materials used in fishing with a mesh-size less than three (3) centimeters measured between two (2) opposite knots of a full mesh when stretched.
- C. Electrocution — shall refer to the use of electricity generated by dry-cell batteries, electric generators or other sources of electric power to kill, stupefy, disable or render unconscious fish or fishery/aquatic products.
- D. Fish and Fishery/Aquatic Products— shall include all fish and other aquatic animals such as crustaceans (crabs, prawns, shrimps and lobster), mollusks and other shellfish. Fishery/aquatic products shall include all other products of aquatic living resources in any form located in rivers, creeks and canals within the jurisdiction of the Barangay.

SECTION 3. PROHIBITED ACTS. The following acts shall be prohibited by this Ordinance:

- A. Fishing through the use of poisonous substance in the rivers, creeks and canals within the jurisdiction of the Barangay;
- B. Engaging in fishing activities using fine-meshed nets or Size 1 fishing nets in the rivers, creeks and canals within the jurisdiction of the Barangay;
- C. Fishing through means of electrocution in order to kill, stupefy, disable or render unconscious fish or fishery/aquatic products.

SECTION 4. PENAL PROVISIONS. Any person who shall commit any of the aforementioned acts shall be imposed the following penalties:

a. **For the First Offense:** Fine not exceeding Three Hundred Philippine Pesos (Php300.00) at the discretion of the court, however, the offender may opt to pay a no-contest Administrative Fine of One Hundred Fifty Philippine Pesos (Php150.00);

b. **For the Second Offense:** Fine not exceeding Five Hundred Philippine Pesos (Php500.00) at the discretion of the court, however, the offender may opt to pay a no-contest Administrative Fine of Two Hundred Fifty Philippine Pesos (Php250.00);

c. **For the Third and Succeeding Offenses:** Fine not exceeding One Thousand Philippine Pesos (Php1,000.00) at the discretion of the court, however, the offender may opt to pay a no-contest Administrative Fine of Five Hundred Fifty Philippine Pesos (Php500.00).

The fines shall be paid to the Barangay Treasurer or his duly authorized representative who in turn shall issue the corresponding Official Receipt evidencing the said payment.

SECTION 5. ENFORCEMENT. For the purpose of enforcing this Ordinance, the Barangay Officials with the cooperation of the Barangay Tanods, and Barangay Fisheries and Aquatic Resources Management Council (BFARMC) are hereby tasked to enforce the provisions of this Ordinance and apprehend any violators.

SECTION 6. SEPARABILITY CLAUSE. If any provision of this Ordinance or the application of such provision to any person or circumstances is declared unconstitutional, the remainder of this Ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SECTION 7. REPEALING CLAUSE. All ordinances, rules and regulations or part thereof, whose provisions are in conflict with, or contrary to, the provisions of this Ordinance are hereby repealed, amended and modified accordingly.

SECTION 8. EFFECTIVITY. This Ordinance shall immediately take effect upon approval and compliance of the requirements of the Local Government Code of 1991.

Enacted, upon approval

Resolved further to transmit this ordinance to the Sangguniang Panlungsod ng Ormoc for review, copy furnish the City Mayor's Office, DILG and PAIAD Office.

Carried Unanimously.

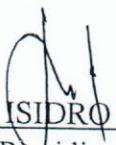
I hereby certify to the correctness of this ordinance duly enacted by the Sangguniang Barangay of Barangay Curva, Ormoc City.


This is to certify further that a consultation among the residents for the purpose was conducted by this council at the Brgy. Covered Court at 9: 00 am on October 14, 2018.



KIESHA S. DELA CORTA

Barangay Secretary


ATTESTED BY:



PUNONG BARANGAY ISIDRO V. LUSANTA
Punong Barangay/Presiding Officer


SB MEMBER JEREMIAS M. CABAUG
SB Member


SB MEMBER FE B. APAS
SB Member


SB MEMBER WARLYN A. GATO
SB Member


SB MEMBER JOSEPH A. ALCALA
SB Member


SB MEMBER MARIO S. CABAUG
SB Member

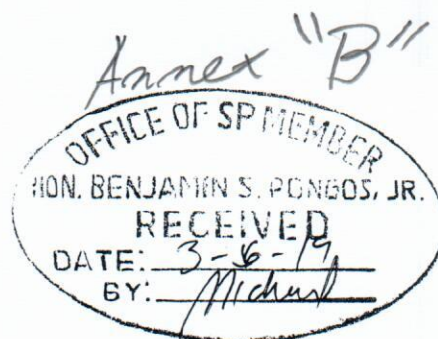

SB MEMBER JOSE ANTONIO S. CAINGCOY
SB Member


SB MEMBER LUCRESIA C. DELA CRUZ
SB Member


SB MEMBER CHARMINE A. CANONIGO
SK Chairperson

DEMO COPY

Republic of the Philippines
Office of the Sangguniang Barangay
Barangay Curva, Ormoc City



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF SANGGUNIAN
BARANGAY OF BARANGAY CURVA, ORMOC CITY, HELD AT THE BARANGAY
SESSION HALL ON SEPTEMBER 15, 2019 AT 9:40 AM

Present:	Hon. Isidro V. Lusanta	-	PunongBarangay/Presiding Officer
	Hon. Jeremias M. Cabahug	-	Kagawad
	Hon. Fe B. Apas	-	Kagawad
	Hon. Warlyn A. Gato	-	Kagawad
	Hon. Joseph A. Alcala	-	Kagawad
	Hon. Mario G. Cabahug	-	Kagawad
	Hon. Jose Antonio S. Caingcoy	-	Kagawad
	Hon. Lucrecia C. Dela Cruz	-	Kagawad
	Charmaine A. Canonigo	-	SK Chairperson

Other present:

Kiesha S. De La Corta	-	Barangay Secretary
Carla A. Singson	-	Barangay Treasurer

TAX ORDINANCE NO. 002 SERIES OF 2018

**“AN ORDINANCE AMENDING TAX ORDINANCE NO. 2015-001
ENTITLED: AN ORDINANCE IMPOSING FEES ON THE ISSUANCE OF
BARANGAY BUSINESS CLEARANCES, BARANGAY BUSINESS TAX,
CERTIFICATIONS, PERMITS AND OTHER CHARGES.”**

PREFATORY STATEMENT

WHEREAS, this Ordinance is enacted in the proper exercise of the power of the Barangay to enact laws to increase the revenue of the Barangay which will accelerate economic development and upgrade the quality of life for the people of the community;

WHEREAS, the enactment of this Ordinance is anchored on the provisions of Section 16 of Republic Act 7160, otherwise known as the Local Government Code 1991 (LGC), which states that every Local Government Unit (LGU) shall exercise the powers expressly granted including those necessarily implied there from, and those which are essential to the promotion of the general welfare;

WHEREAS, Section 391 (2) of Chapter 4 of the LGC provides that the Sangguniang Barangay shall enact tax and revenue ordinances, subject to the limitations imposed in the Code;

WHEREAS, Section 152 in Relation to Section 153 to 155 and Section 186 of the LGC vested to every local government unit, including the Barangay, to impose and collect fees service

or user charges for any service rendered in the amount commensurate to such service provided including the power to create its own sources of revenue and levy taxes, fees and charges which shall accrue exclusively to the local government unit concerned;

WHEREAS, since the enactment of Tax Ordinance No. 2015-001 and after a thorough review of the service fees and charges by this Sangguniang Barangay, there is a need to amend, revise or adjust the fees and charges currently being assessed and collected by the Barangay;

WHEREAS, this Sangguniang Barangay believes that it is necessary to amend and impose a new schedule of fees for clearances, certifications, permits and other barangay documents which is a an essential source in raising the revenue of the Barangay;

WHEREAS, to augment the limited fund allocation in the Barangay, finance special activities, accelerate economic development and meet the exigencies of delivering basic services which are vital considered part and parcel of good community services, there is an imperative need to amend the ordinance governing the collection taxes, fees and service or user charges;

WHEREAS, in compliance of the public hearing requirement prescribed by the LGC for the enactment of revenue ordinances such as herein, therefore, one was duly conducted by the Barangay on October 14, 2018 at the Brgy. Curva Covered court;

WHEREFORE, on motion of Hon. Joseph A. Alcala SB Member on Appropriation and finance, duly seconded by Hon. Fe B. Apas be it:

RESOLVED, as it is hereby RESOLVED, to enact

ORDINANCE NO. 002 SERIES OF 2018

AN ORDINANCE AMENDING TAX ORDINANCE NO. 2015-001 ENTITLED: "AN ORDINANCE IMPOSING FEES ON THE ISSUANCE OF BARANGAY BUSINESS CLEARANCES, BARANGAY BUSINESS TAX, CERTIFICATIONS, PERMITS AND OTHER CHARGES"

Be it ordained by the Sangguniang Barangay of Curva, Ormoc City, in session assembled, that:

SECTION 1. Section 2 of Ordinance No. 001 Series of 2015, otherwise known as "An Ordinance Imposing Fees on the Issuance of Barangay Business Clearances, Barangay Business Tax, Certifications, Permits and Other Charges", hereinafter referred to as the "amended Ordinance", shall now read as follows:

"**SECTION 2.** Fees for the following clearances, certifications and other barangay documents shall be as follows:

- | | |
|--|---------------|
| 1) Barangay Business Tax (new application and renewal) | 1% of gross |
| (with annual gross sales and receipts – Php 50,000.00 or below of preceding calendar year) | sale/receipts |
| 2) Barangay Clearance | |
| a. Barangay Clearance | Php 50.00 |

b. For employment abroad	Php 100.00
c. For employment within the Philippines	Php 50.00
d. Business Clearance	
i. Tricycle	Php 100.00
ii. Micro (capitalization of PHP3 Million and Below)	Php 200.00
iii. Small (capitalization of above PHP 3 Million but not more than PHP 15 Million)	Php 300.00
iv. Medium (capitalization of above PHP 15 Million but not more than PHP 50 Million)	Php 400.00
v. Large (capitalization of PHP 50 Million & above)	Php 500.00
3) Barangay Permits	
a. Ordinary Benefit Dance	Php 100.00
b. Benefit Dance on Fiestas	Php 150.00
c. Amusement shows, carnivals, movies and slides, except all religious shows	Php 200.00
4) Filing fee for Lupon	Php 20.00
5) Barangay Certifications	
a. Certificate of Residency/ Good moral certification	Php 30.00
b. Certificate to attest local transaction	Php 50.00
c. Other Barangay Certification	Php 30.00
d. Certificate of Indigency	FREE

SECTION 2. SEPARABILITY CLAUSE. If any provision of this Ordinance or the application of such provision to any person or circumstances is declared unconstitutional, the remainder of this Ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SECTION 3. REPEALING CLAUSE. All ordinances, rules and regulations or part thereof, whose provisions are in conflict with, or contrary to, the provisions of this Ordinance are hereby repealed, amended and modified accordingly.

SECTION 4. EFFECTIVITY. This Ordinance shall take effect in accordance with the provisions of the Local Government Code of 1991.

Enacted, upon approval.

Resolved further to transmit this ordinance to the Sangguniang Panlungsod ng Ormoc for review, copy furnish the City Mayor's Office, DILG and PAIAD Office.

Carried Unanimously.

I hereby certify to the correctness of this ordinance duly enacted by the Sangguniang Barangay of Barangay Curva, Ormoc City.

This is to certify further that a consultation among the residents for the purpose was conducted by this council at the Brgy. Curva Covered Court on at 9:00 am October 14, 2018.

ATTESTED BY:

PUNONG BARANGAY ISIDRO V. LUSANTA
Punong Barangay/Presiding Officer

KIESHA S. DE LA CORTA
Barangay Secretary

SB MEMBER JEREMIAS M. CABAUG
SB Member

SB MEMBER FE B. APAS
SB Member

SB MEMBER WARLYN A. GATO
SB Member

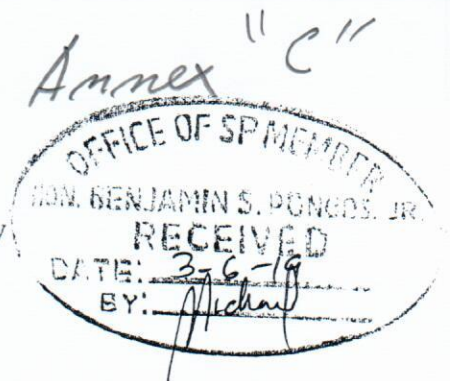
SB MEMBER JOSEPH A. ALCALA
SB Member

SB MEMBER MARIO G. CABAUG
SB Member

SB MEMBER JOSE ANTONIO S. CAINGCOY
SB Member

SB MEMBER LUCRESIA C. DELA CRUZ
SB Member

SB MEMBER CHARMAINE A. CANONIGO
SK Chairperson



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF SANGGUNIANG BARANGAY OF BARANGAY CURVA, ORMOC CITY, HELD AT THE BARANGAY SESSION HALL ON SEPTEMBER 15, 2018 AT 9:40 AM.

Present:	Hon. Isidro V. Lusanta	-	PunongBarangay/Presiding Officer
	Hon. Jeremias M. Cabahug	-	Kagawad
	Hon. Fe B. Apas	-	Kagawad
	Hon. Warlyn A. Alforque	-	Kagawad
	Hon. Joseph A. Alcala	-	Kagawad
	Hon. Mario G. Cabahug	-	Kagawad
	Hon. Jose Antonio S. Caingcoy	-	Kagawad
	Hon. Lucrecia C. Dela Cruz	-	Kagawad
	Charmaine C. Canonigo	-	SK Chairperson

Other present:

Kiesha S. De La Corta	-	Barangay Secretary
Carla A. Singson	-	Barangay Treasurer

ORDINANCE NO. 003 SERIES OF 2018

"AN ORDINANCE ESTABLISHING A UNIFIED IDENTIFICATION (ID) CARD PROGRAM IN BARANGAY CURVA"

PREFATORY STATEMENT

WHEREAS, under Section 394 (a) (6) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 (LGC), barangays are urged to keep an updated record of all inhabitants of the Barangay;

WHEREAS, in the same law, Section 16 thereof authorizes Local Government Units (LGUs) such as the Barangay to exercise various powers for the promotion of the general welfare of the constituents, including devising means to make the delivery of public service faster and easier;

WHEREAS, a Barangay Identification system will reduce the time of accessing files and records the Barangay keeps and stores as the same will also be the census like system of the barangay for all of its constituents;

WHEREAS, the system will be effective in maintaining, searching and storing of records of all residents in the Barangay;

WHEREAS, this Sangguniang Barangay believes that a Barangay Identification system benefits the residents as they will be accommodated easily as there is an existing identification in the records that can be used to access their accounts if there are some changes to be made or to expedite the services or provision of documents requested from the Barangay;

WHEREFORE, on motion of Hon. Jeremias M. Cabahug, duly seconded by Hon. Mario G. Cabahug be it:

RESOLVED, as it is hereby RESOLVED, to enact:

ORDINANCE NO. 003 SERIES OF 2018

AN ORDINANCE ESTABLISHING A UNIFIED IDENTIFICATION (ID) CARD SYSTEM IN THE BARANGAY OF BARANGAY CURVA.

Be it ordained that the Sangguniang Barangay of Barangay Curva in its Regular Session duly assembled that:

Section 1. TITLE. This Ordinance shall be known as the "Unified Identification (ID) Card System Ordinance of Barangay Curva."

Section 2. DECLARATION OF POLICY. It is the policy of the Barangay as mandated by R.A 7160 that every Local Government Unit (LGU) shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare.

DILG Memorandum Circular No. 69 Series of 2005 issued by Department of Interior and Local Government (DILG), enjoins the Municipal Mayors and Punong Barangays to ensure that records of barangay inhabitants are maintained and updated.

The maintenance and updating of the list is necessitated by the call of the times and the need to formulate a highly efficient system of keeping the records of all inhabitants of the barangay for the purpose of easy identification of inhabitants as a tool for planning and as updated reference in the number of inhabitants in the barangay.

Section 3. ESTABLISHMENT OF THE BARANGAY ID SYSTEM. The Barangay Unified Identification System is hereby established in Barangay Curva. A unified Identification card shall be issued by the Barangay to the residents of the Barangay Curva as a means of verification in transacting business, obtaining services, access to health care and government facilities. At the same time, it would be useful for easy access and identification in case of delivery of public service to the constituents, including those pertaining to disaster response and the maintenance of peace and order in the Barangay.

- A. The Unified Identification Card will feature the picture of the holder, signature and personal data printed at the front and back portion of the card. The personal data of each person that have been collected and stored for this purpose shall be kept and treated as strictly confidential and personal. Written authorization shall be required for access and disclosure of such available data.

- B. In no case shall the collection or compilation of other data in violation of a person's right to privacy be allowed or tolerated under this Ordinance.

Section 4. ISSUANCE OF BARANGAY UNIFIED IDENTIFICATION CARDS. The following shall be observed in the issuance of the Barangay Unified ID Card:

- A. All residents of Barangay Curva who are at least 18 years of age are strongly encouraged to secure the Barangay Unified Identification Card.
- B. The data printed on the card must correspond to the records compiled and stored in the Barangay's database.
- C. The ID card shall display the minimum information based on the compiled and stored data which shall include the following, among others:
- a. Name
 - b. Address
 - c. date of birth
 - d. gender
 - e. civil status
 - f. citizenship
 - g. photograph
 - h. signature
 - i. thumb mark
 - j. date of issuance and expiration and,
 - k. name of contact person in case of emergency.
- D. The ID card shall be designed in a manner to prevent the duplication or simulation which may include: bar code, watermarks, barangay seal and other security features.
- E. The ID card is valid for (3) years from the date of issuance. Transfer of residence to other barangay invalidates the ID card. Should relocation occur, the cardholder shall return the ID card to the Barangay for destruction.

Section 5. PROHIBITED ACTS. The following acts shall be prohibited by this Ordinance:

- A. It shall be unlawful for any person to simulate, alter or do any other acts that could do damage to the data appearing in the ID Card.
- B. It shall be unlawful for any person to allow another person to use his/her ID card, by tampering or forging of information, picture any other security features therein, for purpose of misinterpretation.
- C. It shall be unlawful for any person to make an unauthorized duplication or production of the ID Card.
- D. It shall be unlawful for any person to make use for whatever purpose of any unauthorized duplication or production of the ID Card.

Section 6. PENAL CLAUSE. Any person who shall commit any of the aforementioned acts shall be imposed the following penalties:

- A. **For the First Offense:** Fine not exceeding Three Hundred Philippine Pesos (Php300.00) at the discretion of the court, however, the offender may opt to pay a no-contest Administrative Fine of One Hundred Fifty Philippine Pesos (Php150.00);
- B. **For the Second Offense:** Fine not exceeding Five Hundred Philippine Pesos (Php500.00) at the discretion of the court, however, the offender may opt to pay a no-contest Administrative Fine of Two Hundred Fifty Philippine Pesos (Php250.00);
- C. **For the Third and Succeeding Offenses:** Fine not exceeding One Thousand Philippine Pesos (Php1,000.00) at the discretion of the court, however, the offender may opt to pay a no-contest Administrative Fine of Five Hundred Fifty Philippine Pesos (Php500.00);

The fines shall be paid to the Barangay Treasurer or his duly authorized representative who in turn shall issue the corresponding Official Receipt evidencing the said payment.

SECTION 7. SEPARABILITY CLAUSE. If any provision of this Ordinance or the application of such provision to any person or circumstances is declared unconstitutional, the remainder of this Ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

SECTION 8. REPEALING CLAUSE. All ordinances, rules and regulations or part thereof, whose provisions are in conflict with, or contrary to, the provisions of this Ordinance are hereby repealed, amended and modified accordingly.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect immediately upon approval and after compliance of the requirements of the Local Government Code of 1991.

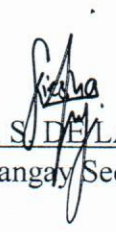
Enacted, upon approval.

Resolved further to transmit this ordinance to the Sangguniang Panlungsod ng Ormoc for review, copy furnish the City Mayor's Office, DILG and PAIAD Office.


Carried Unanimously.


I hereby certify to the correctness of this ordinance duly enacted by the Sangguniang Barangay of Barangay Curva, Ormoc City.


This is to certify further that a consultation among the residents for the purpose was conducted by this council at the Brgy. Covered Court at 9:00 AM on October 14, 2018.



KIESHA S. DE LA CORTA
Barangay Secretary

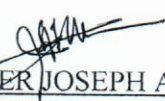
ATTESTED BY:


PUNONG BARANGAY ISIDRO V. LUSANTA
Punong Barangay/Presiding Officer


SB MEMBER JEREMIAS M. CABAUG
SB Member



SB MEMBER FE B. APAS
SB Member


SB MEMBER WARLYN A. GATO
SB Member


SB MEMBER JOSEPH A. ALCALA
SB Member


SB MEMBER MARIO G. CABAUG
SB Member


SB MEMBER JOSE ANTONIO S. CAINGCOY
SB Member


SB MEMBER LUCRESIA C. DELA CRUZ
SB Member


SB MEMBER CHARMAINE A. CANONIGO
SK Chairperson

DEMO COPY