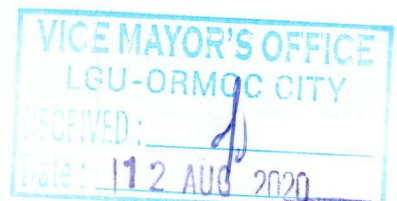


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ON AUGUST 11, 2020



PRESENT:

Leo Carmelo L. Locsin, Jr.
Benjamin S. Pongos, Jr.,
Roiland H. Villasencio,
Tomas R. Serafica,
Nolito M. Quilang,
Eusebio Gerardo S. Penserga,
Jasper M. Lucero,
Peter M. Rodriguez,
Vincent L. Rama,
Gregorio G. Yrastorza III,
Lalaine A. Marcos,
Esteban V. Laurente,

City Vice Mayor & Presiding Officer
SP Member, Majority Floor Leader
SP Member, 1st Asst. Majority Floor Leader
SP Member, Presiding Officer "Pro-Tempore"
SP Member, 2nd Asst. Majority Floor Leader
SP Member
SP Member
SP Member
SP Member
SP Member
SP Member
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

RESOLUTION NO. 2020-243

A RESOLUTION DECLARING THAT THE BARANGAY ORDINANCE NO. 001 S. 2020 OF DISTRICT 8, ENTITLED: "AN ORDINANCE 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" UNDER REVIEW HAS BEEN FOUND TO BE IN CONFORMITY WITH EXISTING LAWS AND ORDINANCES, AND INTERPOSING NO OBJECTION TO ITS IMPLEMENTATION.

WHEREAS, the Fifteenth Sangguniang Panlungsod ng Ormoc received a copy of the Ordinance from Barangay District 8, entitled: " AN ORDINANCE 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". The copy of the Ordinance together with its attachments are hereto attached and made an integral part hereof;

WHEREAS, the ordinance was submitted to this Sanggunian pursuant to its review powers over enacted ordinances of all barangays within its territory as provided for in Section 57 and 458 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 respective Sangguniang Barangays are within the scope of its prescribed powers and also whether the same are in conformity with law and city ordinances;

WHEREAS, the enactment of the subject barangay ordinance by the concerned barangay is pursuant to EODB ACT of 2018 or Republic Act 11032, otherwise known as "An act Promoting Ease of Business and Efficient Delivery of Government Services, amending for the purpose Republic Act No. 3485";

WHEREAS, Section 11 (f) of the above-mentioned Republic Act duly amended the Section 152 (c) of the Local Government Code and provides that "Barangay Clearances and Permits related to doing business shall be applied, issued and collected at the City/Municipality in accordance with the prescribed processing time of the said act. Provided, that the share in the collection shall be remitted to respective Barangays;

WHEREAS, this Sanggunian, in the exercise of its review powers, and after thorough examination of the aforesaid Barangay Ordinance, finds that the same 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, this Sanggunian, finally finds that the Ordinance is valid and lawful and 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;

WHEREFORE, on motion of SP Member Benjamin S. Pongos, Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Roiland H. Villasencio, Vincent L. Rama, Lalaine A. Marcos, Joan Marbie C. Simbajon, Tomas R. Serafica, Esteban V. Laurente and Gregorio G. Yrastorza III; be it


RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION DECLARING THAT THE BARANGAY ORDINANCE No. 001, SERIES OF 2020 OF DISTRICT 8, ENTITLED: "AN ORDINANCE 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" UNDER REVIEW HAS BEEN FOUND TO BE IN CONFORMITY WITH EXISTING LAWS AND ORDINANCES, AND INTERPOSING NO OBJECTION TO ITS IMPLEMENTATION;

ADOPTED, August 11, 2020.

RESOLVED, FURTHER, to furnish copies of this resolution each to the City Mayor of Ormoc Richard I. Gomez; the City Administrator, Vincent L. Emnas; the City Legal Officer, Atty. Josephine Mejia-Romero; the Office of the Liga ng mga Barangay ng Ormoc; Punong Barangay of District 8; the City Local Government Operations Officer-DILG; and other offices for their information and guidance;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

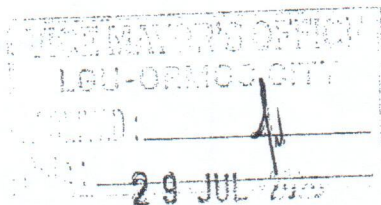

MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panlungsod

ATTESTED:


LEO CARMELO L. LOCSIN, JR.
City Vice Mayor & Presiding Officer



Res. # 2020-243
Annex A



Republic of the Philippines
OFFICE OF THE SANGGUNIANG BARANGAY
Barangay DISTRICT VIII
ORMOC CITY



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF DISTRICT-8 ORMOC CITY, HELD AT THE BARANGAY SESSION HALL ON JULY 20, 2020 AT 2:00 O'CLOCK IN THE AFTERNOON.

PRESENTS: HON. VICENTE B. PEREZ
HON. EDUARDO R. PEREZ
HON. REY P. ARCILLAS
HON. LIANZA RENZ C. PEREZ
HON. RYAN E. PEREZ
HON. MARIA CECILIA P. PEREZ
HON. ROBERT O. PEREZ
HON. ELIZABETH T. GOMEZ
HON. REYMART A. RUBIN

Punong Barangay
SB Member
SB Member
SB Member
SB Member
SB Member
SB Member
SB Member
SB Member
SB Chairperson

OTHERS PRESENTS:

MRS. VENUS JANE R. DINDIN
MRS. MARICRIS A. CAYANONG

Brgy. Treasurer
Brgy. Secretary

BARANGAY ORDINANCE NO. 001
Series of 2020

AN ORDINANCE AUTHORIZING THE CITY/MUNICIPALITY 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

WHEREAS, under Section 152(C) of the Local Government Code states that:

"(c) Barangay Clearance – No City or Municipality may issue any license or permit for any business or activity unless a clearance is first obtained from the Barangay where such business or activity is located or conducted. For such clearance, the Sangguniang Barangay may impose a reasonable fee. The application for clearance shall be acted upon within seven(7) working days from the filing thereof. In the event that the clearance is not issued with the said period the City of Municipality may issue the said license permit.

WHEREAS, the EOBD ACT of 2018 or Republic ACT 11032, otherwise known as "An act Promoting Ease of Doing Business and Efficient Delivery of Government Service. Amending the Purpose of Republic Act No. 9485" was duly enacted.

WHEREAS, Section 11(f) of the above -mentioned Republic Act duly amended the Section 152 (c) of the Local Government Code. And provides the "Barangay clearance and permits related to doing business shall be applied, issued and collected at the City/Municipality in accordance with the prescribed processing time of said Act. Provided, that the share in the collection shall be remitted to respective Barangays; and;

WHEREAS, Barangay DISTRICT 8, in accordance with the above provisions, and as an implementation of "one stop shop" here authorized the City/Municipality of Ormoc to issue Barangay clearance and collect corresponding barangay clearance fee in the application for any business related transaction subject to the remittance of the aforesaid fees to the barangay and the conditions hereunder;

NOW THEREFORE, be it ORDAINED as it is hereby ORDAINED by the Barangay Council of Barangay DISTRICT 8. 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 the building permit) at the City/Municipality. Other clearances for other purposes shall be obtained at the Barangay:

This Circular shall cover all City and Municipality Mayors, Punong Barangay, Concerned Local Officials, DILG Regional Department BARMM Minister of the Local Government and all other concerned;

SECTION 2. Definition of Terms. The words phrases used in this otherwise are hereby defined as follows.

Barangay Clearance – refers to any and all document issued by the barangays with or without corresponding fees as defined ordinances relative to or in relation the issuance of business permit and locational/zoning clearance by the city/Municipality other permit as may be required. (IRR of RA 11032).

Barangay Clearance Fees – is an amount imposed by the barangay through ordinance and collected by the City/Municipality relation to the issuance to the business permit locational/zoning clearance by the City/Municipality.

Business Permit – is a document the must be secure from the City or Municipal government usually through its business licensing office (BPLO), for business to legally operate in the locality. (IRR OF RA 11032).

Locational Clearance – is a clearance issued by the zoning Administer/ zoning officer that is allowed the provisions of an ordinance of the particular city/municipality. It is a requirement of a issuance of building permit. (House and Land Use Regulatory Broad Comprehensive Land Use Plan Guidebook).

SECTION 3. Authority to collect Barangay Clearance of Business related transactions – The City / Municipality of Ormoc is given to collect Barangay Clearance fees subject to 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 /Municipality for the issuance clearance shall be computed in accordance with the subject barangay revenue Ordinance herein attached as "Annex A" and made as an integral part hereof.

SECTION 5. Barangay Clearance Signature – Electronic signature of Punong Barangay concern shall appear in the barangay clearance issued.

SECTION 6. Reporting and Remittance – The City/Municipality 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.

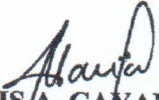
SECTION 7. Separability Clause – if your own reason, a part of this ordinance is declared illegally or in valid other parts or provisions hereby shall remain valid and full force and affect.

SECTION 8. Repealing Clause – All previous ordinance and rules / regulation which are inconsistent with the provisions of ordinance are hereby deemed. Modified or repealed accordingly.

SECTION 9. Effectivity clause – This Ordinance shall take affect (15) days after its publication.

ENACTED
JULY 20, 2020
BARANGAY DISTRICT 8, ORMOC CITY


ATTESTED BY:



MARICRIS A. CAYANONG
Barangay Secretary

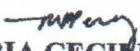
APPROVED BY:


HON. VICENTE B. PEREZ
Punong Barangay

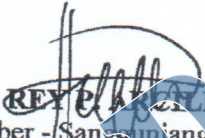
CONFORME:


EDUARDO R. PEREZ
Member - Sangguniang Barangay


LIANZA RENZ C. PEREZ
Member - Sangguniang Barangay


MARIA CECILIA P. PEREZ
Member - Sangguniang Barangay


ELIZABETH T. GOMEZ
Member - Sangguniang Barangay


REY P. CELLAS
Member - Sangguniang Barangay


RYAN L. PEREZ
Member - Sangguniang Barangay


ROBERT O. PEREZ
Member - Sangguniang Barangay


REYMART A. RUBIN
SK Chairman