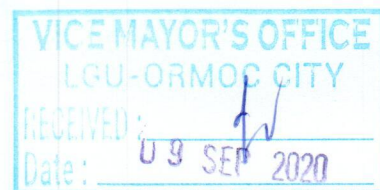


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
FIFTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,
ORMOC CITY HALL BUILDING
ON SEPTEMBER 08, 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
SP Member, Majority Floor Leader
SP Member
SP Member, Asst. Majority Floor Leader
SP Member
SP Member
SP Member
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

RESOLUTION NO. 2020-280

A RESOLUTION DECLARING THAT THE BARANGAY ORDINANCE NO. 003 S. 2020 OF BARANGAY DISTRICT 23, 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 23, 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 of 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, Esteban V. Laurente, Joan Marbie C. Simbajon, Lalaine A. Marcos, Gregorio G. Yrastorza III and Tomas R. Serafica; be it

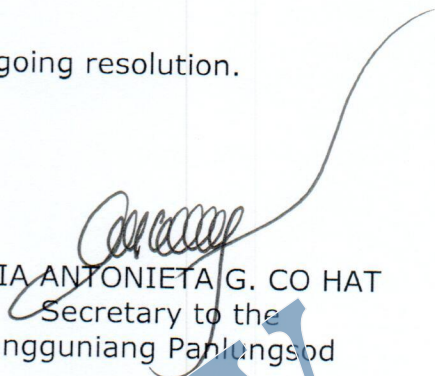
RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION DECLARING THAT THE BARANGAY ORDINANCE NO. 003 S. 2020 OF BARANGAY DISTRICT 23, ENTITLED: "AN ORDINANCE AUTHORIZING THE CITY OF ORMOC TO ISSUE BARANGAY CLEARANCE AND COLLECT CORRESPONDING BARANGAY CLEARANCE FEE IN THE APPLICATION FOR ANY BUSINESS-RELATED 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, September 08, 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; Brgy. District 23; the City Local Government Operations Officer-DILG; and other offices for their information and guidance;

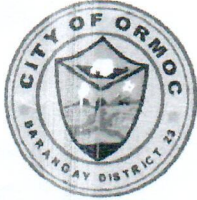
CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


MARIA ANTONIETA G. CO HAT
Secretary to the
Sangguniang Panglungsod

ATTESTED:


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



Republic of the Philippines
OFFICE OF THE SANGGUNIANG BARANGAY
Barangay District 23
Ormoc City, Leyte

OFFICE OF THE SANGGUNIANG BARANGAY

EXCERPTS FROM THE MINUTES OF THE SPECIAL COUNCIL SESSION OF BARANGAY DISTRICT 23, ORMOC CITY HELD AT THE BARANGAY SESSION HALL ON AUGUST 27, 2020 AT 10:00 O'CLOCK IN THE MORNING.

PRESENT: HON. MARY JANE A. GULJORAN
HON. JUDY S. ESPINA
HON. ANECITA A. CASTRO
HON. PRIMO L. VILLAS III
HON. EMELIE Y. MAGUIKAY -
HON. EDWIN A. TUMAMPO
HON. EDWARD JADE P. NAVARRO
HON. BASILIDES V. DE LOS SANTOS
SK-CH. IAN KENT E. PEREZ
JANE D. GALENZOGA
HONEY M. REYES

- Punong Barangay
- SB Member
- SB Member
- SB Member
- SB Member
- SB Member
- SB MEMBER
- SK Chairman
- Kalihim
- Inga-Yaman

BARANGAY ORDINANCE NO. 003
Series of 2020

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

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 responsible fee. The application for clearance shall be acted upon within (7) working days from the filing thereof. In the event that the clearance is not issued within the said period, the City or Municipality may issue the said license or 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 Services, Amending for 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 that "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 23, in accordance with the above provisions, and as an implementation of "one stop shop", hereby authorizes 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.

NOW THEREFORE, be it **ORDAINED** as it is hereby **ORDAINED** by the Barangay Council of DISTRICT 23 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 the purposes shall still be obtained at the Barangay.

This Circular shall cover all City and Municipal Mayors, Punong Barangays, Concerned Local Officials, DILG Regional Directors and BARMM Minister of Local Government and all other concerned.

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

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/Municipality or any other permit as may be required. (IRR OF RA 11032)

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/zoning clearance by the City.

Business Permit – is a document that must be secured from the City or Municipal Government usually through its Business Permits and Licensing Office (BPLO), for a business to legally operate in the locality. (IRR of RA 11032)

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/Municipality. 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 Transaction – 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/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 Signatory – Electronic Signature of Punong Barangay concern shall appear in all barangay clearance issued.

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

SECTION 7. 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 8. 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 9. Effectivity Clause – This Ordinance shall take effect fifteen (15) days after its publication.


ENACTED. **AUGUST 27, 2020.**

Barangay District 23, Ormoc City Leyte

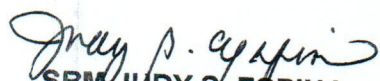
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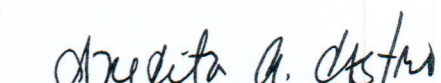
Approved by:

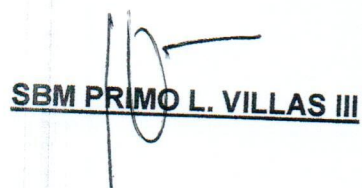

Jane D. Galenzoga
SB Secretary


HON. MARY JANE A. GULJORAN
Punong Barangay

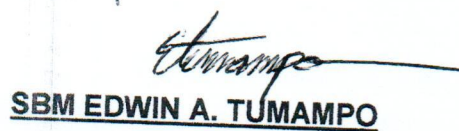
CONFORMED BY:


SBM JUDY S. ESPINA


SBM ANECITA A. CASTRO


SBM PRIMO L. VILLAS III


SBM EMELE Y. MAGUIKAY


SBM EDWIN A. TUMAMPO


SBM EDWARD JADE P. NAVARRO


SBM BASILIDES V. DE LOS SANTOS


SK-CH. IAN KENT E. PEREZ