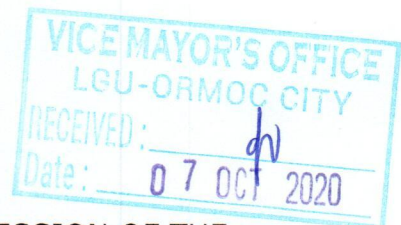


REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



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 OCTOBER 06, 2020

PRESENT:

Leo Carmelo L. Locsin, Jr.	City Vice Mayor & Presiding Officer
Benjamin S. Pongos, Jr.,	SP Member
Roiland H. Villasencio,	SP Member
Tomas R. Serafica,	SP Member
Nolito M. Quilang,	SP Member, Majority Floor Leader
Eusebio Gerardo S. Penserga,	SP Member
Jasper M. Lucero,	SP Member, Asst. Majority Floor Leader
Peter M. Rodriguez,	SP Member
Vincent L. Rama,	SP Member
Gregorio G. Yrastorza III,	SP Member
Lalaine A. Marcos,	SP Member
Esteban V. Laurente,	Ex-Officio SP Member, Chapter President, Liga ng mga Barangay ng Ormoc
Joan Marbie C. Simbajon,	Ex-Officio SP Member, Chapter President, Panlungsod na Pederasyon ng mga Sangguniang Kabataan ng Ormoc

RESOLUTION NO. 2020-317

A RESOLUTION DECLARING THAT THE BARANGAY ORDINANCE NO. 002 S. 2020 OF BARANGAY DISTRICT 2, 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 2, 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, Jr., Chairman, Committee on Laws and Ordinances, severally seconded by SP Members Nolito M. Quilang, Lalaine A. Marcos, Joan Marbie C. Simbajon, Gregorio G. Yrastorza III, Esteban V. Laurente, Tomas R. Serafica, Vincent L. Rama, Peter M. Rodriguez and Roiland H. Villasencio; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass A RESOLUTION DECLARING THAT THE BARANGAY ORDINANCE NO. 002 S. 2020 OF BARANGAY DISTRICT 2, 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;

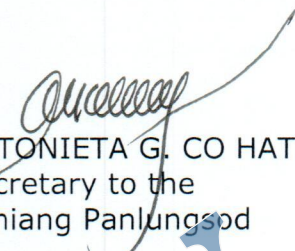
ADOPTED, October 06, 2020.

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; Sangguniang Barangay of District 2, 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



Republic of the Philippines
City of Ormoc
Barangay District 2

Office of the Sangguniang Barangay



Res. # 2020-317
"Annex A"

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BARANGAY OF DISTRICT 2, ORMOC CITY, HELD AT THE BARANGAY HALL ON SEPTEMBER 7, 2020 AT 3:00 O'CLOCK IN THE AFTERNOON.

PRESENTS:

ESTRELLA R. PEREZ
GREGORIO Q. BAGCAT JR.
BENJAMIN D. TULINGIN
WILLIAM O. CABANERO
LUCRESIO A. PAYOD
DANICA G. CABALEJO
KAIRIODIN P. MISOMALA
SHERWIN P. PASAOL

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

OTHERS PRESENT:

THELMA S. PAYOD
MYLIET T. LIMPANGOG

SB Secretary
SB Treasurer

PREFARATORY STATEMENT

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 issue 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 within the said period' the city or municipality may issue the said license or permit."

WHEREAS, the EOOD 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 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 said Act. Provided, that the share in the collection shall be remitted to respective Barangays; and

WHEREAS, Barangay District 2, in accordance with the provisions, and as at implementation of "One Stop Shop", hereby authorizes the City/Municipality of Ormoc City 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 2 in session duly assembled the following.

ORDINANCE NO. 002, SERIES OF 2020

AN ORDINANCE AUTHORIZING THE CITY/MUNICIPALITY OF ORMOC CITY 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

SECTION 1. Coverage. - This policy applies only to the issuance of Barangay Clearance for Business Permit and Locational Clearance (as requirements for the issuance of building permit) at the City/Municipality. Other clearances for other purposes shall still be ordained at the Barangay.

This circular shall cover all City and Municipality Mayors, Punong Barangays, Concerned Local Officials, DILG regional directors and BARMM Minister of Local Government and all others 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 location/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/Municipality in relation to the issuance of business permit and locational/zoning clearance by the City/Municipality.

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 Transactions. - The City/Municipality of Ormoc City 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 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 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. Effective Clause. – This Ordinance shall take effect fifteen (15) days after its publication.

ENACTED.

September 2020


Barangay District 2, Ormoc City



THELMA S. PAYOD
Barangay Secretary


Attested by:

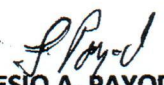

ESTRELLA R. PEREZ
Punong Barangay

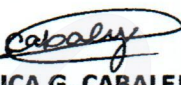
Conforme:


GREGORIO Q. BAGCAT JR.
SB Member



BENJAMIN D. TULINGIN
SB Member


WILLIAM O. CABAÑERO
SB Member


LUCRESIO A. PAYOD
SB Member


DANICA G. CABALEJO
SB Member


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SHERWIN P. PASAOL
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