

Item No.: 01
Date: 28 OCT 2022

Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

SANGGUNIANG PANLALAWIGAN
SP Sec 10/12/22
SP Records
4:40pm af

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Solemnly
Date: 10-12-22

2nd Indorsement
~~December 1, 2021~~
OCTOBER 11, 2022

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 418 of the SB of Babatngon, Leyte, recommending for the declaration of validity pursuant to its power under Section 56 (c) of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO) in consonance with the mandate of a Statute (R. A. 11032), or An Act Promoting Ease of Doing Business", mentioned in the ordinance.

ATTY. JOSE RAYMUND A. ACOL
Acting Asst. Provincial Legal Officer 



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PROVINCE OF LEYTE
Tacloban City
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SANGGUNIANG PANLALAWIGAN OFFICE

**1ST ENDORSEMENT
29 September 2022**



Respectfully endorsed to the Provincial Legal Office the herein ORDINANCE No. 418, of BABATNGON, LEYTE entitled: "AN ORDINANCE ON COLLECTION OF CORRESPONDING BARANGAY CLEARANCE FEE IN THE APPLICATION FOR ANY BUSINESS RELATED TRANSACTIONS", for comments and recommendations.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



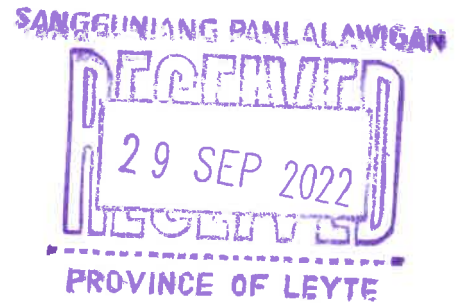
Republic of the Philippines
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MUNICIPALITY OF BABATNGON
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OFFICE OF THE SANGGUNIANG BAYAN

27 September 2022

Honorable Leonardo M. Javier, Jr.
Vice Governor and Presiding Officer, and

The Honorable Members
Sangguniang Panlalawigan
Province of Leyte
Legislative Bldg., Capitol Grounds
Tacloban City



Dear Honorable Ladies and Gentlemen,

Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Ordinance No. 418 of the Sangguniang Bayan of the Municipality of Babatngon, Leyte, entitled: ***"An Ordinance on Collection of corresponding Barangay Clearance Fee in the Application for Any Business Related Transactions."*** Subject ordinance is being forwarded to that Body for review in compliance with Section 56 (a) of Republic Act 7160.

Enclosed please find the following:

1. Ordinance No. 418
2. Certification of Posting

Please find them in order and praying for your favorable action thereof.

Very truly yours,


ALMA A. BALDOMAR
Secretary II
Secretary to the Sangguniang Bayan-designate

Enclosed:
As Stated



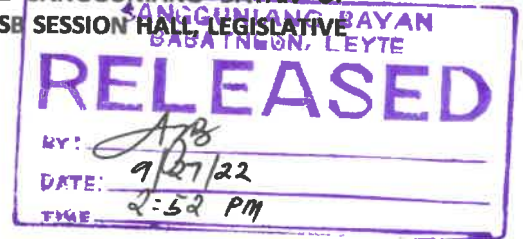
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MAYOR'S OFFICE
BABATNGON, LEYTE
RECEIVED

BY: MDA ANNE BALAS
DATE: 09-26-2022
TIME: 4:17pm

SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 10th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 21st DAY OF SEPTEMBER 2022 AT THE SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE.



ORDINANCE NO. 418

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

Introduced by: Hon. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member

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

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

WHEREAS, the EODB ACT of 2018 or Republic Act 11032, otherwise known as "An Act Promoting Ease of Doing Business and Efficient Delivery of Government Services was signed into law 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 Municipality 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 Municipality of Babatngon, enacted Barangay Ordinances to authorize the Municipality of Babatngon 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 Sangguniang Bayan of Babatngon, Leyte in a session duly assembled the following:

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



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(Con't. of Ordinance No. 418)
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This Circular shall cover all City and Municipal Mayors, Punong Barangays Concerned Local Officials, DILG Regional Directors and BARRM 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 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/municipality in relation to the issuance of business permit and locational clearance by the city/municipality.

Business Permit – is a document that must be secured from the city/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 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 Municipality of Babatngon 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 Municipality for the issuance clearance shall be computed in accordance with the subject Barangay Revenue Ordinance.

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

SECTION 6. Reporting and Remittance – The Municipality of Babatngon 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 subject 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.



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

APPROVED and ENACTED this 21st day of September 2022 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-Designate

ATTESTED:


ROSARY PEARL G. CATUDIO
Municipal Vice-Mayor
Presiding Officer


CHRISTIAN C. LAWSIN
Sangguniang Bayan Member


KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member


KARL JOMAR L. ERBANA
Sangguniang Bayan Member


ILDEFONSO B. ODON
Sangguniang Bayan Member



FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member


HILARION S. MENZON
Sangguniang Bayan Member


CHARITA M. CHAN
Sangguniang Bayan Member


ALEX V. BELLO
Sangguniang Bayan Member

(Official Travel
COSTUDIO R. MEDINA
President
Liga ng mga Barangay


MYRNA S. BALLAIS
President
Pambayang Pederasyon ng
Sangguniang Kabataan

APPROVED:


ELEONOR B. LUGNASIN
Municipal Mayor

Date: 27 Sept. 2022



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF BABATNGON
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OFFICE OF THE SANGGUNIANG BAYAN

C E R T I F I C A T I O N

TO WHOM THIS MAY CONCERN:

This is to certify that **POSTING** in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting 27 September 2022 and copies of said ordinance shall remain posted for three (3) consecutive weeks, pursuant to Sec. 59 (b) of Republic Act 7160, in relation to hereunder ordinance, to wit:

1. **Ordinance No. 418 entitled: “ An ordinance on Collection of Corresponding Barangay Clearance Fee in the Application for Any Business Related Transactions.”**

Made this 27th day of September 2022 at Babatngon, Leyte.

ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate