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Republic of the Philippines
PROVINCE OF LEYTE

Item No.: 06
Date: 07 FEB 2023

SANGGUNIANG PANGALAYAN
SP Records
JAN 31 2023
Leg 1-30-23
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd Indorsement
January 20, 2022

Province of Leyte
Legal Office
Released: [Signature]
Time: [Signature]
Date: 1-24-23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2022-11 of the SB of Calubi-an, Leyte, recommending for the declaration of its 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), an exercise of the power authorized under Section 447 (l), [viii)] of the Code. Provided that the creation of New Plantilla Position does not violate the prohibition under Section 325 (a) & (g) thereof.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer [Signature]

[Signature]


Republic of the Philippines
PROVINCE OF LEYTE
-0-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
18 January 2023



Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the
herein **ORDINANCE NO. 2022-11** of the **MUNICIPALITY OF CALUBIAN,**
LEYTE, for review and recommendations.


FLORINDA JIM SUYVICO,
Secretary to the Sanggunian

SP Records
11823

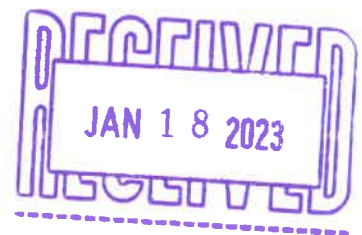


Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

January 18, 2023

MS. FLORINDA JILL S. UYVICO
Prov'l. Govt. Dept. Head
Secretary to the Sanggunian
Province of Leyte
Legislative Building
Tacloban ,City



Dear Madam:

We are forwarding herewith the Mun. Ordinance No. 2022-11 of Calubian, Leyte, for review & approval of the Honorable Sangguniang Panlalawigan of Leyte.

Kindly acknowledge receipt hereof.

Thank you.

Very truly yours,


NORMINDA R. RAAGAS
Mun. Secretary

Enc.:

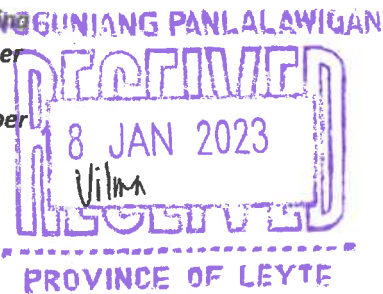
1. Mun. Ordinance No. 2022-11 of Calubian, Leyte
2. Certification of Posting
3. SB Committee Report No. 2022-27 A



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON NOV. 21, 2022 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

- PRESENT :**
- VICE MAYOR ANNA LOVE VELOSO- LAURENTE - *Presiding*
 - SB MEMBER JULLIAN MARC A. BATIANCELA - *Member*
 - SB MEMBER NOEL G. EAMIGUEL - *- do -*
 - SB MEMBER EUGENIO A. CHING, JR. - *Member*
 - SB MEMBER JULIA E. HALICHIC - *- do -*
 - SB MEMBER BENJAMIN A. CALBITAZA - *- do -*
 - SB MEMBER ALYZA F. NIERRAS - *- do -*
 - SB MEMBER LUCITA A. PALCONIT - *- do -*
 - SK FED. PRESIDENT REMAR L. BELTRAN - *- do -*
- ABSENT :**
- SB MEMBER ESTER P. LUBIANO - *Member*
 - LIGA NG MGA BARANGAY PRES. ALFREDO M. CASAS - *- do - (On O.B.)*



ORD. NO. 2022- 11

AN ORDINANCE CREATING THE POSITION TITLE OF A LICENSING OFFICER 1, SALARY GRADE (SG) 11 UNDER THE BUSINESS PERMITS & LICENSING OFFICE IN THE PLANTILLA OF PERSONNEL IN THE MUNICIPALITY OF CALUBIAN, LEYTE."

BE IT ORDAINED, by the Sangguniang Bayan of Calubian, Leyte, in a session assembled that :

SECTION 1. Short Title . This Ordinance shall be entitled as "AN ORDINANCE CREATING THE POSITION TITLE OF A LICENSING OFFICER 1, SALARY GRADE (SG) 11 UNDER THE BUSINESS PERMITS & LICENSING OFFICE IN THE PLANTILLA OF PERSONNEL IN THE MUNICIPALITY OF CALUBIAN, LEYTE."

SECTION 2. Rationale. A. Section 447 (a) (1)) of R. A. 7160, otherwise known as the Local Government Code of 1991 provides the powers & functions of the Sangguniang Bayan to xxx (viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government;

B. The creation of the aforementioned proposed position, Licensing Officer 1, with Salary Grade 11 under the Business Permits & Licensing Office is necessary; and once the position item will be filled up by a qualified appointee, he/ she will handle and evaluate the requirements of all Municipal Business Permits and Licenses applications.

C. Executive Order No. 138 s. 2021 dated June 1, 2021 orders the full devolution of functions, services and facilities by the national government (NG) to local government units not later than the end of F.Y. 2024. These shall include those devolved responsibilities indicated in Section 17 of R. A. 7160 and in other existing laws which subsequently devolved functions of the LG to LGUs.

D. Section 10 of Executive Order No. 138 , s. 2021 dated June 1, 2021 orders all local governments to prepare their Devolution Transition Plans (DTPs) in close coordination with the NGAs concerned especially with regards to devolved functions and services that are critical to them;

E. Section 17 of R.A. 7160 in Basic Services and Facilities. xxx (a) Local government units shall endeavour to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities enumerated herein, xxx ;

Section 3. Definition of Terms : For purposes of this ordinance, the following terms are defined as follows:

- A. Experience - refers to the previous jobs in either the government or private sector, whether full time or part time, which , as certified by the Human Resource Management Officer or authorized officials of the previous employer, are functionally related to the duties in the PDF of the position to be filled.**


[Signature]
 JULIA E. HALICHIC
 SB Member
[Signature]
 REMAR L. BELTRAN
 SK Fed. President


[Signature]
 EUGENIO A. CHING, JR.
 SB Member
[Signature]
 LUCITA A. PALCONIT
 SB Member


[Signature]
 NOEL G. EAMIGUEL
 SB Member
 ALYZA F. NIERRAS
 SB Member


[Signature]
 JULIAN MARC A. BATIANCELA
 SB Member
 BENJAMIN A. CALBITAZA
 SB Member

- B. **Eligibility**- refers to the result of passing a merit and fitness test which may be determined as far as practicable by competitive examination, or based on highly technical qualifications or other tests of merit and fitness conducted by the Civil Service Commission, or other examinations jointly designed and coordinated by departments or agencies with the assistance of or in coordination with the CSC, and other examinations such as PRC-conducted board examinations, the SC conducted Bar Examination or the CESB-conducted CES examinations.
- C. **Training** - refers to formal or non- formal training courses and HRD interventions, such as coaching, mentoring, job rotation, seminars, workshops, and others that are part of the employee's individual Development Plan/ Career Development Plan.
- D. **Education**- refers to the formal or non- formal academic, technical, or vocational studies that will enable the candidate to successfully perform the duties and responsibilities indicated in the Position Description Form (PDF) (DBM- CSC Form No. 1, Revised 2017) of the position to be filled.
- E. **Licensing Officer** - responsible in municipal business permit applications, both new and renewal. Also, receives applications of permits, evaluates the same for processing, and undertakes inspection and / or monitoring of business establishments.
- F. **Business Permits and Licensing Office** - is tasked to issue permit to Business Establishments operating within the municipality with various line offices of the municipal government, and concerned national agencies.
- G. **Business permit** - is a certification that a business is legitimate, meaning it's authorized to operate in the municipality where it's registered. This official document is also called the mayor's permit because it's processed by the local government unit (LGU) with jurisdiction over the place of business.


JULIA E. MALICHIC
 SB Member



REMAR T. BETEBRAN
 SK Fed. President



EUGENIO A. CHING, JR.
 SB Member


LUCIA A. PALCONIT
 SB Member


NOEL ZAMIGUEL
 SB Member


ALYZA F. NIERRAS
 SB Member


JULIAN MARGA. BATIANCELA
 SB Member


BENJAMIN A. CALBITAZA
 SB Member

Section 4. Creation of the Position Item in the Plantilla of Personnel. The creation of the Position Item of a Licensing Officer I, with Salary Grade 11, shall be a regular position, placed under the Business Permits and Licensing Office, and shall be included in the Rolls of Employee / Plantilla of Personnel in the Municipal Government of Calubian, Leyte.

Section 5. Supplemental Provision. Creation of the Business Permits and Licensing Office. The Business Permits and Licensing Office shall be therefore created, as one department or office of the Municipal Government of Calubian, Leyte.

The Business Permits and Licensing Office is primarily created to regulate the entry and operations of all business establishments in the municipality. In the fulfilment of this mandate, it undertakes business tax assessment, issuance of business permits and licenses, monitoring and imposition of mandatory standards to ensure compliance with applicable laws, rules and regulations in order to protect the interests of the public and to promote commercial activity for the general welfare of the municipality of Calubian, Leyte.

Section 6. Educational Qualifications, License or Eligibility, Training and Experience of the Position Item. The position item of a Licensing Officer 1, with Salary Grade 11, placed under the Business Permits & Licensing Office in the Rolls of Employees or Plantilla of Personnel in the Municipal Government of Calubian, Leyte, shall require the following :

- A. **Education** : A graduate of Bachelor 's Degree in Finance, Accountancy, Business Administration and Commerce and or related college courses ;
- B. **License or Eligibility** : Civil Service Professional Eligible;
- C. **Experience** : One (1) year Experience of any Treasury, Accounting , Permit Licensing and or relevant experience; and
- D. **Training Required** : Four (4) hours relevant training.

Section 7. Official Duties and Responsibilities for the Position Item of a Licensing Officer 1, Salary Grade 11 once filled up. The following are the official duties and functions prescribed for the "would be" Licensing Officer 1, Salary Grade 11, once appointed / filled up, the same being stated in the Position Description Form (PDF) (DBM- CSC Form No. 1, Revised 2017) of the said position title, to wit :

- A. **Implement the enhanced and simplified Business Permits and Licensing System (BPLS) standards;**
- B. **Supervise the conduct and or inspection of all business establishments to determine compliance to the Municipal Revenue Code of the municipality, regulatory ordinance and other pertinent laws;**
- C. **Enforce provisions of ordinances or other pertinent laws relating to the BPLS;**
- D. **Update and maintain the record of business establishments operating within the municipality;**

E. Prepare and submit reports to concerned government agencies; and

F. Perform such other duties and functions as may be required by law or mun. ordinance.

Section 8. Funding / Budget Allocation of the Position Item . The first budget allocation for the salaries, allowances and other emoluments of the Licensing Officer I, Salary Grade 11, shall be allocated thru an Appropriation Ordinance which will be later on enacted by the Sangguniang Bayan of Calubian, Leyte once funds will be made available for the purpose ; while the next yearly allocations & onwards for the said position item , shall be funded and allocated accordingly.

Section 9. Funding / Budget Allocation of the Business Permits and Licensing Office. The first annual budget allocation for the Maintenance and Other Operating Expenses and Capital Outlay shall be allocated thru an Appropriation Ordinance which will be later on enacted by the Sangguniang Bayan of Calubian, Leyte once funds will be made available for the purpose ; while the next yearly allocations & onwards for the said position title , shall be funded and allocated accordingly.

Section 10. Separability Clause - If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby, shall continue to be in full force & effect.

Section 11. Repealing Clause. All ordinances or resolutions , local issuances or rules inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

Section 12 . Effectivity Clause . This ordinance shall take effect immediately upon review & approval of the Honorable Sangguniang Panlalawigan of Leyte.

UNANIMOUSLY APPROVED , this 21st day of November 2022 at Calubian, Leyte, upon motion of SB Member Eugenio A. Ching, Jr. ; duly seconded by SB Members Noel G. Eamiguel & Jullian Marc A. Batiancela.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


NORMINDA R. RAAGAS
Mun. Secretary

ATTESTED:


ANNA LOVE VELOSO-LAURENTE
Mun. Vice Mayor & Presiding Officer


JULLIAN MARC A. BATIANCELA
SB Member


NOEL G. EAMIGUEL
SB Member


EUGENIO A. CHING, JR.
SB Member


JULIA E. HALICHIC
SB Member


BENAMINA A. CALBITAZA
SB Member

ALYZA F. NIERRAS
SB Member


REMAR L. BELTRAN
SK Fed. President


LUCITA A. PALCONIT
SB Member

APPROVED:


MARCIANO A. BATIANCELA, JR.
Mun. Mayor



Republic of the Philippines
Province of Leyte
Municipality of Calubian
-OoO-



OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Mun. Ordinance No. 2022-11 , otherwise known as **"AN ORDINANCE CREATING THE POSITION TITLE OF A LICENSING OFFICER 1, SALARY GRADE (SG) 11 UNDER THE BUSINESS PERMITS & LICENSING OFFICE IN THE PLANTILLA OF PERSONNEL IN THE MUNICIPALITY OF CALUBIAN, LEYTE "**, has been posted in the Bulletin Board at the Office of the Sangguniang Bayan of Calubian, Leyte & other conspicuous places in the municipality since January 3, 2023 and still remain posted for three (3) consecutive weeks.

Given this 3rd day of January , 2023 at Calubian, Leyte.

CERTIFIED CORRECT:


NORMINDA R. RAAGAS
Mun. Secretary



Republic of the Philippines
Province of Leyte
Municipality of Calubian
-OoO-
Office of the Sangguniang Bayan



SB Committee Report No. 2022- 27 A
Nov. 14, 2022

SUBMITTED B : COMMITTEE ON HUMAN RESOURCE DEVELOPMENT & COMMITTEE ON FINANCE & APPROPRIATIONS

SUBJECT : LCE Request dated Oct. 28, 2022 for the Creation of the position item of Licensing Officer I (BPLO), SG 11


SPONSORED BY : HON. HALICHIC, BATIANCELA, CHING, LUBIANO, EAMIGUEL & NIERRAS

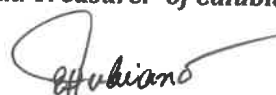
SUBMITTED TO : HON. ANNA LOVE VELOSO- LAURENTE , MUN. VICE MAYOR & PRES. OFFICER

The undersigned Chairmen , Vice Chairman & Members of the Committee on Human Resource Development & Committee on Finance & Appropriations, respectfully submit to the Honorable August Body, the following committee findings:

1. The LCE in his letter dated Oct. 28, 2022, had asked the Honorable August Body for the creation of the position item of a Licensing Officer I (BPLO), SG 11 , in accordance with the Devolution Transition Plan of Calubian, Leyte for C.Y. 2023;
2. Under Section 447 (a) (1) of R. A. 7160, otherwise known as the Local Government Code of 1991 provides the powers & functions of the Sangguniang Bayan to xxx (viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government;
3. The creation of the aforementioned proposed position in the office of the MTO is indispensable, since the employee appointed thereof, shall be held responsible & take charge the assessment , processing and the keeping of record of all business establishments operating in the municipality, and in order for them to obtain the prescribed Annual Business Permits/ Licenses ;
4. The aforementioned proposed item is essential and supports the Development Transition Plan of the municipality of Calubian, Leyte starting F.Y. 2022 , pursuant to Res. No. 2021- 205;
5. Executive Order No. 138 s. 2021 dated June 1, 2021 orders the full devolution of functions, services and facilities by the national government (NG) to local government units not later than the end of F.Y. 2024. These shall include those devolved responsibilities indicated in Section 17 of R. A. 7160 and in other existing laws which subsequently devolved functions of the LG to LGUs. These fully devolved responsibilities shall be funded from the share of the LGUs from the proceeds of the national taxes and other local revenues;
6. The Local Chief Executive in his letter- request dated Oct. 28, 2022 made no mention as to the funding allocation and the sources of fund of the proposed position item will be taken;
7. The proposed budget for the salaries, wages & other emoluments of a Licensing Officer I (BPLO), Salary Grade 11 must be provided necessarily thru an Appropriation Ordinance which will be enacted soon by the Honorable Sangguniang Bayan ; so that, not only the creation of the position item will be made, but the filling up of the same will be substantially realized .

WHEREFORE, we shall look forward for the approval of this committee report & recommend to pass an Ordinance for the Creation of an of Licensing Officer I (Business Permit & Licensing Officer), Salary Grade 11 under the Office of the Mun. Treasurer of Calubian, Leyte.


JULIAN MARC A. BATIANCELA
Chairman


ESTER P. LUBIANO
Member

NOEL G. EAMIGUEL
Vice- Chairman


JULIA E. HALICHIC
Chairman


EUGENIO A. CHING, JR.
Member

ALYZA F. NIERRAS
Member