

Item No.: //

Date: APR 11 2023

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Republic of the Philippine
PROVINCE OF LEYTE

Province of Leyte
Legal Office
Received: [Signature]
Date: 3-13-23

PROVINCIAL LEGAL OFFICE

SANGGUNIANG PANLALAWIGAN
MAR 20 2023
PROVINCE OF LEYTE

2ND INDORSEMENT
March 8, 2023

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 04, S. 2023 of the SB of Tabon-tabon, 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 "necessary, appropriate, or incidental for its efficient and effective governance," authorized under Section 16 of the Code, essential to the promotion of the General Welfare.


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

Republic of the Philippines
PROVINCE OF LEYTE


-0-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
7 March 2023

Office of Leyte
Office
Date: 07-03-23

Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the
herein **MUNICIPAL ORDINANCE NO. 04 series 2023** of the **MUNICIPALITY OF**
TABONTABON, LEYTE, for review and recommendations.

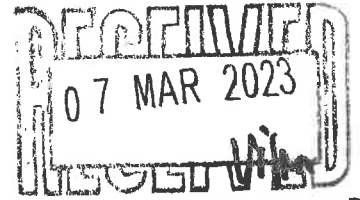

FLORINDA J. S. ALVICO
Secretary to the Sanggunian

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Province of Leyte
Municipality of Tabontabon
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SANGGUNIANG PANLALAWIGAN



PROVINCE OF LEYTE

OFFICE OF THE SANGGUNIANG BAYAN

INDORSEMENT


March 03, 2023

Province of Leyte
Legal Office

Filed: _____
Date: _____

Respectfully submitted to the Honorable Sangguniang Panlalawigan, the herein Municipal Ordinance No. 04 Series 2023 entitled "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF TABONTABON, LEYTE" of the Municipality of Tabontabon, Leyte for appropriate action.

Hope you find it in order.


MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

NOTED:

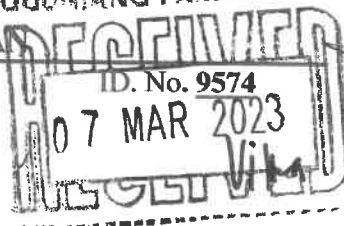

HON. PONCIANO R. JUSTIMBASTE, Jr.
Presiding Officer



Republic of the Philippines
Province of Leyte
Municipality of Tabontabon

SANGGUNIANG PANGALAWIGAN

OFFICE OF THE SANGGUNIANG BAYAN



28TH REGULAR SESSION
February 13, 2023

14th SANGGUNIANG BAYAN

HON. MERVIN M. LOBRIGO
SB Member

HON. JINKY E. GAMEZ
SB Member

Present:

- | | |
|-----------------------------------|---|
| Hon. Ponciano R. Justimbaste, Jr. | Municipal Vice Mayor/Presiding Officer |
| Hon. Herman I. Bibar | SB Member |
| Hon. Francisco M. Fernandez | SB Member |
| Hon. Dan Jeric S. Redoña | SB Member |
| Hon. Jerry Gwen L. Conde | SB Member |
| Hon. Danilo E. Balais | SB Member |
| Hon. Mervin M. Lobrigo | SB Member |
| Hon. Jinky E. Gamez | SB Member |
| Hon. Mylene B. Ladan | ABC President/Ex-officio Member |
| Hon. Frances B. Gador | SK Federation President/Ex-officio Member |

Absent:

- | | |
|--------------------------|----------------------|
| Hon. Dennis L. Barderian | SB Member (On Leave) |
|--------------------------|----------------------|

MUNICIPAL ORDINANCE NO. 04 SERIES 2023

MUNICIPAL ORDINANCE NO. 04 SERIES OF 2023, ENTITLED "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF TABONTABON, LEYTE."

WHEREAS, presented for consideration before the Sangguniang Bayan is the Municipal Ordinance No. 04 Series 2023 "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF TABONTABON, LEYTE.";

WHEREAS, there is a need to streamline the business registration and payment process in the Municipality of Tabontabon:

WHEREAS, by streamlining all the business registration and payment process, it will attract businesses and investor to relocate in the Municipality of Tabontabon, thereby creating a robust and favorable business climate;

NOW THEREFORE, on motion by Hon. Jerry Gwen L. Conde and unanimously seconded;

BE IT RESOLVE, as it is hereby resolved to enact/approve Municipal Ordinance No. 04 Series of 2023 entitled "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF TABONTABON, LEYTE."

BE IT ORDAINED by the Honorable Sangguniang Bayan, in its Regular Session assembled, that:

HON. PONCIANO R. JUSTIMBASTE, Jr.
Municipal Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

Municipal Ordinance No.04 S2023 - BPLS

HON. DANILO E. BALAIS
SB Member

HON. JERRY GWEN L. CONDE
SB Member

HON. DAN JERIC S. REDOÑA
SB Member

HON. FRANCISCO M. FERNANDEZ
SB Member

HON. HERMAN I. BIBAR
SB Member

HON. MYLENE B. LADAN
ABC President/Ex-Officer Member

HON. FRANCES B. GADOR
SK Fed. President/Ex-Officer Member



Republic of the Philippines
Province of Leyte
Municipality of Tabontabon

OFFICE OF THE SANGGUNIANG BAYAN
MUNICIPAL ORDINANCE NO. 04
Series of 2023

MUNICIPAL ORDINANCE NO. 04 SERIES OF 2023, ENTITLED "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF TABONTABON, LEYTE."

SECTION 1. TITLE. This ordinance shall be known as "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF TABONTABON, LEYTE".

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the Municipal Government to promote economic development through the implementation of doing business and ensuring that the municipality remains a viable and favourable business destination.

SECTION 3. OBJECTIVES.

- 3.1 To streamline the BPLS.
- 3.2 To specify the roles and responsibilities of the offices, terms and personnel tasked to implement the BPLSD and
- 3.3 To provide penalties for violation of this ordinance.

SECTION 4. COVERAGE. This ordinance governs all business operating within the jurisdiction of the municipality.

SECTION 5. LEGAL BASIS.

- 5.1 The Constitution mandates that the government shall promote the quality of life of the people. Towards this end, Section 16 of the Local Government Code of 1991 provides that the local government units shall pursue undertakings to enhance economic prosperity, among others.
- 5.2 Republic Act No. 7160, also known as the Local Government Code provides the powers and duties of the Local chief executive. For the purpose of business and licensing, the Local Chief Executive shall:
 - a. Act as deputized representative of the National Police Commission, formulate peace and order plan of the municipality and upon its approval, implement the same, and as such, exercise general and operational control and supervision over the local police forces in the municipality, in accordance with (Section 444 (2)(v);
 - b. Issue licenses and permits and suspend or revoke the same for any violation of the conditions upon which said licenses or permits had been issued, pursuant to law or ordinance (Section 444 (3) (iv);

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Secretary to the Sangguniang Bayan

Municipal Ordinance No.04 S2023 – BPLS

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HON. JERRY GUYA L. CONDE
SB Member

HON. DAN JERIC S. REDOÑA
SB Member

HON. FRANCIS O M. FERNANDEZ
SB Member

HON. HERMAN T. BIEAR
SB Member

HON. MERVIN M. LOBRIGO
SB Member

HON. JINKYE E. GOMEZ
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5.3 National laws and policies (providing requirements/conditions for the establishments/registration/operation of businesses as well as safety and labor standards such as, but not limited to the following:

- a. National Building Code and Accessibility Law
- b. Fire Safety Code of the Philippines
- c. Sanitation Code of the Philippines
- d. Labor Code of the Philippines

5.4 Republic Act No. 9485 also known as Anti-Red Tape Act of 2007, which provides the establishment of effective practice aimed at the prevention of graft and corruption in government with regard to the manner of transacting with public, which shall encompass a program for adoption of simplified procedures, that will reduce red tape and expedite transactions in government. For this purpose, fixers are strictly prohibited.

5.5 DILG-DTI Joint Memorandum Circular No.1, Series of 2010. "Guidelines in implementing Standards in Processing Business Permits and Licenses in all cities and municipalities."

5.6 Memorandum Circular 2011-14, Documentary Requirements for a Business Permit.

5.7 DILG-DTI Joint Memorandum Circular No. 1 Series of 2016, "Revised Standards in Processing Business Permits and Licenses in all cities and municipalities."

5.8 DTI-ARTA-CSC Joint Memorandum Circular No. 2019-001, the Implementing Rules and Regulation of Republic Act No. 11032, otherwise known as the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018."

5.9 DILG ARTA Joint Memorandum Circular No. 2019-01, "Guidelines on the Regulatory Reform for LGUs pursuant to the Ease of Doing Business and Efficient Government Service Delivery (EODB-EGSD) Act of 2018."

5.10 ARTA-DTI-DILG Joint Memorandum Circular No. 1, Series of 2021, "Guidelines for Processing Business Permits, Related Clearances and Licenses in all Cities and Municipalities

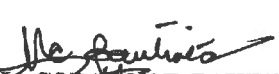
5.11 Local Revenue Code of the Municipality of Tabontabon, Leyte.

The above shall not preclude the application of special laws, memorandum circulars, local ordinances and/or resolutions that may from time to time be enacted by competent authority.

SECTION 6. DEFINITION OF TERMS. For proper implementation of this Ordinance, the terms hereunder provided shall have the following meaning:


HON. PONCIANO R. JUSTIMBASTE, Jr.
Municipal Vice Mayor/Presiding Officer

-over-


MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

=====
Municipal Ordinance No.04 S2023 – BPLS

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- 6.1 **Action** – refers to the written acknowledgement of receipt, approval or disapproval made by a government agency office on the application or request submitted by the client or processing.
- 6.2 **Applicant** – refers to the entrepreneur, client, business owner and/or business establishment who and/or which desires to legally operate a business in the municipality.
- 6.3 **BPLS** – refers to Business Permit Licensing System.
- 6.4 **BPLO** – refers to the Business Permit Licensing Office/r.
- 6.5 **Business** – usually commercial or mercantile activity engaged in as a means of livelihood; trade line; a commercial or sometimes an industrial enterprise; dealings or transactions especially of an economic nature.
- 6.6 **Business Establishments/Firm** – refers to any person, natural or juridical, legally or not registered under existing laws and is doing business in the municipality.
- 6.7 **Business Fees and Charges** – refer to the amount determined by the Municipal Treasurer to be paid prior to the issuance of Mayor’s Business Permit, in accordance with the Local Revenue Code.
- 6.8 **Business-One-Stop-Shop (BOSS)** – refers to an arrangement where a single common site or location is designated for all concerned agencies in the business permit and licensing system to receive and process applications for business registration;
- 6.9 **Business Establishment Operating Without a Mayor’s Business Permit** – business establishment doing business in the municipality without a Mayor’s Business Permit which shall include those businesses which (1) failed to pay business tax, (2) paid business tax but failed to submit the lacking requirements, (3) failed to renew the Mayor’s Business Permit within the prescribed period and/or (4) those unable to comply with the conditions enumerated in the conditional permit within the period reflected in the said permit;
- 6.10 **Business Establishment Operating in Violation of an Existing Permit** – business establishment which has been granted a Mayor’s Business Permit, but violated the conditions to which the permit was issued;
- 6.11 **Business Permit** – shall be known as Mayor’s Business Permit, refers to the legal authority granted by the Municipal Government of Tabontabon, Leyte, to all persons, natural, juridical, business establishments, offices, institutions and other similar other to operate within the territorial jurisdiction of the municipality for a given period of time;
- 6.12 **Business Permit Registration Plate** – refers to the permanent business registration plate issued by the Office of the Municipal Mayor after compliance with all the requirements for the issuance of a business permit, as provided for in this ordinance;
- 6.13 **Business Registration** – refers to a set of regulatory requirements that an entrepreneur and/or business must comply with to start and continue operating a business entity in the municipality in accordance with the existing laws and regulations;

HON. PONCIANO R. JUSTIMBASTE, Jr.
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Municipal Ordinance No.04 S2023 – BPLS

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HON. PONCIANO R. JUSTIMBASTE, Jr.
Municipal Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

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Municipal Ordinance No.04 S2023 – BPLS

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- 6.14 **Closure Order** – issued by the Local Chief Executive to a business establishment operating without Mayor’s Business permit;
- 6.15 **Disclosure Verification** – verification of information declared in the unified form;
- 6.16 **Doing Business** – shall refer to any acts or activities with the Municipality of Tabontabon, that imply a continuity of commercial dealings or arrangement;
- 6.17 **Fixer** – refer to any individual whether or not officially involved in the operation of a government office or agency that has access to people working therein, and whether or not in collusion with them, facilitated speedy completion of transactions for pecuniary gain or any other advantage or consideration;
- 6.18 **Joint Inspection Team (JIT)** – is a composite team whose members come from the various municipal government departments implementing business-related regulations and local units of the national agencies created and authorized by the municipality through this ordinance to conduct a joint inspections;
- 6.19 **Member Office** – refers to the municipal government departments and local units of the national agencies that are members of the Joint Inspection Team;
- 6.20 **Municipality** – refers to the Municipality of Tabontabon, Leyte and/or Municipal Government of Tabontabon, Leyte;
- 6.21 **Mission Order** – refers to the document issued by the BPLO for every inspection that will be conducted by the JIT, which contains the date, mission order number, names of the inspectors and respective ID number and the area/s that will be subject to inspection. It is shown to the operator of the business establishment before any inspection conducted in order to be recognized as JIT. Absence of this document does not, however, prevent JIT from inspecting and/or examining other business establishments during inspections, when the need arise;
- 6.22 **Negative List** – contains the names of establishment that are non-compliant with statutory requirements imposed by government agencies, such as the BFP, including government owned or controlled corporations (i.e. SSS, PHIC, HDMF and other regulatory agencies and municipal government departments), which will trigger an action from the municipality to inform the establishment to act on the non-compliance findings within fifteen (15) working days from the receipt of notice. The negative list is usually provided by the concerned office/department/national government agencies to the municipality prior to the renewal period;
- 6.23 **Notice of Violation with Compliance Order** – issued by the BPLO to a business establishment upon determination by the JIT that is has violated the conditions to which the

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HON. PONCIANO R. JUSTIMBASTE, Jr.
Municipal Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

=====
Municipal Ordinance No.04 S2023 – BPLS



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Mayor's Business Permit was granted, with directive to rectify and correct the identified violation/s within a period of days to be determined by the BPLO, but not to exceed ninety (90) days.

- 6.24 **Post Issuance Inspection** – conducted by the JIT after issuance of the issued regulatory permits and clearances for the purpose/s of disclosure verification and validation within a reasonable period of time but not later that October of each calendar year;
- 6.25 **Pre-registration Stage** – refers to pre-requisite steps during the construction and occupancy stages required to be undertaken by business before being eligible to apply for business permit; This includes securing building/construction permits and /or permit to operate from concerned agencies;
- 6.26 **Processing Time** – refers to the time spent by an applicant from the submission of application for business permit with complete supporting documents up to the release of Mayor's Business Permit;
- 6.27 **Unified Form** – is a single common document used by a business owner in applying for business registration in the municipality, that contains information and approvals needed to complete the registration process and facilitates exchange of information among the municipal government departments and national government agencies;

SECTION 7. BUSINESS REGISTRATION SCHEME – The Mayor's Business Permit application and processing consist of the following three (3) steps:

- 7.1 **Application** – Applicant, for anew or renewal, accomplishes the Unified Form and submits the required supporting documents for business registration to BPLO, located at the Office of the Municipal Treasurer. Upon BPLO's finding that all supporting documents are complied with, applicant proceeds to the next step;
- 7.2 **Assessment and Payment** – Applicant pays the business taxes, fees and charges at the Municipal Treasurer's Office.
- 7.3 **Claim** – applicant claims the business permit at the BPLO, located at the Office of the Municipal Treasurer;

SECTION 8. BUSINESS PERMIT REGISTRATION PLATE – Business Permit Registration Plate, shall be issued to a business establishment who have completely complied the requirements. The Business Permit Registration Plate issued worth ₱250.00, shall be charged to the business establishment, which shall have a three (3) years validity, replaceable, as may be required.

For business permit renewals, a sticker worth ₱50.00, shall be charged and issued to the establishment.

SECTION 9. NEGATIVE LIST – Section 9.1.5 of DILG-DTI-DICT JMC No. 01 enjoins LGU regulatory offices, concerned national government agencies and other barangays to submit their

HON. PONCIANO R. JUSTIMBASTE, Jr.
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-over-

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Municipal Ordinance No.04 S2023 – BPLS

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negative lists to the BPLO, on a regular basis as may be required, but not later than the first of December of every year, to give LGU, reasonable time to evaluate the business applying for renewal of their business permits during the renewal period.

It shall also be the duty of the Municipal Fire Marshall to notify and provide the Municipal Mayor all the registered names on non-compliant establishments with recommendation not to issue any business permit or other required permits/licenses issued by the municipal government or revoke existing ones.

In all cases, all national government agencies and regulatory bodies requiring licenses/clearances/certificates, shall notify the business establishments of their non-compliance and/or violation.

SECTION 10. BUSINESS ONE-STOP-SHOP (BOSS) – There shall be BOSS every first working day of January until 20th day during business hours and may still be extended upon the discretion of the Local Chief Executive for a certain period. The municipal government departments and national agencies and regulatory bodies implementing business related regulations are required to participate effectively.

All local taxes, fees and charges shall be paid within the first twenty (20) days of January or of each subsequent quarter, as the case maybe.

The Sangguniang Bayan, may for a justifiable reason or cause, extend the time for payment of such taxes, fees or charges without surcharges or penalties, but only for a period not exceeding six (6) months.

SECTION 11. CONDITIONS FOR THE ISSUED MAYOR'S BUSINESS PERMIT – The issued Business permit will be automatically revoked if the required supporting permits and clearances, to which the Business Permit was issued have expired and not have been renewed on or before its respective expiration date.

SECTION 12. BUSINESS PERMIT AND LICENSING OFFICE – There shall be a created Business Permit and Licensing Office (BPLO), under the supervision of the Municipal Mayor, a frontline service who shall assist the business in their registration and other relevant concerns, composed of the following:

1. Business Perming & Licensing Officer
2. Licensing Officer
3. License Inspector
4. 3 BPLO Staff

It shall be headed by the Business Permit and Licensing Officer, who shall serve as the Secretariat and head of the Joint Inspection Team.

SECTION 13. JOINT INSPECTION TEAM (JIT) – It shall ensure compliance of business establishments and operations to existing laws and ordinances through the conduct of inspections.

13.1 Composition

Team Leader : Business Permit & Licensing Officer

HON. PONCIANO R. JUSTIMBASTE, Jr.
Municipal Vice Mayor/Presiding Officer

-over-

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Secretary to the Sangguniang Bayan

Municipal Ordinance No.04 S2023 – BPLS

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OFFICE OF THE SANGGUNIANG BAYAN

Members : Municipal Building Official or his authorized representative
MPDC/Zoning Officer
Municipal Fire Marshall or his authorized representative
Municipal Treasurer or his authorized representative
MHO and Sanitary Inspector or his authorized representative
Municipal Environmental and Natural Resources Officer
or his authorized representative
Municipal Agriculturist or his authorized representative
Market Supervisor
Tourism Officer

13.2 Duties and Functions

- a. Monitor and enforce existing laws, ordinances, policies, rules and regulations in the operation of businesses and occupations in the municipality through business inspections;
- b. Conduct pre-business permit registration, regular and post-issuance inspections;
- c. Verify information declared by the applicant in the application for business permit and identify unregistered businesses;
- d. Prepare inspection report which would serve as recommendation to the Municipal Mayor in its decision-making policies;
- e. Monitor developments and changes in business activities; and
- f. Performs such other tasks and functions necessary for and incidental to the foregoing duties and functions.

13.3 Mission Order- This shall be brought by the JIT during inspections to be shown to the owner or operator of the business establishments to be inspected in order to be recognized as among the JIT. Absence of this document does not however prevent JIT from inspecting and/or examining other business establishments during inspections, when the need arises.

13.4 Local Assistance- The JIT may require the assistance of the PNP and all other offices, departments, agencies, if necessary, in the conduct of inspection activities.

SECTION 14. TABONTABON ENFORCEMENT TEAM – It shall serve Closure Orders and implement closure of business establishments found to have been operating in violation of this Ordinance.

14.1 Composition

Team Leader : Business Permit and Licensing Officer
Members : Chief of Police or his authorized representative
Administrative Officer (Office of the Mayor) or his authorized representative
Municipal Treasurer or his authorized representative

HON. PONCIANO R. JUSTIMBASTE, Jr.
Municipal Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

=====
Municipal Ordinance No.04 S2023 – BPLS

HON. DANILO E. BALAIS
SB Member

HON. JERRY GWYN L. CONDE
SB Member

HON. DAN JERIC S. REDOÑA
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HON. FRANCISCO M. FERNANDEZ
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ABC President/Ex-Officer Member

HON. FRANCIS B. GADOR
SK Fed. President/Ex-Officer Member



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OFFICE OF THE SANGGUNIANG BAYAN

14.2 Duties and Functions:

- a. Serve Closure Orders to business establishments operating without a valid Mayor's Business permit;
- b. Cause the posting of a public notice to the business establishment ordered closed; and
- c. Recommend the filing of necessary cases with the MTC and/or appropriate courts for violation of tax laws and ordinances.

SECTION 15. PAYMENT FOR BUSINESS FEES AND CHARGES – Payment for business fees and charges, without compliance of the required clearances/licenses by an individual, company or business entity shall not be construed as a waiver on the part of the Municipal Government to enforce this ordinance.

SECTION 16. ENFORCEMENT AND CORRESPONDING PENALTIES

16.1 Business Establishment Operating Without Mayor's Permit. Upon the JIT's determination that the business establishment is operating without the Mayor's Business Permit the following procedures shall be observed:

- a. BPLO shall serve notices to the establishment, giving the latter to comply the requirement in a period of seven (7) days from the receipt of first notice. Upon failure to comply within the specified period, a second notice shall be served, giving the latter another seven (7) days to comply. If within the period of seven (7) days, from the receipt of the 2nd notice, the establishment again fails to comply a 3rd notice shall be served, giving another fifteen (15) days to comply the requirement. Non-compliance thereof on the part of the establishment after the lapse of the given period, the JIT shall report to the Municipal Mayor, the name of the business establishment concerned, name of the owner or authorized representative, address and surrounding circumstances of the business establishment.
- b. Upon the directive of the Municipal Mayor, the BPL Officer shall cause the issuance of the **CLOSURE ORDER** to the business establishment, including the cutting off of electric and water connections, if building is owned by the local government.
- c. The Tabontabon Enforcement Team – Shall cause a public notice (i.e tarpaulin), posted outside of the business establishment of the closure.
- d. If after the closure of the establishment, the owner re-opens the establishment to the public, aside from the penalty imposed herewith, the owner may face an imprisonment, for a period not exceeding six (6) months, at the discretion of the court.

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-over-

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16.2 Business Establishment Operating in Violation of an Existing Permit - Upon JIT's determination that the business establishment has violated the permits and clearances to which the Mayor's Business Permit was issued, the following procedures shall be observed:

- a. BPLO shall issue a **NOTICE OF VIOLATION** with **COMPLIANCE ORDER** to the business owner or authorized representative, clearly indicating the violation/s committed with a directive to rectify such violations within a period not exceeding ninety (90) days otherwise, his/her Mayor's Business Permit shall be revoked and/or cancelled. In the determination of the days to comply, the BPLO shall be guided by the magnitude of the corrective measure to be complied with;
- b. Upon Expiration of the given period to comply, the Local Chief Executive shall issue a Mission Order to JIT to make a re-inspection and determine if there has been compliance to the noted violation;
- c. Immediately after the conduct of the re-inspection, the JIT shall issue a **PRO FORMA PROGRESS REPORT** to the BPLO ;
- d. Should there be unjustified non-compliance within the given period, the BPLO shall recommend the revocation or cancellation of the existing Mayor's Business Permit to the Municipal Mayor;
- e. Upon directive of the Municipal Mayor, the BPLO Officer shall cause the issuance of the **REVOCATION OR CANCELLATION OF THE MAYOR'S BUSINESS PERMIT** with **CLOSURE ORDER**, to the business establishment concerned, effective immediately;
- f. The Tabontabon Enforcement Team shall cause a public notice (i.e. tarpaulin) posted outside of the business establishment, of the closure.

16.3 In both cases (16.1 and 16.2), the **CLOSURE ORDER** may be cancelled or revoked when the business establishment secures the Mayor's Business Permit or complies or rectifies the identified violation subject to the payment of penalties in addition to the existing late payment charges in accordance with the Local Revenue Code.

16.4 If the business establishment continues to operate despite the **CLOSURE ORDER**, the same shall be considered as 2nd offense and so on, and be subjected to the appropriate penalties in the item, including an imprisonment of not more than six (6) months, at the discretion of the court.

16.5 For business establishment/s that violated this Ordinance , the following penalties shall be imposed:

- a. **1st Offense** - Fine of One Thousand Pesos (₱1,000.00)
- b. **2nd Offense** - Fine of Two Thousand Pesos (₱2,000.00) and a disqualification to operate a business of any kind within the jurisdiction of the Municipality for a period of two (2) years.

HON. PONCIANO R. JUSTIMBASTE, Jr.
Municipal Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

Municipal Ordinance No.04 S2023 – BPLS

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OFFICE OF THE SANGGUNIANG BAYAN

- c. 3rd Offense - Fine of Two Thousand Five Hundred Pesos (₱2,500.00) and a disqualification to operate a business of any kind within the jurisdiction of the Municipality for a period of five (5) years.

16.6 The forgoing provisions shall however, not apply to completely prohibited or illegal businesses as the same shall be subject for immediate closure.

SECTION 17. ILLEGAL ACTS.

- 17.1 Unauthorized removal of the public notice;
- 17.2 Use of the Business Registration Plate and/or the Mayor's Business Permit by another person or business;
- 17.3 Operating outside of the place of business;
- 17.4 Unauthorized fabrication of the Business Registration Plate, and/or the Mayor's Business Permit alteration and destruction thereof; and
- 17.5 Fraudulently misrepresenting the information of the business operator/proprietor.

The commission of any aforementioned acts shall cause imposition of a fine of Two Thousand Five Hundred (₱2,500.00) and/or Imprisonment of six (6) months, at the discretion of the court.

SECTION 18. NON-ISSUANCE OF BUSINESS PERMIT – No business permits shall be issued to all establishments located in sidewalks, streets, road right-of-way, and other public lands except for area allowed by Municipality of Tabontabon thru Executive Order or legislation, ordinance and by order of other government agencies.

SECTION 19. APPLICABILITY – The penalties imposed under this ordinance shall not bar the Municipal Government from filing appropriate actions for violation of other existing local and national laws in relation to the infractions committed.

SECTION 20. IMPLEMENTING RULES – Shall be issued by the JIT within ninety (90) days from the enactment of this ordinance.

SECTION 21. REPEALING CLAUSE – All Ordinances, rules and regulations found inconsistent with any of the foregoing provisions of this Ordinance are hereby repealed or amended accordingly.

SECTION 22. SEPARABILITY CLAUSE – If for any reason, any part hereof is declared invalid or unconstitutional by an appropriate court, any part of the provision not affected thereby shall remain in full force and effect.

SECTION 23. EFFECTIVITY – This Ordinance shall take effect fifteen (15) days after its publication. Further, let a copy of this Ordinance be furnished to the Municipal Government departments/offices and national agencies concerned for their information and guidance.

HON. PONCIANO R. JUSTIMBASTE, Jr.
Municipal Vice Mayor/Presiding Officer

-over-

MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

Municipal Ordinance No.04 S2023 – BPLS

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HON. HERMAN V. BIBAR
SB Member



Republic of the Philippines
Province of Leyte
Municipality of Tabontabon

OFFICE OF THE SANGGUNIANG BAYAN

APPROVED unanimously, February 13, 2023.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

ATTESTED:

HON. HERMANI I. BIBAR
SB Member

HON. DAN JERIC S. REDOÑA
SB Member

HON. DANILO E. BALAIS
SB Member

HON. JINKY E. GAMEZ
SB Member

HON. MYLENE B. LADAN
ABC Pres./Ex-Officio Member

MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan

HON. FRANCISCO M. FERNANDEZ
SB Member

HON. JERRY GWEN L. CONDE
SB Member

HON. MERVIN M. LOBRIGO
SB Member

HON. DENNIS L. BALDERIAN
SB Member

HON. FRANCES B. GADOR
SK Fed. Pres./Ex-Officio Member

HON. PONCIANO R. JUSTIMBASTE, JR.
Municipal Vice Mayor/Presiding Officer

APPROVED:

HON. EREN D. REDOÑA
Municipal Mayor

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Municipal Ordinance No.04 S2023 - BPLS



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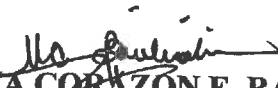
OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the Municipal Ordinance No. 04 Series 2023 entitled **“AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF TABONTABON, LEYTE”** of the Municipality of Tabontabon, Leyte had been posted in conspicuous places in the municipality, and all the bulletin areas in the barangays.

ISSUED this 2nd day of March, 2023 at Tabontabon, Leyte.


MARIA CORAZON E. BAUTISTA
Secretary to the Sangguniang Bayan