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Item No.: 04
Date: MAY 23 2023

Republic of the Philippines
PROVINCE OF LEYTE

SANGGUNIANG PANLALAWIGAN
PROVINCE OF LEYTE
16 May 2023
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PROVINCIAL LEGAL OFFICE

2ND INDORSEMENT
May 9, 2023

Ag
5-19-23

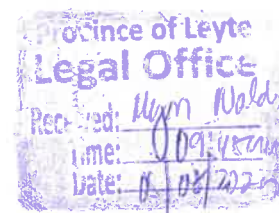
Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-152 of the SB of Carigara, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A 7160 the same being, to the opinion of the Provincial legal Office (PLO), an exercise of the power "necessary, appropriate, or incidental for its efficient and effective governance". In relation with the mandate of R.A. 9485 or the Anti-Red Tape Act of 2007", mentioned in subject Ordinance.


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

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
05 May 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2023-152** of the **MUNICIPALITY of CARIGARA, LEYTE**, entitled: **AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF CARIGARA, PROVINCE OF LEYTE.**

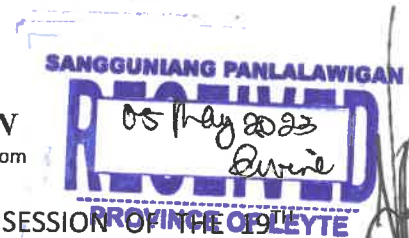

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



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EXCERPT FROM THE MINUTES/JOURNAL OF THE 38TH REGULAR SESSION OF THE 19TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON MARCH 29, 2023

PRESENT:

- Hon. Jimmy A. Camposano ----- Mun. Vice Mayor - Presiding Officer
- Hon. Joenlee C. Larraga ----- SB Member
- Hon. Anabella N. Crisostomo ----- SB Member
- Hon. Mildred C. Modesto ----- SB Member
- Hon. Raul Z. Lloren ----- SB Member
- Hon. Lorna A. Marpa ----- SB Member
- Hon. Joselu N. Guia ----- SB Member
- Hon. Kim Anthony G. Agner ----- SB Member
- Hon. Leny T. Ong ----- SB Member
- Hon. Romeo P. Nivera ----- SB Member-LnB Pres.
- Hon. Dean Aaron G. Lauron ----- SB Member-SK Fed. Pres.

ABSENT:

None

* * * * *

RESOLUTION NO. 2023-142

A RESOLUTION APPROVING ON THIRD AND FINAL READING MUNICIPAL ORDINANCE NO. 2023-152, ENTITLED: "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF CARIGARA, PROVINCE OF LEYTE"

WHEREAS, the 1987 Philippine Constitution mandates that the government shall promote the quality of life of the people. Towards this end, Section 16 of Republic Act 7160 otherwise known as the Local Government Code of 1991 provides that the local government units shall pursue undertakings to enhance prosperity, among other concerns;

WHEREAS, R.A. No. 9485 also known as the Anti-Red-Tape Act of 2007 (ARTA), provides that all government instrumentalities and local government units are mandated to render efficient delivery of services to the public by reducing bureaucratic red tape, preventing graft and corruption and re-engineering current business processing systems at the local level;

WHEREAS, DILG-DTI-DICT Join Memorandum Circular No. 01, Series of 2016, directs local government units to revise standards in processing business permits and licenses;

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LORNA A. MARPA
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WHEREAS, the local government acknowledges the importance of creating an environment conducive to business owners and investors by expediting the yearly renewal process of business licenses to accelerate and improve the delivery of services to the public;

WHEREAS, the Municipality of Carigara is committed to adopt a simplified and speedy process to remove the complexities in the existing process of issuing a business permit to new or old applicants, thus, necessitating “An Ordinance Institutionalizing the Business Permit and Licensing System (BPLS) in the Municipality of Carigara”.

NOW THEREFORE, on motion presented by Honorable Lorna A. Marpa, unanimously seconded, it was

RESOLVED, to approve on third and final reading, the following:

MUNICIPAL ORDINANCE NO. 2023-152

**AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM
(BPLS) IN THE MUNICIPALITY OF CARIGARA, PROVINCE OF LEYTE**

Hon. Lorna A. Marpa
Author

Hon. Anabella N. Crisostomo
Hon. Raul Z. Lloren
Hon. Joselu N. Guia
Hon. Leny T. Ong
Hon. Joenlee C. Larraga
Co-Authors

Be it ordained by the Sangguniang Bayan of Carigara, Leyte in session assembled that:

SECTION 1. TITLE - This Ordinance shall be known as “**AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF CARIGARA**”.

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ANABELLA N. CRISOSTOMO SB Member
MILDRED C. MODESTO SB Member
RAUL Z. LLOREN SB Member
LORNA A. MARPA SB Member
JOSEFIN N. GUIA SB Member
KIM ANTHONY G. AGNIF SB Member
LENY T. ONG SB Member
ROMEO P. NIVERA SB Member-Liga Fed. Pres.
DEMARCON C. LAURON SB Member-SK Fed. Pres.
JIMMY A. CAM POSANO Multi. Vice Mayor-Pres. Officer



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SECTION 2. DECLARATION OF POLICY - It is hereby declared the policy of the Municipal Government to promote economic development through the implementation of an effective and streamlined system in the business registration process, thereby creating ease of doing business and ensuring that the Municipality remains a viable and favorable business destination.

SECTION 3. OBJECTIVES

- 3.1 To streamline the BPLS.
- 3.2 To specify the roles and responsibilities of the offices, teams and personnel tasked to implement the BPLS; 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 mandated 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 which provides the powers and duties of the Local Chief Executive. For the purpose of business permit 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 R.A No. 6975 (Sec. 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 (Sec. 444 (3) IV).

5.3 National laws and policies providing requirements/conditions for the

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KIM ANTHONY F. AGUIRRE
SB Member

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ROMY A. CAMPOSANO
Mun. Vice-Mayor-Res. Officer



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establishment/ 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, and shall likewise take appropriate measure to promote transparency in each agency with regard to the manner of transacting with the 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 (EOD8-EGSD) Act of 2018”.

5.10 Local Revenue of the Municipality of Carigara, 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

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authority.

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

6.1 Action - refers to the written acknowledgement of receipt, approval or disapproval made by a government agency of office on the application or request submitted by the client for 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 the Business Permit Licensing System.

6.4 BPLO - refers to the Business Permit Licensing Office/r.

6.5 Business - a 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 establishment/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 - refers to the amount determined by the Municipal Treasurer to be paid prior to the issuance of Mayor's Business Permit, in accordance to 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 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 Carigara to all persons, natural or juridical, business establishments, offices, institutions and similar others 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

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registration plate issued by the Office of the 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 businessman must comply with to start and continue operating a business entity in the Municipality in accordance with the Existing laws and regulations.

6.14 **Closure Order** - issued by the Local Chief Executive to a business establishment operating without a Mayor's Business Permit.

6.15 **Conditional Permit** - refers to a temporary Mayor's Business Permit issued to an applicant for him to conduct business within a given period with a condition to comply with the lacking requirements based on pertinent existing laws.

6.16 **Disclosure Verification** - verification of information declared in the unified form.

6.17 **Doing Business** - shall refer to any acts or activities with the Municipality of Carigara that imply a continuity of commercial dealings or arrangement.

6.18 **Fixer** - refers 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.

6.19 **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 national agencies created and authorized by the Municipality through this ordinance to conduct joint inspection of business enterprise instead of individual/separate inspections.

6.20 **Member Office** - refers to the Municipal Government departments and local units of national agencies that are members of the Joint Inspectorate Team.

6.21 **Municipality** - refers to the Municipality of Carigara, Leyte and/or Municipal Government of Carigara, Leyte.

6.22 **Mission Order** - refers to the document by the BPLO to every inspection that will be conducted by the JIT, which contains the date, mission order number, the 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 inspections conducted in order to be recognized as JIT. Absence of this document does not however prevent the JIT from inspecting and/or examining other business establishments during inspections, when the need arises.

6.23 **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

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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.

6.24 Notice of Violation with Compliance Order - issued by the BPLO to a business establishment upon determination by the JIT that it has violated the conditions to which the Mayor's Business Permit was granted, with a 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.

6.25 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 than October of each calendar year.

6.26 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; these include securing building/construction permits and occupancy permits and/or permit to operate from concerned agencies.

6.27 Processing Time- refers to the time spent by an applicant from the submission of applicant for business permit with complete supporting documents up to the release of Mayor's Business Permit.

6.28 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 new or renewal, accomplishes the Unified Form and submits the required supporting documents for business registration to the 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. CONDITIONAL PERMIT- This may be issued to business establishment

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where the only lacking requirements is/are pertinent clearances from the SSS, PHILHEALTH AND HDMF, with the condition that such clearances be submitted to the BPLO within a period of thirty (30) days from the issuance of said Conditional Permit. Failure to submit such clearance/s within the afore-stated period can result in the automatic revocation or non-renewal of a business permit.

No business permit registration plate shall be issued to a business establishment with conditional permit.

SECTION 9. NEGATIVE LIST - It shall be the duty of all national government agencies and regulatory bodies implementing business-related regulations to notify and provide the Municipal Mayor's Office with the list of non-compliant business establishments, which may be used as reference for non-renewal of business permit.

It shall also be the duty of the Municipal Fire Marshal to notify and provide the Municipal Mayor's Office all the registered names of non-compliant establishments with a 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 the 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 government agencies and regulatory bodies implementing business-related regulations are required to participate effectively.

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 have not been renewed on or before its respective expiration dates.

SECTION 12. BUSINESS PERMIT AND LICENSING OFFICE - There shall be created under the supervision of the Municipal Mayor for frontline service who shall assist the

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business in their registration and other relevant concerns. It shall be headed by a Business Permit and Licensing Officer who shall serve as the Secretariat and head of the Joint Inspectorate Team.

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

13.1 Composition

- Chairperson : Municipal Mayor
- Team Leader : Business Permit and Licensing Officer (BPLO)
- Members : Municipal Building Official or his authorized representative
MPDC/ Zoning Officer
Municipal Fire Marshal or his authorized representative
Municipal Treasurer or his authorized representative
MHO and Sanitary Inspector or her authorized representative
Municipal Environment and Natural Resources Officer or his authorized representative
Municipal Agriculturist or his authorized representative
Liga ng mga Barangay President
PNP Representative
DTI Representative

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 inspections report which would serve as recommendation to the Municipal Mayor in its business 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 establishment to be inspected in order to be

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SB Member

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recognized as among the JIT. Absence of this documents does not however prevent the 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. CARIGARA ENFORCEMENT TEAM (CET) - 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 her authorized representative
Municipal Treasurer or his authorized representative

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. File necessary cases with the MTX 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 notify and report to the Municipal Mayor the name of the business establishment concerned, name of the owner or authorized

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Mun. Vice Mayor-Pres. Officer

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SB Member-SK Fed. Pres.

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 LEMMY T. ONG
SB Member

 KIM ANTHONY G. AGNER
SB Member

 JOSELU N. GUIA
SB Member

 LORNA A. MARPA
SB Member


 JOENLEE C. LARRAGA
SB Member

 ANABELLA N. CRISOSTOMO
SB Member

 MILDRED C. MODESTO
SB Member

 RAUL Z. LLOREN
SB Member



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA

-oOo-

OFFICE OF THE SANGGUNIANG BAYAN
Cellphone No. 09178167112 E-mail Add.: romy_viojan@yahoo.com

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Mun.Ord.No.2023-152 –

- representative, address and surrounding circumstances of the business establishment with a recommendation for closure;
- b. Upon the directive of the Municipal Mayor, the BPL Officer shall cause the issuance of the CLOSURE ORDER to the business establishment effective immediately;
- c. The Carigara Enforcement Team (CET) shall cause a public notice (i.e. tarpaulin), posted outside of the business establishment of the closure.

16.2 Business Establishment Operating in Violation of an Existing Permit- upon the 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 violation 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 BPLO shall issue a mission order to the 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 FROMA 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 BPL Officer shall cause the issuance of REVOCATION OR CANCELLATION OF THE MAYOR'S BUSINESS PERMIT with CLOSURE ORDER, to the business establishment concerned, effective immediately;
- f. The Carigara Enforcement Team, (CET) 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

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JOENLEE C. LARRAG
SB Member

ANABELLA N. CRISOSTOMO
SB Member

MILDRED C. MODESTO
SB Member

RAUL Z. LLOREN
SB Member

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JIMMY A. CAM POSANO
Mun. Vice Mayor/Pres. Officer

[Handwritten signature]
DEAN MARINO S. LAURON
SB Member-SK Fed. Pres.

[Handwritten signature]
ROMEC P. NIVERA
SB Member-Liga Fed. Pres.

[Handwritten signature]
LENNY T. ONG
SB Member

[Handwritten signature]
KIM ANTHONY G. AGNIF
SB Member

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JOSELU N. GUIA
SB Member

[Handwritten signature]
LORNA A. MARPA
SB Member



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rectifies the identified violation subject to the payment of penalties in condition 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 second (2nd) offense and be subjected to the appropriate penalties in Item 16.5.

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

- a. **First (1st) Offense - Fine of One Thousand Pesos (P500.00)**
- b. **Second (2nd) Offense - Fine of Two Thousand Pesos (P 1,000.00) and a disqualification to operate a business of any kind within the jurisdiction of the Municipality for a period of two (2) years.**
- c. **Third (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 foregoing provisions shall however, not apply to completely prohibited or illegal business 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 Unauthorized fabrication of the BUSINESS Registration Plate, and/or the Mayor's Business Permit alteration or destruction thereof; and

17.4 Fraudulently misrepresenting the information of the business operator/proprietor.

The commission of any of the aforementioned acts shall cause the imposition of a fine of **Two Thousand Five Hundred Pesos (P2, 500.00) and or imprisonment of six (6) months, or both upon the discretion of the court.**

SECTION 18. NON-ISSUANCE OF BUSINESS PERMIT - No business permits shall be

JOENLEE C. LARRAGA
SB Member

ANABELLA N. CRISOSTOMO
SB Member

MILDRED C. MODESTO
SB Member

RAUL Z. LLOREN
SB Member

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Mayor-Pres. Officer

DEAN AARON G. LAURON
SB Member-SK Fed. Pres.

ROMULO P. NIVERA
SB Member-Liga Fed. Pres.

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SB Member

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SB Member



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issued to all establishments located in sidewalks, streets, road right-of-way, and other public lands except for areas allowed by the Municipality of Carigara 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 – It shall be issued by the Joint Inspectorate Team (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 or 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.

ENACTED: March 29, 2023

* * * * *


I HEREBY CERTIFY to the correctness of the foregoing excerpt.

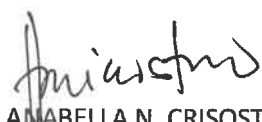

ROMEO M. VIOJAN
SB Secretary

Attested:


JIMMY A. CAMPOSANO
Mun. Vice Mayor - Presiding Officer

Concurred:


JOENLEE C. LAFRAGA
SB Member


ANABELLA N. CRISOSTOMO
SB Member



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Em

Mildred C. Modesto
MILDRED C. MODESTO
SB Member

Lorna A. Marpa
LORNA A. MARPA
SB Member

Kim Anthony G. Agner
KIM ANTHONY G. AGNER
SB Member

Romeo P. Nivera
ROMEOP. NIVERA
SB Member - LnB President

Raul Z. Loren
RAUL Z. LOREN
SB Member

Jose Lu N. Guia
JOSELU N. GUIA
SB Member

Leny T. Ong
LENY T. ONG
SB Member

Dean Aaron G. Lauron
DEAN AARON G. LAURON
SB Member-SK Fed. Pres.

Approved :

Eduardo T. Ong, Jr.
EDUARDO T. ONG, JR.
Municipal Mayor



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF CARIGARA
-oOo-

Office of the Sangguniang Bayan

CERTIFICATION

THIS IS TO CERTIFY that a public hearing was conducted last February 27, 2023 at 3:00 o'clock in the afternoon in Brgy. Baybay Basketball Court, Carigara, Leyte for the deliberation of the **Municipal Ordinance No. 2023-152** – *“An Ordinance Institutionalizing The Business Permit and Licensing System (BPLS) in the Municipality of Carigara, Province of Leyte”*.

ISSUED this 5th day of May, 2023.


ROMEO M. VIOJAN
SB Secretary

1 **MINUTES OF PUBLIC HEARING OF THE PROPOSED ORDINANCE NO. 2023-152 -**
2 **“AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING**
3 **SYSTEM (BPLS) IN THE MUNICIPALITY OF CARIGARA, PROVINCE OF LEYTE”**
4 **HELD AT BRGY. BAYBAY COVERED COURT LAST FEBRUARY 27, 2023**
5 **AT 3:00 PM**

6 **CALL TO ORDER**

7 The Chairman of the Committee, Hon. Joenlee C. Larraga calls the start of the public hearing at
8 around 3 o'clock in the afternoon.

9
10 **ROLL CALL**

11 The Secretary disclosed that all members of the Committee are present. Our Resource persons are
12 PMAJ. Ambrocio Demain, Ms. Rachelyn Silvestre- BPLO, Ms. Jessica Morales, DTI Rep., The Brgy.
13 Chairman's, the business establishments Representatives and other concerned.

14
15 **PRAYER**

16 The committee begun with a prayer followed by the Phil. National Anthem.

17
18 **HON. LORNA MARPA, SB Member**

19 So, Hino an naka observe yana han bag-o nga gin set up han pag process han lisensya? Mayda
20 kita yana gin establish hin business permit system, inin aton panuyo hinin aton BPLS para mapadali an
21 pag kuha hin lisensya. So,Ig hatag ko ha aton BPLO para ma establish.

22 **MS. RACHELYN SILVESTRE, BPLO**

23 Okay, good afternoon po. Ini po nga ordinance is in line with the R.A 11032, so again diri po
24 kami nag bubuot-buot hini, related ini ha national law, so myda man kita mga copy kada usa ano, so diri
25 ko na babasahon usa-usa. Hadto bago kamo ma issue hin permit naabot hin pera ka bulan yana po pinaka
26 minimum, basta waray po problema ngan /complete iton dokumentos, malaksi la 2 to 3 days la ito. So let's
27 start the ordinance from SECTION 1. TITLE- This Ordinance shall be known as “An Ordinance
28 Institutionalizing the business Permit and Licensing System (BPLS) in the Municipality of Carigara”.

29 ***(Reading the proposed Ordinance)***

30 So, ade po an mga penalties For business establishment/s that violated this Ordinance, the following
31 penalties shall be imposed:

32 a. 1 st offense: Fine of One Thousand Pesos (P1, 000.00)

33 b. 2 nd offense: Fine of Two Thousand Pesos (P2, 000.00) and a disqualification to

34 operate a business of any kind within the jurisdiction of the Municipality for a period of two (2) years.

35 c. 3 rd offense: Fine of Two Thousand Five Hundred Pesos (2,500.00) and a

36 disqualification to operate a business of any kind within the jurisdiction of the Municipality for a period

37 of five (5) years.

38 So, that was the proposed Ordinance.



1 **HON. LORNA MARPA, SB Member**

2 So, any question? (*Silence*)

3 So, since there are no questions the meeting is adjourned.

4 **ADJOURNMENT**

5 With no more issues to be discussed the meeting was adjourned at 3:50 pm.

6

7


8

9

10

11

Certified correct:


ROMEO M. VIOJAN
SB Secretary

Attendance Sheet:

PUBLIC HEARING
Ordinance No. 2023-152

AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) IN THE MUNICIPALITY OF CARIGARA, PROVINCE OF LEYTE.

Brgy. Baybay Basketball Court

February 27, 2023

3:00 PM

Present:

1. ANABELLA N. CRISTOFANO

Signature

Arrival Time

2. KIM ANTHONY G. AGUER

3. Benny Ong

4. Lelenta Manca

5. Jovelle Lavraza

6. _____

[Signature]

[Signature]

[Signature]

[Signature]

Absent:

1. _____

2. _____

3. _____

4. _____

5. _____

RESOURCE PERSONS:

Name

OFFICE & DESIGNATION

Signature

1. JOHNY T. TANGANAN

P. B

[Signature]

2. Alandez, Virginia

Kagawad

[Signature]

3. Conchita V. Pedilla

" Libo

[Signature]

4. Ma. Ida P. Ganiña

" Pangna

[Signature]

5. Jocelyn V. Ceballos

Kagawad / Lower Hira-an

[Signature]

6. Clarita V. Pamanian

Kagawad / Upper Hira-an

[Signature]

7. Ludy P. Naagos

Ludy's STORE

[Signature]

8. Lino G. Agascas





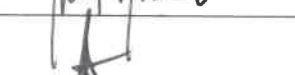


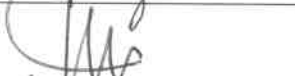









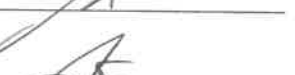




Kagawad / ORNAL

[Signature]

9. Samuel M. Quintana Jr

KAGAWAD

[Signature]

10. <u>DACUMAL, ERNANI</u>	<u>KAGAWAD / PARAG-UM</u>	
11. <u>LENEGRO B. ESPINOSA</u>	<u>KAGAWAD / BAYAN</u>	
12. <u>REYNALDO C. PALDO</u>	<u>KAGAWAD / E. VISORA</u>	
13. <u>Lorina B. Calubris</u>	<u>B. Thera / Bar Central</u>	<u>Calubris</u>
14. <u>Ma Imelda Asencio</u>	<u>Kagawad / Cebuay</u>	<u>Imelda</u>
15. <u>MART L. URMENETA</u>	<u>KAGAWAD / CONSUMPKY</u>	
16. <u>GODOFREDO O. URMENETA JR</u>	<u>KAGAWAD / L. SOUNO</u>	
17. <u>Felix J. Urmensa</u>	<u>Kagawad / Bayan</u>	
18. <u>Sheila A. Sunalingog</u>	<u>Brgy. Secretary / West Victoria</u>	<u>Sunalingog</u>
19. <u>LEA M. BACAT</u>	<u>KAG. / GUM. EAST</u>	
20. <u>Rolan G. Cruz</u>	<u>Kagawad / Bay</u>	
21. <u>ROSELYN A. SUAREZ</u>	<u>BRGY. DENJOH</u>	
22. <u>ERMA L. DEBAY</u>	<u>KAGAWAD / PAULT</u>	
23. <u>PAUL AMADOR V. DENJOH</u>	<u>ALDP, CAMARERA PNP</u>	
24. <u>SEDL MARK FIGUEROA</u>	<u>C. PWA BPP</u>	
25. <u>Dylan A. Reyesmanu</u>	<u>Sag. Kahon</u>	
26. <u>Jesabel T. Lariga</u>	<u>SAN ISIDRO</u> <u>Brgy. Secretary</u>	<u>Jesabel</u>
27. <u>Charix Anos</u>	<u>Kagawad / H. Utagan</u>	
28. <u>RATONITO X. INABANGAN</u>	<u>BAC-SEC / LGU</u>	
29. <u>Francel Juan Candaza</u>	<u>BAC-TWG / LGU</u>	
30. <u>Fr. J. P. P. P.</u>	<u>M.O</u>	
31. <u>NOUBERTO C. DURADO</u>	<u>MARKET OFFICE</u>	
32. <u>Rogel P. Oris</u>	<u>Brgy. Sec</u>	
33. <u>MARIA NINA I. PASCOR</u>	<u>PAWAT</u>	
34. <u>Rarara, William</u>	<u>Bar Central</u>	
35. <u>KRISTEL C. DEGAN</u>	<u>Kind. West / Brgy. Sec.</u>	
36. <u>NOEL A. BATAN</u>	<u>BRGY. VUGABAN</u>	<u>N. Batan</u>

37.	CONN DEL PARANTINAO	Brgy. Guindapunan West	<i>CONN</i>
38.	Jessica L. Morales	Brgy. Paragon Carbay	<i>JL</i>
39.	Mañites C. Peñit	Brgy. Sta. Fe	<i>Mañites</i>
40.	MARILYN P. LAGERA	Brgy. Sta. Fe	<i>LAGERA</i>
41.	Pitallana, Marisa	Brgy. Hangukan	<i>Pitallana</i>
42.	Jacata Jassi	West Visayas	<i>Jacata</i>
43.	BUSTILLO, VERONICA	BAR. NORTE	<i>BUSTILLO</i>
44.	Bustillo, Girau Cabellu	BAR. NORTE	<i>Bustillo</i>
45.	Mania Jelina M. fuya	Brgy. Manloy	<i>Mania</i>
46.	MISSA B. GRABADOR	Bagong Lipunan	<i>MISSA</i>
47.	ISAMP B. GRABADOR M.	Bagong Lipunan	<i>ISAMP</i>
48.	RANDOLF U. LANTAN	Bagong Lipunan	<i>RANDOLF</i>
49.	CARMEN B. MEDIC	Brgy. Manloy	<i>CARMEN</i>
50.	EMMA A. OLEDAN	PANUNA	<i>EMMA</i>
51.	Teresita L. Cobner	Panidaban	<i>Teresita</i>
52.	Maria Myrna W. Oledan	PANINA	<i>Maria Myrna</i>
53.	Alia L. Iban	Upper Ipad	<i>Alia</i>
54.	Lydie C. Tugan	Brgy. Tigbao	<i>Lydie</i>
55.	Tommy Nardo	Brgy. Cogon	<i>Tommy</i>
56.	ALVIN M. ARON	Ecoville 2 (BANGALAN)	<i>ALVIN</i>
57.	Vic Beleta	Pompong	<i>Vic Beleta</i>

Notes:

Romeo M. Viojan
ROMEO M. VIOJAN
 SB Secretary



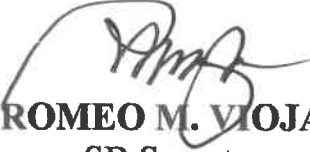
Republic of the Philippines
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MUNICIPALITY OF CARIGARA
-oOo-

Office of the Sangguniang Bayan

CERTIFICATION

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 2023-152 – “An Ordinance Institutionalizing The Business Permit and Licensing System (BPLS) in the Municipality of Carigara, Province of Leyte”**, has been posted last April 14, 2023 in accordance with Sections 59 and 511 R.A. 7160 otherwise known as the Local Government Code of 1991.

ISSUED this 5th day of May, 2023.


ROMEO M. VIOJAN
SB Secretary