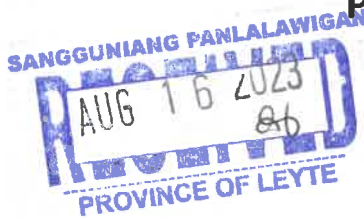


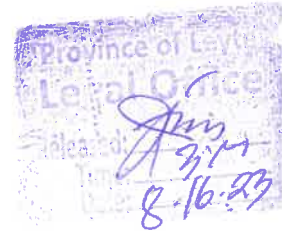
PROVINCE OF LEYTE  
Palo, Leyte

Item No.: 07  
Date: AUG 22 2023

**PROVINCIAL LEGAL OFFICE**



2<sup>nd</sup> INDORSEMENT  
August 15, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 15, S. 2023 of the Sangguniang Bayan of Jaro, 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, an exercise of the power necessary, appropriate or incidental for its efficient and effective governance authorized under Section 16 of the Code and in consonance with the mandate of R.A. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018" mentioned in the Ordinance.

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



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Tacloban City



-oOo-

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>st</sup> Endorsement**  
11 August 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations, on the herein enclosed **ORDINANCE NO. 15 SERIES OF 2022 OF JARO, LEYTE, ENTITLED: "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF Jaro, province of Leyte"**.

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian



SP RECORDS  
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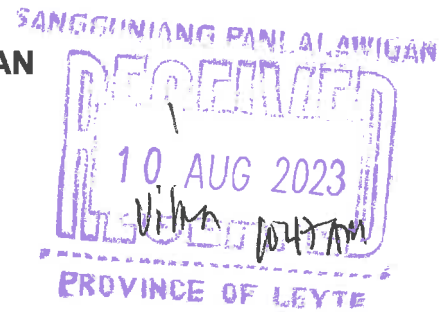


Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
**Office of the Sangguniang Bayan Secretary**  
**Legislative Building**  
Corner Del Carmen and Real Streets

August 7, 2023

**THE HONORABLE SANGGUNIANG PANLALAWIGAN**  
Provincial Capitol Complex  
Tacloban City

Thru: **Florinda Jill S. Uyvico**  
Secretary to the Sanggunian




Madam;


Respectfully forwarding **ORDINANCE NO. 15, SERIES OF 2023, OTHERWISE KNOWN AS "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE"**, for review and favorable action by the Honorable Sangguniang Panlalawigan.

Thank you in advance for your kind consideration on the matter.

Very truly yours,

  
**NICOMEDES R. BORJA**  
Board Secretary V  
Secretary to the Sanggunian

NOTED:

  
**RODRIGO C. ARBAS**  
Municipal Vice-Mayor  
SB Presiding Officer

Attachment:

1. Minutes, 44<sup>th</sup> Regular Session
2. Certificate of Posting



Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF JARO

SANGGUNIANG PANLALAWIGAN

RECEIVED  
17 AUG 2023

TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 44<sup>th</sup> REGULAR SESSION OF THE  
SANGGUNIANG BAYAN OF JARO, LEYTE HELD AT THE SB SESSION HALL  
LEGISLATIVE BUILDING ON JUNE 26, 2023.

PRESENT:

- |                                |  |
|--------------------------------|--|
| HON. RODRIGO C. ARBAS          | -Municipal Vice-Mayor/Presiding Officer  |
| HON. JONELL MARTIN A. QUE      | -SB Member                               |
| HON. LANDILINO T. KATANGKATANG | -SB Member                               |
| HON. JULIAN L. EMNAS           | -SB Member                               |
| HON. FRANCISCO R. ALTRES       | -SB Member/Majority Floor Leader         |
| HON. LEO ANGELO T. PORMIDA     | -SB Member                               |
| HON. GUALBERTO V. ELISES       | -SB Member/Presiding Officer Pro-Tempore |
| HON. ALEXANDER N. SALGADO      | -SB Member                               |
| HON. REY P. AURE               | -SB Member                               |
| HON. CARMENCITA G. TAÑALA      | -SB Member/LIGA Fed.-President           |
| HON. TRINA MAE R. SOLEDAD      | -SB Member/SK Fed.-President             |

ORDINANCE NO. 15  
SERIES OF 2023

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

INTRODUCED BY: HONORABLE FRANCISCO R. ALTRES  
Committee Chairman on Legal Matters, Laws and Privileges

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Jaro, Leyte  
in session assembled that:

SECTION 1. TITLE - This Ordinance shall be known as "An Ordinance  
Institutionalizing the Business Permit and Licensing System (BPLS) of the  
Municipality of Jaro, Leyte".

**SECTION 2. DECLARATION OF POLICY** - It is hereby declared the policy of the Local Government Unit 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** -

- A. To streamline the BPLS;
- B. To specify the roles and responsibilities of the offices, teams and personnel tasked to implement the BPLS; and
- C. To provide penalties for violation of this Ordinance.

**SECTION 4. COVERAGE** - *This Ordinance governs all businesses operating within the jurisdiction of the Municipality of Jaro, Leyte.*

**SECTION 5. LEGAL BASIS:**

- A. 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;
- B. 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:




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1. 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 (Sec. 444) (2) (v); and
  2. 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).
- C. National laws and policies providing requirements/conditions for establishment/registration/operation of businesses as well as safety and labor standards such as but not limited to the following:
1. National Building Code and Accessibility Law;
  2. Fire Safety Code of the Philippines;
  3. Sanitation Code of the Philippines; and
  4. Labor Code of the Philippines.
- D. 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;
- E. DILG-DTI Joint Memorandum Circular No. 01, Series of 2010, "Guidelines in Implementing Standards in Processing Business Permits and Licenses in all Cities and Municipalities"

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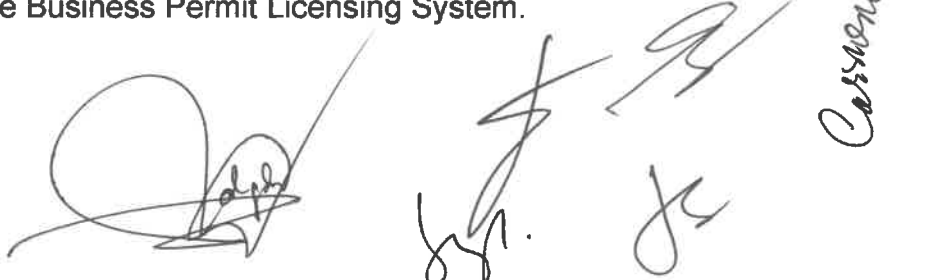


- F. Memorandum Circular 2011-14, Documentary Requirements for a Business Permit;
- G. DILG-DTI Joint Memorandum Circular No. 1, Series of 2016, "Revised Standards in Processing Business Permits and Licenses in all Cities and Municipalities;
- H. DTI-ARTA-CSC Joint Memorandum Circular No. 2019-001, The 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";
- I. DILG ARTA Joint Memorandum Circular No. 2019-01, "Guidelines on the Regulatory Reform for LGU's pursuant to the Ease of Doing Business and Efficient Government Service Delivery (EODB-EGSD) Act of 2018"; and
- J. The Revised Revenue Code of the Municipality of Jaro, 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, to wit:

1. **Action** - refers to the written acknowledgement of receipt, approval or disapproval made by a government agency or office on the application or request submitted by the client for processing.
2. **Applicant** - refers to the entrepreneur, client, business owner and/or business establishment who and/or which desire to legally operate a business in the municipality.
3. **BPLS** - refers to the Business Permit Licensing System.



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4. **BPLO** - refers to the Business Permit Licensing Office/r.
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. **Business establishment/firm** - refers to any person, natural or juridical, legally or not registered under existing laws and is doing business in the Municipality.
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.
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.
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 (4) those unable to comply with the conditions enumerated in the conditional permit within the period reflected in the said Permit.
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.

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11. **Business Permit** - shall be known as Mayor's Business Permit, refers to the legal authority granted by the Municipal Government of Jaro, Leyte 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.
12. **Business Permit Registration Certificate/Plate** - refers to the permanent business registration certificate/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.
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.
14. **Closure Order** - issued by the Local Chief Executive to a business establishment operating without a Mayor's Business Permit.
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.
16. **Disclosure Verification** - verification of information declared in the unified form.
17. **Doing Business** - shall refer to any acts or activities with the Municipality of Jaro, Leyte that imply a continuity of commercial dealings or arrangement.
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.

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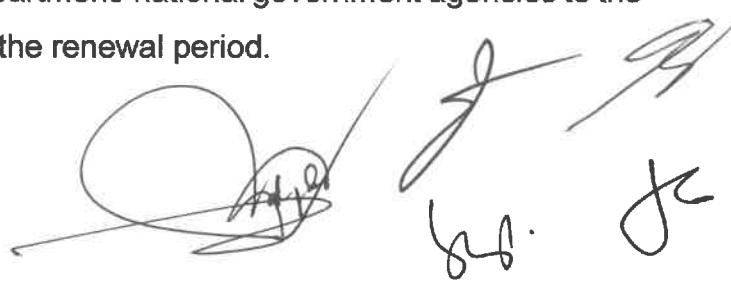


19. **Joint Inspection Team (JIT)** – is a composite team whose members comes from the various Municipal Government Department implementing business-related regulations and local government units and national agencies created and authorized by the municipality through this ordinance to conduct joint inspection of business enterprises instead of individual/separate inspections.
20. **Member office** – refers to the Local Government departments and local units of national agencies that are members of the Joint Inspection Team.
21. **Municipality** – refers to the Municipality of Jaro, Leyte and/or Local Government of Jaro, Leyte.
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.
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 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.

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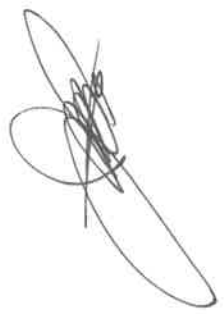


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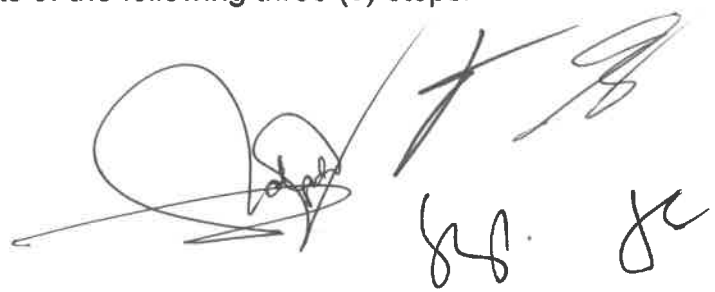
- 24. **Notice of Violation with Compliance Order** - issued by the BPLO to a business establishment upon determination by the JIT that it has violated the conditions to which the Mayor's Business Permit was granted; with a directive to rectify and correct the identified violation/s within a period of days to be determined by the BPLO, but not to exceed ninety (90) days.
- 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.
- 26. **Pre-registration stage** - refers to pre-requisite steps during the construction and occupancy stages required to be undertaken by business operators 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.
- 27. **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.
- 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 Local Government Departments and National Government Agencies.

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**SECTION 7. BUSINESS REGISTRATION SCHEME** - The Business Permit application and processing consists of the following three (3) steps:

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- A. **Application** - Applicant for new or renewal, accomplishes the Unified Form and submits the required supporting documents for business registration to the BPLO. Upon BPLO's finding that all supporting documents are complied with, applicant proceeds to the next step;
- B. **Assessment and Payment** - Applicant pays the business taxes, fees and charges at the Municipal Treasurer's Office; and
- C. **Claim** - Applicant claims the Business Permit at the BPLO.

**SECTION 8. CONDITIONAL PERMIT** - This may be issued to business establishment where the only lacking requirement/s 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 certificate/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 with the list of non-complying 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 all the registered names of non-compliant establishment 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.

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**SECTION 10. BUSINESS ONE-STOP-SHOP (BOSS)** - There shall be BOSS every first working day of January until the 20<sup>th</sup> 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 a frontline service who shall assist the business sector 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 ordinances through the conduct of inspections.

**A. Composition**

Chairperson : Municipal Mayor

Team Leader : Business Permit and Licensing Officer (BPLO)

Members : Municipal Engineer and/or Municipal Building  
Official or his/her authorized representative

: MPDO/ Zoning Officer or his/her authorized  
representative

: Municipal Fire Marshal or his/her authorized  
representative

: Municipal Treasurer or his/her authorized  
representative

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- : MHO and or his/her authorized representative
- : Sanitary Inspector
- : Municipal Environment and Natural Resources Officer or his/her authorized representative
- : Liga ng mga Barangay President
- : PNP Representative
- : DTI Representative

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**B. Duties and Functions**

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



**C. 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 recognized as among the 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.

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**D. 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. JARO ENFORCEMENT TEAM (JET)** - It shall serve Closure Orders and implement closure of business establishments found to have been operating in violation of this Ordinance.

**A. Composition**

Team Leader : Business Permit and Licensing Officer

Members : Chief of Police or his/her authorized representative

: Administrative Officer (Office of the Mayor) or his/her authorized representative

: Municipal Treasurer or his/her authorized representative

: Municipal Engineer or his/her authorized representative

: MPDO or his/her authorized representative

**B. Duties and Functions**

1. Serve Closure Orders to business establishments operating without a valid Mayor's Business Permit;
2. Cause the posting of a public notice to the business establishment ordered closed; and
3. File 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.

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**SECTION 16. ENFORCEMENT AND CORRESPONDING PENALTIES.**

**A. 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:

1. BPLO shall notify and 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 with a recommendation for closure;
2. Upon the directive of the Municipal Mayor, the BPL Officer shall cause the issuance of the CLOSURE ORDER to the business establishment effective immediately;
3. The Jaro Enforcement Team (JET) shall cause a public notice (i.e., tarpaulin), posted outside of the business establishment of the closure.

**B. Business Establishment Operating in Violation of an Existing Permit -**

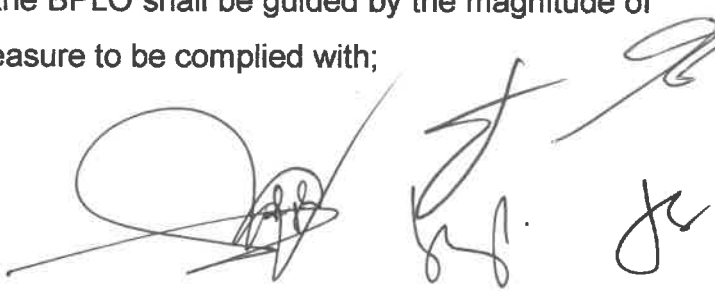
Upon the JIT's determination that the business establishment has violated the permits and clearances to which the Mayor's Business Permit was issued, the following procedures shall be observed;

1. 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;

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2. 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;
  3. Immediately after the conduct of the re-inspection, the JIT shall be issuing a **PRO FORMA PROGRESS REPORT** to the BPLO;
  4. 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;
  5. 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; and
  6. The Jaro Enforcement Team (JET) shall cause a public notice (i.e., tarpaulin) posted outside of the business establishment, of the closure.
- C. In both cases (Section 16, Par A and Section 16, Par B), 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.
- D. If the business establishment continues to operate despite the **CLOSURE ORDER**, the same shall be considered as (2nd) offense and be subjected to the appropriate penalties in Section 16 par E.
- E. For business establishment/s that violated this Ordinance, the following penalties shall be imposed:

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1. **1<sup>st</sup> Offense** - Fine of One Thousand Pesos (P 1,000.00).
  2. **2<sup>nd</sup> Offense** - Fine of Two Thousand Pesos (P2,000.00) and a disqualification to operate a business of any kind within the jurisdiction of the Municipality for a period of two (2) years.
  3. **3<sup>rd</sup> 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.
- F. The foregoing provisions shall however, not apply to completely prohibited or illegal businesses as the same shall be subject for immediate closure.

**SECTION 17. ILLEGAL ACTS.**

- A. Unauthorized removal of the public notice;
- B. Use of the Business Registration Plate and/or the Mayor's Business Permit by another person or business;
- C. Unauthorized fabrication of the Business Registration Certificate/Plate, and/or the Mayor's Business Permit alteration or destruction thereof;
- D. Fraudulently misrepresenting the information of the business operator/proprietor; and
- E. The commission of any aforementioned acts shall cause the imposition of a fine of Two Thousand Five Hundred Pesos (P2,500.00) and/or imprisonment of three (3) months, or 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 areas allowed by the Municipality of Jaro thru Executive Order or legislation, ordinance and by order of other government agencies.



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**SECTION 19. APPLICABILITY** - The penalty/ies 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 AND REGULATIONS (IRR)** – The IRR shall be formulated and issued by the Joint Inspection Team (JIT) within ninety (90) days from the approval of this Ordinance of the Sangguniang Bayan.

**SECTION 21. REPEALING CLAUSE** - All ordinance, 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 15 days after the completion of its posting in at least four (4) conspicuous places in the Municipality of Jaro as mandated for under RA No. 7160, or otherwise known as the Local Government Code of 1991.

**ENACTED ON JUNE 26, 2023.**

---

**APPROVED:**

  
**HON. JONELL MARTIN A. QUE**  
SB Member

  
**HON. JULIAN L. EMNAS**  
SB Member


  
**HON. LANDILINO T. KATANGKATANG**  
SB Member

  
**HON. FRANCISCO R. ALTRES**  
SB Member/Majority Floor Leader

  
**HON. LEO ANGELO T. PORMIDA**  
SB Member

  
**HON. GUALBERTO V. ELISES**  
SB Member/Presiding Officer Pro-Tempore


  
**HON. ALEXANDER M. SALGADO**  
SB Member

  
**HON. REY P. AURE**  
SB Member


  
**HON. CARMENCITA G. TAÑALA**  
SB Member/LIGA FED.-President

  
**HON. TRINA MAE R. SOLEDAD**  
SB Member/SK FED.-President

I HEREBY CERTIFY, to the correctness of the foregoing Ordinance.

  
**NICOMEDES R. BORJA**  
Board Secretary V  
Secretary to the Sanggunian

**ATTESTED:**

  
**HON. RODRIGO C. ARBAS**  
Municipal Vice-Mayor  
SB Presiding Officer

**APPROVED:**

  
**HON. JASSIE LOU TAÑALA**  
Municipal Mayor



Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF JARO

TANGGAPAN NG SANGGUNIANG BAYAN

MINUTES OF THE 44<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN  
OF JARO, LEYTE HELD AT THE SB SESSION HALL LEGISLATIVE BUILDING  
ON JUNE 26, 2023

PRESENT:

HON. RODRIGO C. ARBAS	-Municipal Vice-Mayor/Presiding Officer
HON. JONELL MARTIN A. QUE	-SB Member
HON. LANDILINO T. KATANGKATANG	-SB Member
HON. JULIAN L. EMNAS	-SB Member
HON. FRANCISCO R. ALTRES	-SB Member/Majority Floor Leader
HON. LEO ANGELO T. PORMIDA	-SB Member
HON. GUALBERTO V. ELISES	-SB Member/Presiding Officer Pro-Tempore
HON. ALEXANDER N. SALGADO	-SB Member
HON. REY P. AURE	-SB Member
HON. CARMENCITA G. TAÑALA	-SB Member/LIGA Fed.-President
HON. TRINA MAE R. SOLEDAD	-SB Member/SK Fed.-President

ABSENT: NONE

I. Call to order, one-minute silent prayer, the singing of the national anthem, roll-call, and then reading and approval of previous minutes.

Honorable Rodrigo C. Arbas, Vice-Mayor and SB Presiding Officer, called to order the 44<sup>th</sup> Regular Session of the Sangguniang Bayan at 9:46 in the morning, followed by the one-minute silent prayer, the singing of the national anthem and the roll-call to determine the quorum as follows:

**PRESENT: 100% Attendance**

And thereby with a quorum the Chair request Honorable Francisco R. Altres to proceed to the Calendar of Business for the day. Hon. Altres took the floor and then request the reading on the minutes of the previous SB Regular Session and after it has been read, the Chair asks from the floor for any amendments to the minutes, and hearing none, declared that the minutes of the 43<sup>rd</sup> SB Regular Session is duly adopted/approved without corrections thereto as read by the SB Secretary.

II. COMMITTEE REPORT

ITEM NO. 1-EXECUTIVE AGENDA:

**PROPONENT: HONORABLE ALEXANDER N. SALGADO**  
Vice-Chairman Committee on Environmental Protection

A PROPOSED RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 22, 2023 OF THE COMMITTEE ON ENVIRONMENTAL PROTECTION ON THE REVIEW OF THE SANGGUNIANG BARANGAY RESOLUTION NO. 011, SERIES OF 2023, DATED MARCH 29, 2023 OF BARANGAY STA. CRUZ, INTERPOSING NO OBJECTION TO THE SAG-EXTRACTION OPERATION APPLICATION OF MR. JONAS A. MERCADO AT TAYTAY RIVER WITHIN THE AREA OF BARANGAY STA. CRUZ JARO, LEYTE.

ITEM NO. 2-EXECUTIVE AGENDA:

**PROPONENT: HONORABLE ALEXANDER N. SALGADO**  
Vice-Chairman Committee on Environmental Protection

A PROPOSED RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 22, 2023, OF THE COMMITTEE ON ENVIRONMENTAL PROTECTION ON THE REVIEW OF THE SANGGUNIANG BARANGAY RESOLUTION NO. \_\_, SERIES OF 2022, DATED SEPTEMBER 10, 2022 OF BARANGAY MAG-ASO, INTERPOSING NO OBJECTION ON THE APPLICATION OF INDUSTRIAL SAND AND GRAVEL QUARRY WITH CRUSHING PLANT BY GINA B. PORSUELO IN BARANGAY MAG-ASO JARO, LEYTE.

Honorable Alexander N. Salgado took the floor and then moves Item No. 01 – No. 02, respectively and it was duly seconded by the Body.

The Chair opines and then request Hon. Salgado to present before the Body the committee report before its final adoption, Hon. Salgado took the floor and then request Mr. Martin Alcantara/SB LSS to read the committee report.



After the reading of the committee report, the Chair said the minutes comprises the records of the committee review on the SAG-Permit Application of Mr. Jonas A. Mercado located in Barangay Sta. Cruz, and Ms. Gina B. Porsuelo located at Barangay Mag-Aso.

The Chair raise a point of clarifications, who among of the two (2) SAG Applicant has the intention to establish a crusher plant, for on the reading of the committee report the operation of a crusher plant has been mentioned and was actually indicated in the survey plan as presented by Hon. Pormida.

Honorable Alexander N. Salgado reply that it was in the SAG-Permit application of Mr. Jonas A. Mercado, which is contained in the survey plan made for Mr. Mercado but it has been clarified that Mr. Mercado will not be operating a crusher plant, but solely for SAG-Extraction only, and at this juncture Hon. Salgado moves for amendments by inclusion in the title of the resolution to read as follows to wit:

*Industrial SAG-Extraction Operation Application of Mr. Jonas A. Mercado, located at Taytay River*

The Chair further asks from the Body, for any amendments to the minutes as read by Mr. Alcantara. And hearing none from the floor, asks Hon. Salgado to offer the final motion and it was duly seconded en masse, and then the Chair declared that Item No. 01 and Item No. 02 under the Committee Report has been formally been moved, carried and then approved en masse by the August Body.



III. BUSINESS FOR THE DAY:

ITEM NO. 1-EXECUTIVE AGENDA:

**PROPONENT - HONORABLE FRANCISCO R. ALTRES**  
Committee Chairman on Legal Matters, Laws &  
Privileges



A PROPOSED RESOLUTION AUTHORIZING HONORABLE JASSIE LOU TAÑALA, LOCAL CHIEF EXECUTIVE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE EMERGENCY DISASTER MANAGEMENT SERVICE ORGANIZATION INC., (EDMS) FOR THE IMPLEMENTATION OF THE CAPACITY BUILDING PROGRAM FOR EMERGENCY RESPONSE AND DISASTER PREPAREDNESS MANAGEMENT ALSO KNOWN AS THE EDMS RESCUE TRAINING PROGRAM.



Honorable Francisco R. Altres moves the above proposal and it was duly seconded, and the Chair declare for discussion of the above proposal.

Hon. Altres opines and then apprises the Body that the Memorandum of Partnership Agreement by and between the LGU and the Emergency Disaster Management Service Organization, Inc. (EDMS) is entered into for the Capacity Building Program for Emergency Response and Disaster Preparedness Management for the MDRRMO Personnel.



Honorable Gualberto V. Elises opines and said that on his opinion it is presumed that EDMS is already registered and/or accredited from concerned and authorized government agency, however, for purposes of formalities, they should be accredited by the LGU, if they intend to offer their services to the municipality just like the KABALIKAT and ACCESS 5, which is a recognized organization by the LGU, who offers and extends their services in times of calamities particularly in emergency response such as evacuation and/ or retrieval operations.





The Chair opines and said that the proposition of Hon. Elises is in order for if the EDMS intends to offer their service to conduct trainings/seminars for the MDRRMO Personnel with regard to the emergency response and disaster preparedness management, they should be accredited first by the LGU.

Hon. Altres took the floor and said that he concurs to the proposal of Hon. Elises for the EDMS to apply accreditation from the LGU, for them to have a legitimate personality as recognized organization which would conduct a capacity building program for the MDRRMO personnel on emergency response and disaster preparedness, and for the meantime is for the Sangguniang Bayan to approved the proposed legislative measure, and to require the EDMS to submit their application for accreditation to the Sangguniang Bayan.

The Chair ask further opinions of the SB members on the proposal of Hon. Altres to approved the executive agenda (Item No. 01 Business for the Day) and to require the EDMS to submit their application for accreditation. And hearing none from the floor, for further discussion on the proposed legislative measure, request Hon. Altres to offer the final motion and it was duly seconded by Honorable Rey P. Aure and Honorable Gualberto V. Elises.

And then the Chair declared that Item No. 01, under the business for the day has been moved, carried and approved, and duly seconded by Hon. Aure and Hon. Elises.

**ITEM NO. 2-EXECUTIVE AGENDA:**

**PROPONENT - HONORABLE REY P. AURE**

Committee Chairman on Good Government, Public Ethics and Accountability.

A PROPOSED RESOLUTION CONCURRING TO THE APPOINTMENT OF ATTY. MARLON C. BALTAR AS THE MUNICIPAL GOVERNMENT HEAD I (MUNICIPAL ADMINISTRATOR) OF THE MUNICIPALITY OF JARO, LEYTE.

Honorable Rey P. Aure took the floor and then moves the above proposal and it was duly seconded. Hon. Aure further moves for a fifteen (15) minutes recess, before continuing to the plenary discussions on Item No. 02, duly seconded.

*Recess was declared by the Chair at 11:05 a.m., Session resumed at 11:35 a.m.*

**Discussions (Item No. 02)**

Honorable Rey P. Aure took the floor and then present to the Body the documents which have been attached to the executive agenda, as follows:

1. Appointment of Atty. Marlon C. Baltar, duly signed by the Local Chief Executive dated June 20, 2023.
2. Certificate of Assumption to duty, duly signed by the Local Chief Executive, and attested by Judy G. Parado-CPA/HRMO-OIC, dated June 20, 2023.

Honorable Francisco R. Altres inquire from Hon. Aure if there is a residency requirement for the position of Municipal Administrator. Hon. Aure replies that appointment of Municipal Administrator is the Local Chief Executive prerogatives, based on the principle of trust and confidence, and on his opinion, there is no residency requirement for the position, he further said that the executive agenda has to be acted upon by the Sangguniang Bayan within the reglementary period of Ten (10) days upon receipt, dated June 20, 2023.

The Chair opines and said that the position of the Municipal Administrator is equivalent to a Department Head with Salary Grade of 24, and the LCE's prerogative to appoint and it requires the concurrence of the Sangguniang Bayan and then asks from the SB members if they know personally Atty. Baltar, and further asks for the opinion of the SB members if there is a need to refer the proposed legislative measure to the committee level for review, considering that there is still time to met the deadline of the 10 day reglementary period.

Honorable Julian L. Emnas speaks out and said that as far as his memory serves right on the concurrence of every department head, the applicant appears before the Body before the Sangguniang Bayan will enact the proposed resolution to concur their appointment, and for the records further said that he is not against the approval of the resolution to concur the appointment Atty. Baltar.

Hon. Aure opines and suggest that instead of referring the matter to the committee level, is for the Sangguniang Bayan to conduct special session on June 27, 2023 at 9:00 a.m., and to invite the appointee Atty. Baltar to attend the Special Session, so that, the Sanggunian could met him personally which all the SB members concurs to the proposal of Hon. Aure.

And then after the Chair declared that as proposed by Hon. Aure, proponent of the aforesaid legislative measure and it was duly concurred by the Body, a special session will be conducted on June 27, 2023 at 9:00 a.m. at the SB Session Hall, and suggest to write an invitation letter to Atty. Baltar.

ITEM NO. 3-APPROVAL ON THIRD-AND-FINAL-READING  
ORDINANCE NO. 15, SERIES OF 2023  
SPONSORED BY HONORABLE FRANCISCO R. ALTRES  
Committee Chairman on Legal Matters, Laws & Privileges

**ORDINANCE NO. 15  
SERIES OF 2023**

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

Honorable Francisco R. Altres took the floor and said that the proposed ordinance is compliant to the three-reading principles and for final consideration of the Sanggunian and then after moves for the approval of Ordinance N0.15, Series of 2023, and it was duly seconded en masse by the August Body.

And then after the Chair, declared that Ordinance No. 15, series of 2023, has been formally been moved, carried and then approved en masse by the Body, under the third-and-final reading and then extends his congratulations to Hon. Altres.

**IV. UNASSIGNED BUSINESS/OTHER MATTERS:**

1. The Chair reminds the SB members on the schedule of the Execom 2<sup>nd</sup> Quarterly Meeting on June 26, 2023 (Monday) at 1:00 p.m., at the ABC Hall, called by the LCE. The agenda: (1) Submission of Accomplishment Report for the 2<sup>nd</sup> Quarter of F.Y. 2023; (2) Fiesta Activities Brainstorming.

2. From LEYECO III, Notice of the District Election for District VIII-Jaro Directorship on July 15, 2023. The Certificate of Candidacy could be secured at LEYECO III Office.
3. Honorable Carmencita G. Tañala request the members of the Committee on Social Welfare and Development and Human Rights for a committee meeting on June 27, 2023, at the SB Session Hall, right after the special session to review Ordinance No. 16, Series of 2023. She further said that the previous schedule of the committee meeting on June 22, 2023, did not materialized for lack of quorum.
4. Honorable Francisco R. Altres, reiterates his previous request to the HRMO, to issue LGU-ID's is necessary as identification for government transactions. He continues that up to the present, the PCL-Leyte has not issued yet the PCL IDs for the three SB members, namely: Hon. Tañala, Hon. Soledad and Himself, despite the fact that they paid already the cost of the PCL ID's.

in addition, thereto Honorable Trina Mae R. Soledad, informed the Body that she has logged-in to the PCL-Leyte Website, and it was on their records that three SB members of Jaro is "marked as PCL member not in Good Standing" for non-payment of Annual Membership Fees.

The Chair suggest to verify/inquire from PCL-National Capital Office and to secure Certificate of Payment for the Annual Membership Fee, and to submit the Certificate of Payment to PCL-Leyte, for there are instances that PCL Annual Membership Fee is paid in Manila, when there is a seminar and sometimes the PCL-National Office fails to furnish to the PCL Regional Offices the names of those PCL members of good standing.

Honorable Rey P. Aure opines and said with regard to the LGU-IDs for the SB members, according to the HRMO the LGU is still on the process purchasing the necessary machine for the production of the ID's.

5. Letter from the Kusog han mga Salugnon of Metro Manila, by the President Riza D. Sorima-Matias, inviting the members of the Sangguniang Bayan to attend the Fiesta Celebration scheduled on September 24, 2023 at the Quezon City Circle, Quezon City.
6. The Chair informed the Body that the Sangguniang Bayan and the MSWDO will be the sponsor for the different activities for the month of July 2023, and request the SB members to share financially intended for some expenses which will be incurred during the month of July activities.

And with no further business to be transacted, on motion to adjourn by the Honorable Francisco R. Altres duly seconded the Chair declared the **44<sup>th</sup> Regular Session adjourned at 12:23 P.M.**

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**EXCERPT RESOLUTIONS/ORDINANCE:**

**ITEM NO. 1-EXECUTIVE AGENDA:**  
**PROPONENT: HONORABLE ALEXANDER N. SALGADO**  
Vice-Chairman Committee on Environmental Protection

**RESOLUTION NO. 2023 - 244**

A RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 22, 2023 OF THE COMMITTEE ON ENVIRONMENTAL PROTECTION ON THE REVIEW OF THE SANGGUNIANG BARANGAY RESOLUTION NO. 011, SERIES OF 2023, DATED MARCH 29, 2023 OF BARANGAY STA. CRUZ, INTERPOSING NO OBJECTION TO THE SAG-EXTRACTION OPERATION APPLICATION OF MR. JONAS A. MERCADO AT TAYTAY RIVER WITHIN THE AREA OF BARANGAY STA. CRUZ JARO, LEYTE.

On motion presented by **Honorable Alexander N. Salgado**, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED**, AS IT IS HEREBY RESOLVED TO ADOPT THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 22, 2023 OF THE COMMITTEE ON ENVIRONMENTAL PROTECTION ON THE REVIEW OF THE SANGGUNIANG BARANGAY RESOLUTION NO. 011, SERIES OF 2023, DATED MARCH 29, 2023 OF BARANGAY STA. CRUZ, INTERPOSING NO OBJECTION TO THE SAG-EXTRACTION OPERATION APPLICATION OF MR. JONAS A. MERCADO AT TAYTAY RIVER WITHIN THE AREA OF BARANGAY STA. CRUZ JARO, LEYTE;

**RESOLVED FINALLY**, that copy of this resolution be furnished to the Municipal Mayor, and to other concerned offices for their information and guidance.

**APPROVED: JUNE 26, 2023**

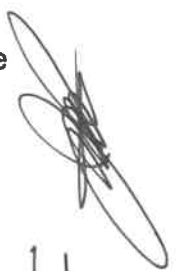
**ITEM NO. 2-EXECUTIVE AGENDA:**  
**PROPONENT: HONORABLE ALEXANDER N. SALGADO**  
Vice-Chairman Committee on Environmental Protection

**RESOLUTION NO. 2023 - 245**

A RESOLUTION ADOPTING THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 22, 2023 OF THE COMMITTEE ON ENVIRONMENTAL PROTECTION ON THE REVIEW OF THE SANGGUNIANG BARANGAY RESOLUTION NO. \_\_, SERIES OF 2022, DATED SEPTEMBER 10, 2022 OF BARANGAY MAG-ASO, INTERPOSING NO OBJECTION ON THE APPLICATION OF INDUSTRIAL SAND AND GRAVEL QUARRY WITH CRUSHING PLANT BY GINA B. PORSUELO IN BARANGAY MAG-ASO JARO, LEYTE.

On motion presented by **Honorable Alexander N. Salgado**, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED**, AS IT IS HEREBY RESOLVED TO ADOPT THE MINUTES OF THE COMMITTEE MEETING CONDUCTED ON JUNE 22, 2023 OF THE COMMITTEE ON ENVIRONMENTAL PROTECTION ON THE REVIEW OF THE SANGGUNIANG BARANGAY RESOLUTION NO. \_\_, SERIES OF 2022, DATED SEPTEMBER 10, 2022 OF BARANGAY MAG-ASO, INTERPOSING NO OBJECTION ON THE APPLICATION OF INDUSTRIAL SAND AND GRAVEL QUARRY WITH CRUSHING PLANT BY GINA B. PORSUELO IN BARANGAY MAG-ASO JARO, LEYTE;



**RESOLVED FINALLY**, that copy of this resolution be furnished to the Municipal Mayor, and to other concerned offices for their information and guidance.

**APPROVED: JUNE 26, 2023**

**ITEM NO. 3-EXECUTIVE AGENDA:**  
**PROPONENT: HONORABLE FRANCISCO R. ALTRES**  
Chairman Committee on Legal Matters, Laws and Privileges

**RESOLUTION NO. 2023 - 246**

A RESOLUTION AUTHORIZING HONORABLE JASSIE LOU TAÑALA, LOCAL CHIEF EXECUTIVE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE EMERGENCY DISASTER MANAGEMENT SERVICE ORGANIZATION INC., (**EDMS**) FOR THE IMPLEMENTATION OF THE CAPACITY BUILDING PROGRAM FOR EMERGENCY RESPONSE AND DISASTER PREPAREDNESS MANAGEMENT ALSO KNOWN AS THE **EDMS RESCUE TRAINING PROGRAM**.

**WHEREAS**, presented to the Body by the Committee Chairman on Legal Matters, Laws and Privileges is an Executive Agenda, authorizing the Municipal Mayor to enter into a Memorandum of Partnership Agreement with the Emergency Disaster Management Service Organization Inc., (**EDMS**), for the implementation of the **EDMS Rescue Training Program** in Jaro, Leyte;

**NOW, THEREFORE**, on motion presented by **Honorable Francisco R. Altres**, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

**RESOLVED**, AS IT IS HEREBY RESOLVED TO AUTHORIZE HONORABLE JASSIE LOU TAÑALA, LOCAL CHIEF EXECUTIVE TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE EMERGENCY DISASTER MANAGEMENT SERVICE ORGANIZATION INC., (**EDMS**) FOR THE IMPLEMENTATION OF THE CAPACITY BUILDING PROGRAM FOR EMERGENCY RESPONSE AND DISASTER PREPAREDNESS MANAGEMENT ALSO KNOWN AS THE **EDMS RESCUE TRAINING PROGRAM**;

**RESOLVED FINALLY**, that copy of this resolution be furnished to the Municipal Mayor, Ernesto J. Azores, EMT-EDMS Founding Chairman, and to other concerned offices for their information and guidance.

**APPROVED: JUNE 26, 2023**





**ITEM NO. 4-APPROVAL ON THIRD-AND-FINAL READING:**

**ORDINANCE NO. 15  
SERIES OF 2023**

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

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**INTRODUCED BY: HONORABLE FRANCISCO R. ALTRES**  
Committee Chairman on Legal Matters, Laws and Privileges



**NOW THEREFORE**, be it ordained by the Sangguniang Bayan of Jaro, Leyte in session assembled that:



**SECTION 1. TITLE** - This Ordinance shall be known as “An Ordinance Institutionalizing the Business Permit and Licensing System (BPLS) of the Municipality of Jaro, Leyte”.

**SECTION 2. DECLARATION OF POLICY** - It is hereby declared the policy of the Local Government Unit 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** -

- A. To streamline the BPLS;
- B. To specify the roles and responsibilities of the offices, teams and personnel tasked to implement the BPLS; and
- C. To provide penalties for violation of this Ordinance.



**SECTION 4. COVERAGE - This Ordinance governs all businesses operating within the jurisdiction of the Municipality of Jaro, Leyte.**

**SECTION 5. LEGAL BASIS:**

- A. 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;
  
- B. 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:
  - 1. 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 (Sec. 444) (2) (v); and
  - 2. 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).
  
- C. National laws and policies providing requirements/conditions for establishment/registration/operation of businesses as well as safety and labor standards such as but not limited to the following:

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1. National Building Code and Accessibility Law;
  2. Fire Safety Code of the Philippines;
  3. Sanitation Code of the Philippines; and
  4. Labor Code of the Philippines.
- D. 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;
- E. DILG-DTI Joint Memorandum Circular No. 01, Series of 2010, "Guidelines in Implementing Standards in Processing Business Permits and Licenses in all Cities and Municipalities";
- F. Memorandum Circular 2011-14, Documentary Requirements for a Business Permit;
- G. DILG-DTI Joint Memorandum Circular No. 1, Series of 2016, "Revised Standards in Processing Business Permits and Licenses in all Cities and Municipalities;
- H. 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";
- I. DILG ARTA Joint Memorandum Circular No. 2019-01, "Guidelines on the Regulatory Reform for LGU's pursuant to the

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Ease of Doing Business and Efficient Government Service Delivery (EODB-EGSD) Act of 2018"; and

J. The Revised Revenue Code of the Municipality of Jaro, 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, to wit:

1. **Action** - refers to the written acknowledgement of receipt, approval or disapproval made by a government agency or office on the application or request submitted by the client for processing.
2. **Applicant** - refers to the entrepreneur, client, business owner and/or business establishment who and/or which desire to legally operate a business in the municipality.
3. **BPLS** - refers to the Business Permit Licensing System.
4. **BPLO** - refers to the Business Permit Licensing Office/r.
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. **Business establishment/firm** - refers to any person, natural or juridical, legally or not registered under existing laws and is doing business in the Municipality.
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.

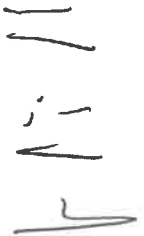
8. **Business One-Stop-Shop (BOSS)** - refers to an arrangement where a single common site or location is designated for all concerned agencies in the Business Permit and Licensing System to receive and process applications for business registration.
9. **Business Establishment Operating Without Mayor's 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 (4) those unable to comply with the conditions enumerated in the conditional permit within the period reflected in the said Permit.
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.
11. **Business Permit** - shall be known as Mayor's Business Permit, refers to the legal authority granted by the Municipal Government of Jaro, Leyte 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.
12. **Business Permit Registration Certificate/Plate** - refers to the permanent business registration certificate/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.

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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.
14. **Closure Order** - issued by the Local Chief Executive to a business establishment operating without a Mayor's Business Permit.
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.
16. **Disclosure Verification** - verification of information declared in the unified form.
17. **Doing Business** - shall refer to any acts or activities with the Municipality of Jaro, Leyte that imply a continuity of commercial dealings or arrangement.
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.
19. **Joint Inspection Team (JIT)** – is a composite team whose members comes from the various Municipal Government Department implementing business-related regulations and local government units and national agencies created and authorized by the municipality through this ordinance to conduct joint inspection of business enterprises instead of individual/separate inspections.
20. **Member office** – refers to the Local Government departments and local units of national agencies that are members of the Joint Inspection Team.



21. **Municipality** – refers to the Municipality of Jaro, Leyte and/or Local Government of Jaro, Leyte.
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.
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 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.
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.



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- 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.
- 26. **Pre-registration stage** - refers to pre-requisite steps during the construction and occupancy stages required to be undertaken by business operators 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.
- 27. **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.
- 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 Local Government Departments and National Government Agencies.

**SECTION 7. BUSINESS REGISTRATION SCHEME** - The Business Permit application and processing consists of the following three (3) steps:

- A. **Application** - Applicant for new or renewal, accomplishes the Unified Form and submits the required supporting documents for business registration to the BPLO. Upon BPLO's finding that all supporting documents are complied with, applicant proceeds to the next step;
- B. **Assessment and Payment** - Applicant pays the business taxes, fees and charges at the Municipal Treasurer's Office; and



C. Claim - Applicant claims the Business Permit at the BPLO.

**SECTION 8. CONDITIONAL PERMIT** - This may be issued to business establishment where the only lacking requirement/s 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 certificate/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 with the list of non-complying 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 all the registered names of non-compliant establishment 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 20<sup>th</sup> 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 a frontline service who shall assist the business sector 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 ordinances through the conduct of inspections.

**A. Composition**

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

**B. Duties and Functions**

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

**C. 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 recognized as among the 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.

**D. 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. JARO ENFORCEMENT TEAM (JET)** - It shall serve Closure Orders and implement closure of business establishments found to have been operating in violation of this Ordinance.



**A. Composition**

Team Leader : Business Permit and Licensing Officer

Members : Chief of Police or his/her authorized representative

: Administrative Officer (Office of the Mayor) or his/her authorized representative

: Municipal Treasurer or his/her authorized representative

: Municipal Engineer or his/her authorized representative

: MPDO or his/her authorized representative

**B. Duties and Functions**

1. Serve Closure Orders to business establishments operating without a valid Mayor's Business Permit;
2. Cause the posting of a public notice to the business establishment ordered closed; and
3. File necessary cases with the MTC and/or appropriate courts for violation of tax laws and ordinances;

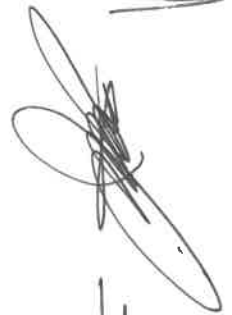

**SECTION 15. PAYMENT FOR BUSINESS FEES AND CHARGES -**

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.**

**A. 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:

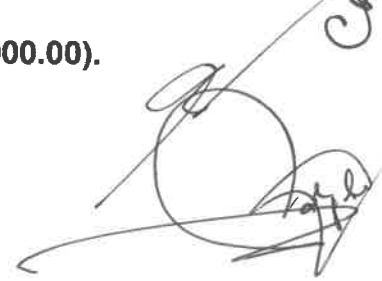


1. BPLO shall notify and report to the Municipal Mayor the name of the business establishment concerned, name of the owner or authorized representative, address and surrounding circumstances of the business establishment with a recommendation for closure;
2. Upon the directive of the Municipal Mayor, the BPL Officer shall cause the issuance of the CLOSURE ORDER to the business establishment effective immediately;
3. The Jaro Enforcement Team (JET) shall cause a public notice (i.e., tarpaulin), posted outside of the business establishment of the closure.

**B. 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;

1. 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;
2. 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;

3. Immediately after the conduct of the re-inspection, the JIT shall be issuing a **PRO FORMA PROGRESS REPORT** to the BPLO;
  4. 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;
  5. 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; and
  6. The Jaro Enforcement Team (JET) shall cause a public notice (i.e., tarpaulin) posted outside of the business establishment, of the closure.
- C. In both cases (Section 16, Par A and Section 16, Par B), 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.
- D. If the business establishment continues to operate despite the **CLOSURE ORDER**, the same shall be considered as (2nd) offense and be subjected to the appropriate penalties in Section 16 par E.
- E. For business establishment/s that violated this Ordinance, the following penalties shall be imposed:
1. **1<sup>st</sup> Offense - Fine of One Thousand Pesos (P 1,000.00).**



2. **2<sup>nd</sup> Offense** - Fine of Two Thousand Pesos (P2,000.00) and a disqualification to operate a business of any kind within the jurisdiction of the Municipality for a period of two (2) years.
  3. **3<sup>rd</sup> 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.
- F. The foregoing provisions shall however, not apply to completely prohibited or illegal businesses as the same shall be subject for immediate closure.

**SECTION 17. ILLEGAL ACTS.**

- A. Unauthorized removal of the public notice;
- B. Use of the Business Registration Plate and/or the Mayor's Business Permit by another person or business;
- C. Unauthorized fabrication of the Business Registration Certificate/Plate, and/or the Mayor's Business Permit alteration or destruction thereof;
- D. Fraudulently misrepresenting the information of the business operator/proprietor; and
- E. The commission of any aforementioned acts shall cause the imposition of a fine of Two Thousand Five Hundred Pesos (P2,500.00) and/or imprisonment of three (3) months, or 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 areas allowed by the Municipality of Jaro thru Executive Order or legislation, ordinance and by order of other government agencies.

**SECTION 19. APPLICABILITY** - The penalty/ies 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.

Handwritten signatures and initials are present at the bottom of the page. On the right side, there is a vertical signature that reads "Carminceda". At the bottom center, there are several other signatures, including one that appears to be "J.S." and another that is more stylized.

**SECTION 20. IMPLEMENTING RULES AND REGULATIONS (IRR)** – The IRR shall be formulated and issued by the Joint Inspection Team (JIT) within ninety (90) days from the approval of this Ordinance of the Sangguniang Bayan.

**SECTION 21. REPEALING CLAUSE** - All ordinance, 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 15 days after the completion of its posting in at least four (4) conspicuous places in the Municipality of Jaro as mandated for under RA No. 7160, or otherwise known as the Local Government Code of 1991.

**ENACTED ON JUNE 26, 2023.**

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**APPROVED:**


  
HON. JONELL MARTIN A. QUE  
SB Member

  
HON. LANDILINO T. KATANGKATANG  
SB Member

  
HON. JULIAN L. EMNAS  
SB Member

  
HON. FRANCISCO R. ALTRES  
SB Member/Majority Floor Leader

  
HON. LEO ANGELO T. PORMIDA  
SB Member

  
HON. GUALBERTO V. ELISES  
SB Member/Presiding Officer Pro-Tempore




  
**HON. ALEXANDER N. SALGADO**  
SB Member

  
**HON. REY P. AURE**  
SB Member

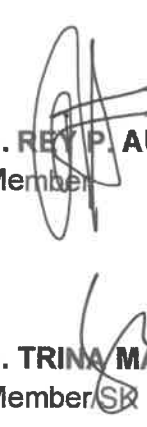
  
**HON. CARMENCITA G. TAÑALA**  
SB Member/LIGA FED.-President

  
**HON. TRINA MAE R. SOLEDAD**  
SB Member/SR FED.-President

I HEREBY CERTIFY, to the correctness of the foregoing records of the proceedings.

  
**NICOMEDES R. BORJA**  
Board Secretary V  
Secretary to the Sanggunian

**ATTESTED:**

  
**HON. RODRIGO C. ARBAS**  
Municipal Vice-Mayor  
SB Presiding Officer

**APPROVED:**

  
**HON. JASSIE LOU TAÑALA**  
Municipal Mayor



Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
Office of the Sangguniang Bayan  
**Legislative Building**  
**Corner Del Carmen and Real Streets**

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July 21, 2022

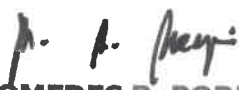
## **CERTIFICATION**

### **TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 15**, series of 2023, otherwise known as, “**AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE**” have been posted last July 5, 2023 to date in a conspicuous place in the Municipality of Jaro, Leyte.

**ISSUED** this 21<sup>st</sup> day of July 2023 at Jaro, Leyte.

### **CERTIFIED CORRECT:**

  
**NICOMEDES R. BORJA**  
Secretary to the Sanggunian  
(Board secretary V)

### **APPROVED:**

  
**HON. RODRIGO C. ARBAS**  
Municipal Vice-Mayor

Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
- o0o -  
Barangay I

July 20, 2023

**CERTIFICATION**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 15**, series of 2023, otherwise known as, **"AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE"** have been posted last July 5, 2023 to date in conspicuous place in our Barangay.

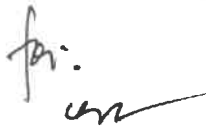
**ISSUED** this 20<sup>th</sup> day of July 2023 at Barangay District I, Jaro, Leyte.

**CERTIFIED CORRECT:**

  
**FELINDA B. COSARES**  
Barangay Secretary

**APPROVED:**

**HON. CARMENCITA G. TAÑALA**  
Barangay Chairwoman



Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
- o0o -  
**Barangay II**

July 20, 2023

**CERTIFICATION**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 15**, series of 2023, otherwise known as, **“AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE”** have been posted last July 5, 2023 to date in conspicuous place in our Barangay.

**ISSUED** this 20<sup>th</sup> day of July 2023 at Barangay District II, Jaro, Leyte.

**CERTIFIED CORRECT:**

For:   
**RITA M. ENALES**  
Barangay Secretary

**APPROVED:**

For:   
**HON. ADAN C. CANEGA**  
Barangay Chairman

Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
- o0o -  
**Barangay III**

July 20, 2023


**CERTIFICATION**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 15**, series of 2023, otherwise known as, **“AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE”** have been posted last July 5, 2023 to date in conspicuous place in our Barangay.

**ISSUED** this 20<sup>th</sup> day of July 2023 at Barangay District III, Jaro, Leyte.

**CERTIFIED CORRECT:**

  
**JAINA O. BATUCAN**  
Barangay Secretary

**APPROVED:**

  
**HON. ADRIANO DIOLA**  
Barangay Chairman

Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF JARO**  
- o0o -  
**Barangay IV**

July 20, 2023

**CERTIFICATION**

**TO WHOM THIS MAY CONCERN:**

**THIS IS TO CERTIFY** that **MUNICIPAL ORDINANCE NO. 15**, series of 2023, otherwise known as, **"AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE"** have been posted last July 5, 2023 to date in conspicuous place in our Barangay.

**ISSUED** this 20<sup>th</sup> day of July 2023 at Barangay District IV, Jaro, Leyte.

**CERTIFIED CORRECT:**

  
**FRANCIS CATHERINE L. CAÑEGA**  
Barangay Secretary

**APPROVED:**

  
**HON. ARIEL D. MONTEDERAMOS**  
Barangay Chairman