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Item No.: 03

Date: 12 SEP 2023

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

SANGGUNIANG PANLALAWIGAN
AUG 31 2023
PROVINCE OF LEYTE

2nd INDORSEMENT
August 30, 2023

Province of Leyte
Leyte
8.31.23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 155 series of 2023 of the Sangguniang Bayan of San Isidro, 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, in compliance with the mandate of Statute RA 11032, mentioned In the Ordinance.

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

PLD

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
25 August 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 155**, series of 2023 of the **MUNICIPALITY of SAN ISIDRO, LEYTE**, entitled: **AN ORDINANCE INTEGRATING THE BARANGAY CLEARANCE FEE TO THE BUSINESS PERMITS AND LICENSING SYSTEM UNDER SEC. 11 OF R.A. NO. 11032 AND ALSO KNOWN AS EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT SERVICE DELIVERY ACT OF 2018, IN THE MUNICIPALITY OF SAN ISIDRO, PROVINCE OF LEYTE.**

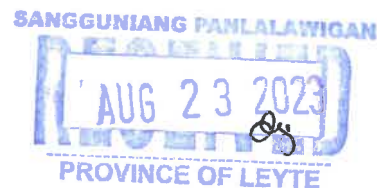
FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Region VIII
Province of Leyte
MUNICIPALITY OF SAN ISIDRO
16th Sangguniang Bayan

August 24, 2023

HON. LEONARDO M. JAVIER, JR.
Provincial Vice Governor
Legislative Bldg. Capitol Cmpd.
Tacloban City



Attn: The Honorable Members of the Sangguniang Panlalawigan/
Secretary to the Sangguniang Panlalawigan.

Honorable Ladies and Gentlemen:


Respectfully submitting herewith copies of the following Municipal Ordinances:

- 1. MUNICIPAL ORDINANCE NO. 155 - 2023, "AN ORDINANCE INTEGRATING THE BARANGAY CLEARANCE FEE TO THE BUSINESS PERMITS AND LICENSING SYSTEM UNDER SEC. 11 OF RA. NO. 11032 ALSO KNOWN AS EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT SERVICE DELIVERY ACT OF 2018, IN THE MUNICIPALITY OF SAN ISIDRO, PROVINCE OF LEYTE.";**
- 2. MUNICIPAL ORDINANCE NO. 156- 2023, "AN ORDINANCE ADOPTING THE OFFICIAL SEAL OF THE SANGGUNIANG BAYAN OF SAN ISIDRO, LEYTE PRESCRIBING THE USE AND IMPOSING PENALTY FOR UNOFFICIAL/UNAUTHORIZED USE THEREOF.;**
- 3. APPROPRIATION ORDINANCE NO. 2023-02, "AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL BUDGET NO.2 CY 2023 INVOLVING AN AMOUNT OF EIGHT MILLION TWO HUNDRED NINETY-ONE THOUSAND TWO HUNDRED TWELVE AND 72/100 (P 8,291,212.72) FOR THE VARIOUS EXPENDITURES OF THE MUNICIPAL GOVERNMENT OF SAN ISIDRO, LEYTE.",** for review and appropriate action.

I hope you find everything in order.

Thank you.

Respectfully yours,


MARIA CARINE R. VILLARINO
Secretary to the Sanggunian

Attachment:

- 16 copies M.O. nos. 155 & 156 s. 2023
- 16 copies Appropriation Ordinance No. 2023-02



Republic of the Philippines

Region VIII
Province of Leyte

MUNICIPALITY OF SAN ISIDRO

16th Sangguniang Bayan

**Municipal Ordinance No. 155
s. 2023**

AN ORDINANCE INTEGRATING THE BARANGAY CLEARANCE FEE TO THE BUSINESS PERMITS AND LICENSING SYSTEM UNDER SEC. 11 OF RA. NO. 11032 ALSO KNOWN AS EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT SERVICE DELIVERY ACT OF 2018, IN THE MUNICIPALITY OF SAN ISIDRO, PROVINCE OF LEYTE.

Sponsored by :

Hon. Atty. Rem Beryl Y. Veloso

Hon. Hospicio B. Apacible

Co-Sponsored by:

Hon. Rolando C. Piamonte, Hon. Carmichael L. Villarino, Hon. Dante R. Rodaje, Hon. Armin Joseph D. Ebales and Hon. Ailene L. Basilan

WHEREAS, Section 27 of the Philippine Constitution provides that the State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption;

WHEREAS, the government as it tries to curb the graft and corruption practices in the government offices/agencies, enacted laws such as R.A. 9485 also known as the Anti-Red Tape Act of 2017 to eliminate red tape and to simplify frontline service procedures, formulate service standards to observe in every transaction, and make known these standards to the client.

WHEREAS, R.A. 11032 also known as the Ease of Doing Business and Efficient Government Service Delivery Act of 2018 was enacted on May 2018 by amending R.A. 9485 to provide a program for the adoption of simplified requirements and procedures that will reduce red tape and expedite business and non-business related transactions in government. "This law seeks to streamline the delivery of government services by (a) prescribing the processing time; (b) streamlining procedures for issuing licenses, clearances, permits or authorizations; (c) automatically approving applications not acted upon within the prescribed processing time; (d) mandating a "zero contact policy" concerning an application or request, except during submission of documents; and (e) establishing a central business portal to receive and capture application data on business-related

transactions, and provide links to online registration of national government agencies”;

WHEREAS, Section 11 of the same Act provides that “Barangay Clearances and permits related to doing business shall be applied issued and collected at the Municipality in accordance with the prescribed processing time of the said act. Provided, that the share in the collections shall be remitted to the respective barangays;

WHEREAS, in compliance with the mandate of the barangays provided in RA. 11032, the 19 barangays in the Municipality of San Isidro enacted ordinances authorizing the Municipality of San Isidro, Leyte to issue clearances and collect corresponding fee in the application for any business related transactions cited in Section 11 of R.A. 11032;

NOW, THEREFORE, be it Enacted by the Sangguniang Bayan of San Isidro in session assembled:

Section 1. COVERAGE. This policy applies only to the issuance of Barangay Clearance for business permit and locational clearance (as a requirement for the issuance of building permit) at the Municipality. Other clearance not mentioned in this ordinance shall still be secured at the Barangay.

Section 2. DEFINITION OF TERMS. As used in this Ordinance, the following terms and phrases shall mean as follows:

1. *Barangay Clearance* - refers to any and all documents issued by the barangays with or without corresponding fees as defined in their ordinances relative to or in relation to the issuance of business permit and locational/zoning clearance by this municipality or any other permit as may be required. (IRR of R.A. 11032)
2. *Barangay Clearance Fees* - is an amount imposed by the barangays through an ordinance and collected by the municipality in relation to the issuance of business permit and locational/zoning clearance by this municipality.
3. *Business Permit* - is a document that must be secured from the municipal government, usually through its Business Permits and Licensing Office (BPLO), for a business to legally operated in the locality.
4. *Electronic Signature* - is any distinctive mark, characteristic and/or sound in electronic form, representing the identity of the person and attached to or logically associated with the electronic data message or electronic document or any methodology or procedures employed or adopted by a person and executed or adopted by such person with the intention of authenticating or approving an electronic data message or electronic document.
5. *Locational Clearance* - is a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of an ordinance in this municipality.
6. *Permit* - is a permission evidenced by a certificate by the concerned government agency or instrumentality;

Section 3. AUTHORITY TO COLLECT BARANGAY CLEARANCE FEE OR BUSINESS RELATED TRANSACTIONS. - The Municipal Treasurer’s Office (MTO)

of San Isidro, Leyte shall have the authority to collect *barangay clearance fee* subject to the remittance to the concern barangay.

Section 4. RATE OF BARANGAY CLEARANCE FEE TO BE COLLECTED.
The rate of the barangay clearance fee to be collected by the Municipal Treasurer's office shall be computed based on their approved Barangay Revenue/Tax Ordinance.

Section 5. BARANGAY CLEARANCE SIGNATORY. – Electronic signature of Punong Barangay concern shall appear in all barangay clearance issued by the business permitting and licensing office or MTO.

Section 6. REPORTING AND REMITTANCE. – The MTO shall remit the Barangay Clearance Fee collected to the subject Barangay not later than seven (7) days of the ensuing month with the list of the issued Building and Business Permit.


Section 7. SEPARABILITY CLAUSE. – if for any reason, a part of this Ordinance is declared illegal or invalid, other parts of provisions hereof which are not affected thereby shall remain valid and in full force and effect.

Section 8. REPEALING CLAUSE. – All ordinances, local laws or part thereof inconsistent with the provisions of this ordinance are hereby deemed modified or repealed accordingly.

Section 9. EFFECTIVITY. - This Ordinance shall take effect ten (10) days after its posting or publication in compliance to Section 59 of R.A. 7160.

ENACTED, this 8th day of August 2023.

ENACTED BY:



CECILIO C. ECALLA
Municipal Vice Mayor
Presiding Officer

CONFORMED:



CECILIA L. CABAHUG
SB Member


ROLANDO S. PIAMONTE
SB Member


CARMICHAEL L. VILLARINO
SB Member


HOSPICIO E. APACIBLE
SB Member


JEROLD T. LUMAPAK
SB Member


AILENE L. BASILAN
SB Member



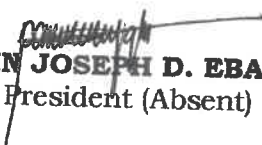


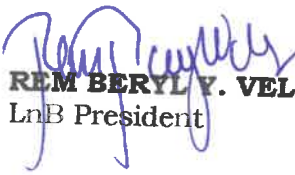




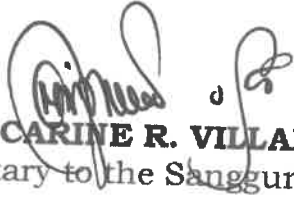

DANTE R. RODAJE
SB Member


WILSEGARDO S. ENRIQUEZ
SB Member



ARMIN JOSEPH D. EBALES
PPSK President (Absent)


REM BERYL Y. VELOSO
LnB President

I hereby certify to the correctness of the foregoing Municipal Ordinance No. 155 series of 2023 which was duly enacted by the Sangguniang Bayan of San Isidro, Leyte on its 53rd Regular Session held on August 08, 2023.


MARIA CARINE R. VILLARINO
Secretary to the Sanggunian

APPROVED BY:


REMEDIO B. VELOSO
Municipal Mayor
Date approved: AUGUST 18, 2023



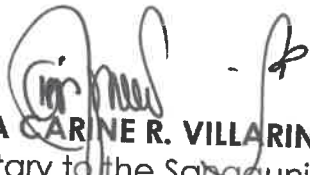
Republic of the Philippines
Region VIII
Province of Leyte
MUNICIPALITY OF SAN ISIDRO
16th Sangguniang Bayan

CERTIFICATION OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT, **Municipal Ordinance no. 155-2023, "AN ORDINANCE INTEGRATING THE BARANGAY CLEARANCE FEE TO THE BUSINESS PERMITS AND LICENSING SYSTEM UNDER SEC. 11 OF RA. NO. 11032 ALSO KNOWN AS EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT SERVICE DELIVERY ACT OF 2018, IN THE MUNICIPALITY OF SAN ISIDRO, PROVINCE OF LEYTE."**, has been posted in three (3) conspicuous places of the Municipality on August 22, 2023 and remain posted to date, in compliance to Art.114 of the Rules and Regulations Implementing the Local Government Code of 1991.

Issued this 23rd day of August, 2023 at San Isidro, Leyte.


MARIA CARINE R. VILLARINO
Secretary to the Sanggunian

Noted by:


HON. CECILIO C. ECALLA
Municipal Vice Mayor
Presiding Officer

cc:file
mcrv/jbp