

HON. JULIUS G. JAMERO
SB Member

HON. JO VINCENT J. MORPOS
SB Member

HON. DEAN KAISER C. TANGALIN
SB Member

HON. FRANCIS JOERAY T. GUMBAN
SB Member

HON. JERSON L. CABAUG
SB Member

HON. JULITO C. MANDAC
SB Member

HON. PERCALIXIA Y. BAZAR
SB Member

HON. EFREN A. COSTANILLA
SB Member

HON. DOMINGO M. GINGCO
Ex-Officio Member

HON. KIRBY TRACY V. ESTILLORE
Ex-Officio Member

JESSICA A. PALON
Secretary to the Sanggunian

HON. EDGARDO G. JAMERO
Municipal Vice Mayor

HON. GERRY T. PAGLINAWAN
Municipal Mayor

Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
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OFFICE OF THE SANGGUNIAN BAYAN

EXCERPT FROM THE MINUTES OF THE 85th REGULAR SESSION OF THE 11th SANGGUNIAN BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON SEPTEMBER 2, 2024.

OFFICERS/MEMBERS:	POSITION	PRESENT	ABSENT	OB	OL
Hon. Edgardo G. Jamero	Municipal Vice Mayor	___/___	___	___	___
Hon. Julius G. Jamero	SB Member	___/___	___	___	___
Hon. Jo Vincent J. Morpos	SB Member	___/___	___	___	___
Hon. Dean Kaiser C. Tangalin	SB Member	___/___	___	___	___
Hon. Francis Joeray T. Gumban	SB Member	___/___	___	___	___
Hon. Jerson L. Cabahug	SB Member	___/___	___	___	___
Hon. Julito C. Mandac	SB Member	___/___	___	___	___
Hon. Percalixia Y. Bazar	SB Member	___/___	___	___	___
Hon. Efren A. Costanilla	SB Member	___/___	___	___	___
Hon. Domingo M. Gingco	Ex - Officio Member, LnB	___/___	___	___	___
Hon. Kirby Tracy V. Estillore	Ex - Officio Member, SK	___/___	___	___	___

Municipal Ordinance No. 11th-19-2024

AN ORDINANCE PRESCRIBING THE CENTRALIZED ISSUANCE OF BARANGAY CLEARANCES AND THE COLLECTION OF THE CORRESPONDING FEES IN THE APPLICATION FOR BUSINESS PERMIT AND LOCATIONAL CLEARANCE AS A REQUIREMENT FOR THE ISSUANCE OF BUILDING PERMIT IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR.

Be it ORDAINED by the Sangguniang Bayan of Dumingag, Zamboanga del Sur in a session duly assembled, that;

SECTION 1. TITLE

This ordinance shall be known and cited as the "Centralized Issuance of Barangay Clearance Ordinance" in the municipality of Dumingag, Zamboanga del Sur".

SECTION 2. RATIONALE

The municipal government of Dumingag aims to simplify the business registration process to improve revenue collection and foster a more welcoming atmosphere for taxpayers and investors. By making regulations clear and easy to follow, entrepreneurs can avoid unnecessary delays and complications, allowing them to focus on growing their businesses.

In line with the Ease of Doing Business (EODB) Act of 2018 (Republic Act 11032), the goal is to streamline the process of obtaining barangay clearances, including the Barangay Clearance Fee for locational clearance, which is a requirement for obtaining a building permit. The national law also mandates that these clearances and permits should be processed at the municipal level within the prescribed timeframe, with collected fees appropriately remitted to the respective barangays. This system facilitates efficient and timely business transactions while ensuring that barangays receive their fair share of the collections.

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Municipal Mayor

SECTION 3. LEGAL BASES

Section 11 (f) of Republic Act No. 11032, also known as the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018", states that "Barangay clearances and permits related to doing business shall be applied, issued, and collected at the city/municipality in accordance with the prescribed processing time of this Act. Provided, that the share in the collections shall be remitted to the respective barangays."

Department of the Interior and Local Government (DILG) Memorandum Circular No. 2019-177 issued on October 17, 2019 provides for the guidelines in the integration of the issuance of barangay clearance in the permitting processes of cities and municipalities.

SECTION 4. DEFINITION OF TERMS

The words and phrases used in this ordinance are hereby defined as follows:

- a. **Barangay Clearance** - refers to any and all documents issued by the barangays as defined in their ordinances relative to or in relation to the issuance of business permit and locational/zoning clearance by the municipality or any other permit as may be required
- b. **Barangay Clearance Fee** - 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 clearance by the municipality
- c. **BPLO** - shall be referred to as the Business Permits and Licensing Office
- d. **Building Permit** - a written authorization granted by the Building Official to an applicant allowing him to proceed with the construction of a specific project after plans, specifications, and other pertinent documents have been found to be in conformity with the National Building Code (PD 1096)
- e. **Business Permit** - is a document that must be secured from the municipal government, usually through its Business Permits licensing Office (BPLO) for a business to legally operate in the municipality
- f. **Locational Clearance** - is a clearance issued by the MPDO to a project that is allowed under the provisions of an ordinance of Dumingag and relations laws. It is a requirement for the issuance of Building Permit
- g. **MPDO** - shall be referred to as the Municipal Planning and Development Office

SECTION 5. 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 in the municipality of Dumingag, Zamboanga del Sur. Other clearances for other purposes shall still be obtained at the Barangay.

SECTION 6. AUTHORITY TO COLLECT BARANGAY CLEARANCE FEE

Upon receiving authorization from the concerned barangay, the Local Government Unit (LGU) of Dumingag shall collect the Barangay Clearance Fee. The total amount collected shall be remitted in full to the respective barangay. The LGU of Dumingag shall not collect Barangay Clearance Fee without prior authorization from the concerned barangay.

HON. JULIUS G. JAMERO
SB Member

SECTION 7. RATE OF BARANGAY CLEARANCE FEE TO BE COLLECTED

The rate of Barangay Clearance Fee to be collected by the LGU of Dumingag for the issuance of barangay clearance shall be pursuant to and as prescribed in and computed in accordance with the respective barangay revenue ordinance of the barangay concerned.

HON. JO VINCENT M. MORPOS
SB Member

SECTION 8. APPLICATION FOR BARANGAY CLEARANCE

The barangay clearance contemplated in this ordinance shall be applied in and secured from the municipal Business Permits and Licensing Office (BPLO) and the Municipal Planning and Development Office (MPDO).

HON. DEAN KAISER C. TANGALIN
SB Member

SECTION 9. BARANGAY CLEARANCE SIGNATORIES

The barangay clearance issued by the BPLO shall bear the digital/electronic signature of the punong barangay concerned, duly authenticated and countersigned by the head/officer-in-charge of the BPLO.

HON. FRANCIS JOHNNY T. GUMBAN
SB Member

SECTION 10. REPORTING AND REMITTANCE

The municipal government of Dumingag shall remit the Barangay Clearance Fee collected for the barangays concerned not later than seven (7) working days of the ensuing month with the list of the issued business permits and building permits pertaining to the barangays concerned.

HON. JERSON L. CABAUG
SB Member

SECTION 11. APPLICABILITY CLAUSE

The provisions of the Department of the Interior and Local Government (DILG) Memorandum Circular No. 2019-177 shall apply to all matters related to the issuance of barangay clearances by the Barangay Business Permits and Licensing Office (BPLO) that are not specifically addressed in this Ordinance.

HON. PERCALDIA Y. BAZAR
SB Member

SECTION 12. REPEALING CLAUSE

Any portion of an ordinance, order or memorandum of local effect inconsistent with the provision/s of this ordinance is hereby repealed or modified accordingly.

HON. EFREN A. COSTANILLA
SB Member

SECTION 13. SEPARABILITY CLAUSE

If any portion of this ordinance is declared invalid or unconstitutional, other portions hereof not affected by such declaration shall remain in full force and effect.

HON. DOMINGO M. GINGCO
Ex-Officio Member

SECTION 14. EFFECTIVITY CLAUSE

This Ordinance shall take effect immediately upon approval.

HON. KIRBY TRACY V. ESTILLORE
Ex-Officio Member

JESSICA PALON
Secretary to the Sanggunian

HON. EDGARDO G. JAMERO
Municipal Vice Mayor

HON. GERRY T. PAGLINAWAN
Municipal Mayor

Enacted: September 2, 2024

CONCURRED:

SANGGUNIAN BAYAN MEMBERS:

Hon. Julius G. Jamero

Hon. Dean Kaiser C. Tangalin

Hon. Jerson L. Cabahug

Hon. Percalixia Y. Bazar

Hon. Domingo M. Gingco

Hon. Jo Vincent J. Morpos

Hon. Francis Joeray T. Gumban

Hon. Julito C. Mandac

Hon. Efren A. Costanilla

Hon. Kirby Tracy V. Estillore

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED

EDGARDO G. JAMERO
Presiding Officer / Municipal Vice Mayor

APPROVED: September 19, 2024

GERRY T. PAGLINAWAN
Municipal Mayor

I hereby certify that the foregoing Ordinance is true and correct.

JESSY B. PALON
Secretary to the Sanggunian