

Office of the Sangguniang Bayan

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COMMITTEE REPORT NO. 2020-043

November 11, 2020

TO: The Honorable Presiding Officer and the Members of the August Body
BY: The Committee on Rules, Ordinances, Resolutions and Legal Matters Chaired by:
Vice Mayor, Atty. Virgilio T. Teruel
SUBJECT: 1.) Re: Barangay Ordinance No. 2020-03 - ***"An Ordinance Penalizing Certain Individual Who Accidentally and Intentionally Cause Damages to Barangay Installed Project and Properties or in Any Installation Owned by the Local Government and Implementing Penalties for the Violation Thereof"***
2.) Re: Barangay Ordinance No. 2020-04 - ***"An Ordinance Prohibiting the Grazing of Large Cattle or Any Hoofed Animals in Any Public Places in Barangay Napnapan Norte, Tigbauan, Iloilo and Providing Penalties in Violation Thereof"***

FINDINGS AND DISCUSSIONS:

The above-mentioned Barangay Ordinances were referred to this Committee for review and recommendation and the Committee has the following findings, to wit:

The ordinances were accordingly presented in the series of barangay assemblies last September 30, 2020, October 1, 2020 and October 2, 2020 and are consistent with the provisions of Section 391 of the Local Government Code, to wit:

SECTION 391. Powers, Duties and Functions. – (a) The sangguniang barangay, as the legislative body of the barangay, shall:

(1) Enact ordinances as may be necessary to discharge the responsibilities conferred upon it by law and ordinance and to promote the general welfare of the inhabitants therein;

(24) Exercise such other powers and perform such duties and functions as maybe prescribed by law or ordinance;

x x x"

The same are also consistent with SECTION 16 of the LGC which provides that every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their

residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants.

RECOMMENDATIONS:

In view of the foregoing considerations, the Committee hereby recommends that a resolution be passed declaring as **LEGAL** and **VALID** the above-mentioned ordinances of Barangay Napnapan Norte, Tigbauan, Iloilo provided that Section 4 of Barangay Ordinance No. 2020-03 shall be corrected/amended to read: ***"Any unintentional destruction or damages of barangay facilities, barangay equipment, electrical line, streetlight post, road signboard stand and others that are caused by any type of vehicles, private or public or by any individual shall render the person/s responsible liable for the damages caused; Provided that if the destruction is willful or intentional, the person/s responsible shall be liable to pay a fine not exceeding One Thousand Pesos (P1,000.00)."***

The Committee further recommends for adoption of the Committee's findings and recommendations.

Respectfully Submitted:
November 10, 2020

RENDERED BY:


ATTY. VIRGILIO T. TERUEL
Chairman



ATTY. MA. GERRYLIN SATUYO-CAMPOSAGRADO
Vice Chairman


HON. MARLON R. TERUÑEZ
Member


HON. NERI T. CAMIÑA
Member


HON. JULIUS T. LEDESMA
Member

ATTESTED:


MARLENE TAYO-NAVA
S.B. Secretary