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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE BENJAMIN MELLIZA HALL ON APRIL 12, 1993 AT 9:00 A.M.

PRESENT:

Hon. Jose P. Torrefranca, Jr. . . . Vice-Mayor & Presiding Officer

" Ma. Bernardita T. Taasan . . . Councillor  
" Rene Ledesma . . . . . "  
" Agaton Tumabotabo . . . . . "  
" Jose Edgar Gaton . . . . . "  
" Andres Triste . . . . . "  
" Remedios Torrato . . . . . "  
" Jessie Terre . . . . . "  
" Cornelia Teruel . . . . . "  
" Dante Clarino . . . . . ABC President  
" Marlon C. Torrento . . . . . President of the Pambayang Pederasyon ng mga S.K.

ABSENT : N O N E

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Resolution No. 93 - 036

*Hon. Jose P. Torrefranca Jr.*  
RESOLUTION EFFECTING THE PROCESSING AND APPROVAL OF SUBDIVISION PLANS BY THE SANGGUNIANG BAYAN PURSUANT TO R.A. NO. 7160 AND PROVIDING FOR THE MECHANISM THEREOF.

WHEREAS, Section 447 (a) (a) (x) R.A. No. 7160 provides that the Sangguniang Bayan shall subject to national law, process and approve subdivision plans for residential, commercial or industrial purposes and other development purposes, and to collect processing fees and other charges, the proceeds of which shall accrue entirely to the Municipality;

WHEREAS, the Housing and Land Use Regulatory Board hereinafter referred to as HLURB is currently performing the activity of processing and approving subdivision plans;

WHEREAS, the HLURB through its letter dated July 29, 1992 by Pilar J. Jamandre, Regional Officer proposed for the devolution of said activity subject to certain parameters which the HLURB deems consistent with the pertinent provisions of R.A. No. 7160, other related laws and with the draft executive order the HLURB is proposing to higher authorities;

WHEREAS, the Sangguniang Bayan is willing, able and ready to assume said activity as the Sangguniang Bayan is backstaffed with adequate and competent technical personnel;

NOW THEREFORE, on motion of Honorable Rene Ledesma and duly seconded by Honorable Jose Edgar Gaton,

RESOLVE, AS IT IS HEREBY RESOLVED that the Sangguniang Bayan shall, subject to national law, process and approve subdivision plans

for residential, commercial or industrial purposes and other development purposes, and to collect processing fees and other charges, the proceeds of which shall accrue entirely to the Municipality effective on April 12, 1993 and further subject to the following provisions:

1. The Sangguniang Bayan shall furnish the HLURB through its office located at SGS Building, General Luna Street, Iloilo City a copy of this resolution not later than thirty (30) days prior to the date of effectivity of this resolution.
2. Processing and approval of subdivision plans by the Sangguniang Bayan shall conform with Presidential Decree No. 957, other related laws and implementing rules, guidelines and standards set by the HLURB, including the System of Balanced Housing Development as provided in Section 18 of R.A. No. 7279 and the implementing rules and issuances thereon promulgated by the HLURB, and all other related laws promulgated by authorities concerned. For this purpose, HLURB shall furnish the Sangguniang Bayan a copy of each of the applicable laws, standards, rules and regulations as well as amendments thereto, if any.
3. In case where substantial provisions of the applicable laws have been inadvertently overlooked by the Sangguniang Bayan in the processing and approval of subdivision plans, HLURB shall advise the Sangguniang Bayan of said findings for further study and appropriate action of the Municipal Council.

*Attest: Prof. Junhane (R.)*  
*Attest: J. T. T. T.*

Certificate of Registration/License to Sell and other issuances by HLURB such as advertisement approval, extension of time to develop, etc. shall be subject to monitoring by HLURB without prejudice to subsequent arrangements that may be entered into jointly by the HLURB and the Municipal Council.

4. The Sangguniang Bayan shall have preferential access to the official records of all subdivision projects in this Municipality that are on file with HLURB. Subsequent transfer be done on a case to case basis.
5. Complaints against subdivision owners/developers for violations of existing laws and regulations shall continue to be cognizable by HLURB.
6. No personnel, equipment, budget and other resources of the HLURB shall be transferred by the HLURB to the municipality in relation to the devolution of said activity, consistent with the provisions of Executive Order Nos. 503 and 507 dated 27 January 1992 and 24 February 1992, respectively.
7. All applications for subdivision plan approval received by HLURB on or before December 31, 1992 shall be acted upon by the HLURB.

RESOLVED FURTHER, to forward a copy of this resolution to Housing and Land Use Regulatory Board (HLURB), Region VI, Iloilo City, through Regional Officer Pilar J. Jamandre, for her information and guidance.

This Resolution shall take effect immediately and supersedes any and all issuances inconsistent herewith. It shall remain in force

and effect until expressly repealed or modified by the parties hereto.

Issued this 12th day of April 1993 at Tigbauan, Iloilo.

UNANIMOUSLY APPROVED.

I HEREBY CERTIFY that I have quoted correctly the foregoing approved resolution of the Sangguniang Bayan.

ATTESTED:

*Luz C. Tronco*  
LUZ C. TRONCO  
Recording Secretary

*Jose P. Torrefranca, Jr.*  
JOSE P. TORREFRANCA, JR.  
Vice-Mayor & Presiding Officer

APPROVED:

*CELSO T. LEDESMA*  
CELSO T. LEDESMA  
Municipal Mayor