



Republic of the Philippines

Province of Iloilo

Municipality of Tigbauan

Office of the Sangguniang Bayan

Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines

(033) 511-8530 sbtigbauan@yahoo.com



EXCERPT FROM THE MINUTES OF THE 5TH REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON FEBRUARY 10, 2016 AT 1:30 IN THE AFTERNOON

PRESENT:

HON. ROEL T. JARINA	- Vice Mayor & Presiding Officer
HON. VIRILIO T. TERUEL,	- S.B. Member & Temp. Pres. Officer
HON. JOSE DONEL T. TRASPORTO	- S.B. Member
HON. RENEE LIBRODO-VALENCIA,	- S.B. Member
HON. MARLON TERUÑEZ	- S.B. Member
HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO,	- S.B. Member
HON. SUZETTE MARIE HILADO-BANNO,	- S.B. Member
HON. ARIEL I. BERNARDO	- S.B. Member
HON. RONNIE T. PAGUNTALAN,	- Liga President

LATE:

HON. RICKY T. NULADA	- S.B. Member (1:40 P.M.)
----------------------	---------------------------

Resolution No. 2016-023

RESOLUTION DECLARING AS **LEGAL** AND **VALID** BARANGAYS NAMOCON, BUYU-AN, AND BANGKAL REVENUE ORDINANCES NO. 001, SERIES OF 2015, ALL OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO WITH THE QUALIFICATION THAT THE BARANGAYS CONCERNED SHALL TAKE NOTE OF THE COMMITTEE FINDINGS AND SHALL MAKE THE NECESSARY MODIFICATIONS AS PER **COMMITTEE REPORT NO.2016-006**

WHEREAS, the following Revenue Ordinances Of Barangays Buyuan, Bangkal and Namocon were referred to the Committee on Rules, Resolutions, Ordinances and Legal Matters for review and recommendation:

- Buyu-an Revenue Ordinance No. 001, Series of 2015** - *"An Ordinance Adopting The Barangay Revenue Code Of Barangay Buyu-an, Municipality Of Tigbauan, Province Of Iloilo"*
- Barangay Bangkal Revenue Ordinance No. 001, Series of 2015** - *"An Ordinance Adopting The Barangay Revenue Code Of Barangay Bangkal, Municipality Of Tigbauan, Province Of Iloilo"*
- Barangay Namocon Revenue Ordinance No. 01-2015** - *"An Ordinance Adopting The Barangay Revenue Code Of Barangay Namocon, Municipality Of Tigbauan, Province Of Iloilo"*

WHEREAS, after careful study, the committee has found the said ordinances as **VALID** and **LEGAL** exercise of the power to tax of the Barangay, however, the said ordinances need certain modifications as to be harmonized with existing municipal ordinances;

WHEREAS, all of the above-mentioned ordinances were accordingly presented in a public hearing as evidenced by the corresponding Minutes of the Public Hearing attached to the said revenue ordinances. The same are also consistent with the provisions of Section 391 of the Local Government Code, which recognizes the legislative power and the barangay's power to enact revenue ordinances, 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;**
- (2) Enact tax and revenue ordinances, subject to the limitations imposed in this Code;**

(7)Regulate the use of multi-purpose halls, multi-purpose pavements, grains or copra dryers, patios and other post-harvest facilities, Barangay waterworks, Barangay markets, parking areas of other similar facilities constructed with government funds within the jurisdiction of the Barangay and charge reasonable fees for the use thereof;

(14)Prescribe fines in amounts not exceeding One Thousand Pesos (P1,000.00) for violation of barangay ordinances;

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

x x x"

WHEREAS, moreover, all complies 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.

WHEREAS, however, the Committee observed that there are provisions which must be accordingly harmonized with the existing Municipal Ordinances and shall require certain modifications particularly in the following items:


- a.) *The articles pertaining to Cockpits and Cockfighting shall be without prejudice to the provisions of Municipal Ordinance 2013-005, which recognizes one licensed cockpit only for the Municipality of which only the municipal government has the power to regulate and to grant franchise to operate;*
- b.) *The Provisions on garbage collection shall be subject to the condition that the Barangay can only impose such fees if the Barangay **ACTUALLY** renders garbage collection, otherwise, the Barangay cannot impose the same;*
- c.) *The imposition of fees for motorcycles and trisikad shall be omitted considering that the grant of franchise and the regulation of motorcycle and trisikad as means of public transportation are lodged with the Municipal Government;*
- d.) *The provision of fees and charges for market and slaughter house shall be construed to mean that the same shall apply only if the Barangay has already constructed its own facility or structure and the other regulations shall be harmonized with the provisions of Municipal Ordinance No. 2003-007, otherwise known as the Market Code of Tigbauan, Iloilo and the existing Revenue Code of Tigbauan, Iloilo, particularly on the existing regulation on meat inspection and sanitary which is under the strict regulation of the Municipal Health Office, which the Barangay at present is not capable of undertaking on its own.*

NOW, THEREFORE, on motion of HON. JOSE DONEL T. TRASPORTO, Chairman, Committee on Rules, Ordinances, Resolutions and Legal Matters and duly seconded by Hon Ma. Gerrylin Santuyo-Camposagrado, Hon. Suzette Marie Hilado-Banno, Hon. Ricky Nulada, Hon. Ariel Bernardo and Hon. Ronnie Paguntalan;

RESOLVED, as it is hereby resolved to declare As **Legal** And **Valid** The above-stated Revenue Ordinances of Barangays Namocan, Buyu-An, and Bangkal, all of the Municipality Of Tigbauan, Province Of Iloilo, With The Qualification That The Barangays Concerned Shall Take Note Of The Findings Of The Committee And Shall Make The Necessary Modifications As Stated In the **Committee Report No. 2016-006;**

APPROVED.

CERTIFIED CORRECT:


MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:


VIRGLIO T. TERUEL
SB Member & Temporary Presiding Officer