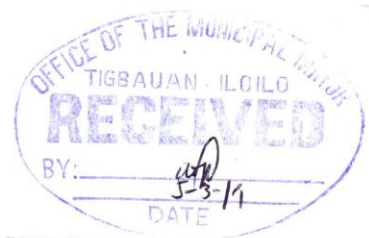




Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
Office of the Sangguniang Bayan
Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
(033) 511-8532 sbtigbauan@yahoo.com



EXCERPT FROM THE MINUTES OF THE 15TH REGULAR SESSION OF THE HONORABLE SANGGUNIAN BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON APRIL 10, 2019 AT 2:20 IN THE AFTERNOON

PRESENT:

- | | | |
|--|---|-----------------------------------|
| HON. VIRGILIO T. TERUEL, | - | Vice Mayor & Presiding Officer |
| HON. JOHN GERSHWIN C. TUERES | - | S.B. Member & Temp. Pres. Officer |
| HON. DENNIS T. VALENCIA | - | S.B. Member |
| HON. SUZETTE MARIE HILADO-BANNO | - | S.B. Member |
| HON. JULIUS T. LEDESMA | - | S.B. Member |
| HON. NERI T. CAMIÑA | - | S.B. Member |
| HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO | - | S.B. Member |
| HON. RICKY T. NULADA | - | S.B. Member |
| HON. JERRY T. TUARES | - | Liga President |
| HON. DYOSSA MARIE TERUÑEZ | - | SKMF President |

ABSENT:

- | | | |
|------------------------|---|----------------------------------|
| HON. ARIEL I. BERNARDO | - | S.B. Member (Compensatory Leave) |
|------------------------|---|----------------------------------|

Resolution No. 2019-037

RESOLUTION DECLARING AS **LEGAL** AND **VALID** BARANGAY BUYU-AN ORDINANCES NOS. 001, SERIES OF 2018, 2018-03 and 2018-04 OF THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO PROVIDED THAT THE PROVISION OF RA 511 OF R.A. 7160 OF THE LOCAL GOVERNMENT CODE OF 1991 SHALL BE FOLLOWED IN THE **"EFFECTIVITY CLAUSE"** OF SAID ORDINANCES.

WHEREAS, Brgy. Buyu-an Council submitted to this August Body the following ordinances for review and recommendation:

Brgy. Buyu-an Ordinance No.001, Series of 2018-"An Ordinance Amending Article 2, Of Barangay Ordinance 01, Series Of 1996, Penalizing A Person Or Group Of Persons Causing Trouble And Disrupting Public Affairs, Programs Or Benefit Dance Held In The Barangay";

Brgy. Buyu-an Ordinance No. 2018-03-"An Ordinance Imposing The Proper Waste Management Of The Residents Of Barangay Buyu-an, Tigbauan, Iloilo In order To Protect Its Environment And Its Habitats That Will Ensure A Healthy Surroundings For Its Constituent";

Brgy. Buyu-an Ordinance No. 2018-04-"An Ordinance Implementing On Proper Hygiene Of The Residents Of Barangay Buyu-an In Order To Attain A Tuberculosis Free Community";

WHEREAS, on March 27, 2019 S.B.'s regular Session, the above-mentioned Ordinances of Barangay Buyu-an were referred to the Committee on Rules, Ordinances, Resolutions & Legal Matters chaired by Hon. Vice-Mayor Virgilio T. Teruel, jointly with the Committee on Peace & Order and Public Safety, Committee on Environmental Protection, Housing, Land Utilization, Zonification, Assessment & Expropriation and Committee on Health & Sanitation, chaired respectively by Hon. Neri T. Camiña, Hon. John Gershwin C. Tueres and Hon. Suzette Marie Hilado-Banno and after careful study, the committees have come up with the following findings:

"The ordinances were presented in a barangay assembly last October 14, 2018 and is 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;*
- (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, the same is 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;

WHEREAS, pursuant also to the declared policy of R.A. 9003 known as the "Ecological Solid Waste Management Act of 2000", "the State shall adopt a systematic, comprehensive and ecological solid waste management program which shall:

- (a) *Ensure the protection of the public health and environment;*
- (b) *Utilize environmentally-sound methods that maximize the utilization of valuable resources and encourage resource conservation and recovery;*
- (c) *Set guidelines and targets for solid waste avoidance and volume reduction through source reduction and waste minimization measures, including composting, recycling, re-use, recovery, green charcoal process, and others, before collection, treatment and disposal in appropriate and environmentally sound solid waste management facilities in accordance with ecologically sustainable development principles;*
- (d) *Ensure the proper segregation, collection, transport, storage, treatment and disposal of solid waste through the formulation and adoption of the best environmental practice in ecological waste management excluding incineration;*
- (e) *Promote national research and development programs for improved solid waste management and resource conservation techniques, more effective institutional arrangement and indigenous and improved methods of waste reduction, collection, separation and recovery;*
- (f) *Encourage greater private sector participation in solid waste management;*
- (g) *Retain primary enforcement and responsibility of solid waste management with local government units while establishing a cooperative effort among the national government, other local government units, non- government organizations, and the private sector;*
- (h) *Encourage cooperation and self-regulation among waste generators through the application of market-based instruments;*
- (i) *Institutionalize public participation in the development and implementation of national and local integrated, comprehensive, and ecological waste management programs; and*
- (j) *Strengthen the integration of ecological solid waste management and resource conservation and recovery topics into the academic curricula of formal and non-formal education in order to promote environmental awareness and action among the citizenry."*

WHEREAS, it is likewise consistent with SECTION 17(b)(1)(iii) of RA 7160 which states that: "Services and Facilities related to general hygiene and sanitation, beautification, and solid waste collection;"

WHEREAS, furthermore, the penal provisions of Section 511 (a) of RA 7160, **Posting and Publication of Ordinances with Penal Sanctions** which states that: "(a) Ordinances with penal sanctions shall be posted at prominent places in the provincial capitol, city, municipal or barangay hall, as the case may be, for a minimum period of three (3) consecutive weeks....x.x.x...." was not followed by the barangay concerned as indicated in the **EFFECTIVITY CLAUSE** of said ordinances;

NOW, THEREFORE, on motion of VICE MAYOR, ATTY. VIRGILIO T. TERUEL Chairman, Committee on Rules, Ordinances, Resolutions and Legal Matters and duly seconded by Hon. Dennis T. Valencia, Hon. Suzette Marie Hilado-Banno, Hon. Neri T. Camiña, Hon. Julius T. Ledesma, Hon. Ma. Gerrylin Santuyo-Camposagrado, Hon. Ricky T. Nulada, Hon. Jerry T. Tuares and Hon. Dyossa Marie Teruñez;

RESOLVED, to declare as **Legal and Valid** Barangay Buyu-an Ordinances Nos. 001, Series of 2018, 2018-03 and 2018-04 of the Municipality of Tigbauan, Province of Iloilo Provided that the Provision of RA 511 of R.A. 7160 of the Local Government Code of 1991 Shall Be Followed in the "**Effectivity Clause**" of Said Ordinances;

RESOLVED FURTHER, to forward copies of this Resolution to Mayor Suzette Tenefrancia-Alquisada, Municipal Mayor, this municipality, Office of the Liga ng mga Barangay, Brgy. Buyu-an Council and to all concerned for their information.

APPROVED.

CERTIFIED CORRECT:


MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:


JOHN GERSHWIN C. TUERES
SB Member & Temporary Presiding Officer

HON. VIRGILIO T. TERUEL, LAWYER
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Dennis T. Valencia	Hon. Suzette Marie Hilado-Banno, M.D.	Hon. Ma. Gerrylin Santuyo-Camposagrado, LLB,MPA
Hon. John Gershin C. Tueres,LLB	Hon. Neri T. Camiña	Hon. Ricky T. Nulada
Hon. Ariel I. Bernardo	Hon. Julius T. Ledesma,O.D.	Hon. Jerry T. Tuares, (LnB-Pres.)- Civil Engineer
		Hon. Dyossa Marie Teruñez (SKMF-Pres.)

"Public office is a public trust. Public Officials must at all times be accountable to the people."