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MONCADA, TARLAC

EXCERPT FROM THE MINUTES OF THE 22nd REGULAR SESSION OF THE 11th SANGGUNIANG BAYAN OF MONCADA, TARLAC FOR CY 2023 HELD ON THE 10th DAY OF JULY 2023 AT THE SB SESSION HALL, NEW SB-ABC-SK BUILDING.

PRESENT:

HON. RAMON BENITO M. AQUINO

..VICE MAYOR / PRESIDING OFFICER

HON. JANIUS M. YASAY

..MEMBER

HON. RODOLFO C. ESPEJO, JR.

..MEMBER

HON. ALBERTO C. MARZAN, JR., MD

..MEMBER

HON. THELMAFLOR A. ESPEJO

..MEMBER

HON. CELESTE A. AYSON

..MEMBER

HON. GEORGE MICHAEL P. AGUILAR

..MEMBER

HON. CONSTANCE NESTOR A. FAVIS

..MEMBER

HON. DEAN MICHAEL V. DUQUE

..MEMBER

HON. GEORGE R. CUCHAPIN, MD

..LnB PRESIDENT

HON. EZEKIEL C. RIVERA

..SKF PRESIDENT

ABSENT:

NONE

**MUNICIPAL ORDINANCE NO. 15
Series of 2023**

PROVIDING FOR THE COLLECTION OF THE BARANGAY CLEARANCE FEE AND THE INTEGRATION THEREOF TO THE BUSINESS PERMITS AND LICENSING SYSTEM OF THE MUNICIPAL GOVERNMENT OF MONCADA PURSUANT TO SECTION 11 OF REPUBLIC ACT NO. 11032 OR THE "EASE OF DOING BUSINESS AND EFFICIENT GOVERNMENT SERVICE DELIVERY ACT OF 2018"

**Principal Author & Sponsor: Coun. Thelmaflor A. Espejo
Co-Sponsor: Coun. George Michael P. Aguilar**

WHEREAS, the Municipal Government of Moncada, Tarlac recognizes the need to streamline and enhance the efficiency of the business permits and licensing system to promote economic growth and development;

WHEREAS, Republic Act No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018" seeks to provide a program for the adoption of simplified requirements and procedures that will reduce red tape and expedite business and nonbusiness-related transactions in government;

WHEREAS, Section 11(f) of the foregoing Act provides that "Barangay clearances and permits related to doing business shall be applied, issued and collected at the City or Municipality level in accordance with the prescribed processing time of said Act. Provided, that the share in the collections shall be remitted to the respective barangays;"

WHEREAS, the collection of barangay clearance fees by individual barangays has resulted in duplication of efforts, inconvenience to businesses, and increased administrative burdens;



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WHEREAS, integrating the collection of the barangay clearance fee into the existing Business Permits and Licensing System of Moncada LGU will simplify the process, reduce bureaucratic procedures, and provide a centralized and transparent method for fee collection, whereby this effort aligns with the goals of the municipal government to promote ease of doing business and improve the overall business environment in the Municipality of Moncada;

WHEREAS, barangays in the Municipality of Moncada, represented by their respective Punong Barangay, interpose no objection to the issuance of the barangay clearance and the collection of the corresponding barangay clearance fees by the Municipal Government in the application for any business-related transactions, subject to the remittance of the aforesaid fees to the barangay, and further subject to the conditions stated herein;

NOW, THEREFORE, on motion by Coun. Thelmaflor A. Espejo, duly seconded;

BE IT ENACTED by the Sangguniang Bayan of Moncada, Tarlac in session assembled, that:

SECTION 1. Scope/Coverage. This Ordinance applies only to the issuance of Barangay Clearance and the collection of the corresponding barangay clearance fee for business permit purposes during renewal thereof and application of new business, and as a pre-requisite for the application for locational/zoning clearance with the Municipal Government of Moncada.

SEC. 2. Definition of Terms. For purposes of this Ordinance, the following terms and/or phrases shall mean:

- a) Barangay Clearance - any and all documents issued by the barangay, with or without corresponding fees, as defined in their ordinances relative to, or in relation, to the issuance of business permit and locational/zoning clearance by the municipal government, or any other permit as may be required;
- b) Barangay Clearance Fee - is an amount imposed by the barangay through an ordinance and collected by the municipal government in relation to the issuance of business permit and locational clearance;
- c) Business Permit - is a document that must be secured from the municipal government through its Business Permits and Licensing Office (BPLO), for a business to legally operate in the municipality;
- d) Locational Clearance - is a clearance issued by the Zoning Administrator/Zoning Officer for a project as imposed under the provisions of the zoning ordinance of the Municipality of Moncada. It is a requirement for the issuance of a Building Permit.

SEC. 3. Authority to Collect Barangay Clearance Fee for Any Business-Related Transaction and Application for Locational/Zoning Clearance. The Municipal Treasurer or his/her authorized representative is hereby authorized to collect Barangay Clearance Fee pending the integration thereof to the Business Permits and Licensing System of the Municipal Government of Moncada.

To effect the one-time assessment of fees and charges and one-time payment thereof, the barangay clearance fee shall be included in the Order of Payment for Business Permit, together with the other authorized fees and charges.



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SEC. 4. Rate of Barangay Clearance Fee. Notwithstanding the provisions of the Barangay Revenue Ordinance of any specific barangay, there is hereby imposed a uniform and fixed rates for the Barangay Clearance Fee for the following transactions:

4.1 Business Permit-related Transactions:

Capital Amount	Uniform Barangay Clearance Fee	LGU's Transaction Fee	Total Payment
P 50,000.00 and above	P 225.00	P 75.00	P 300.00
Below P 50,000.00	P 75.00	P 25.00	P 100.00

4.2 Barangay Clearance Fee as a requirement for the application for Locational/Zoning Clearance:

Uniform Barangay Clearance Fee	LGU's Transaction Fee	Total Payment
P 375.00	P 125.00	P 500.00

The barangay clearance to be used as a requirement for Locational Clearance may also be used in applying for business permit with the Municipal Government of Moncada.

SEC. 5. Reporting and Remittance. The Municipal Treasurer shall remit the Barangay Clearance Fees collected to the corresponding barangay not later than the first seven (7) working days of the ensuing month, together with the list of issued Business Permits for businesses operating in the said barangay.

SEC. 6. Integration of Barangay Clearance Fee to the Business Permits and Licensing System. The assessment, payment and collection of barangay clearance fee, issuance of the barangay clearance and other procedures relevant thereto shall be integrated to the Business Permits and Licensing System of the Municipal Government of Moncada within six (6) months from the approval of this Ordinance.

SEC. 7. Barangay Clearance Signatory. To effect the integration of the issuance of the barangay clearance to the Business Permits and Licensing System of the Municipal Government of Moncada, the Punong Barangay of each barangay within the territorial jurisdiction of the Municipality of Moncada shall submit their respective electronic signature and barangay template/logo to the BPLO which shall be utilized exclusively for the issuance of approved Barangay Clearance.

SEC. 8. Authority to Promulgate Other Rules and Regulations. The Municipal Mayor or his/her duly authorized representative is hereby authorized to promulgate such other rules and regulations as may be consistent with and necessary to the implementation of this ordinance.

SEC. 9. Separability Clause. If for any reason, any part or provision of this ordinance is declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall remain valid and in full force and effect.

SEC. 10. Applicability Clause. All other matters not specifically provided in this Ordinance shall be governed by the provisions of existing and applicable laws and ordinances, including Republic Act No. 11032 or the "Ease of Doing Business and Efficient Government Service Delivery Act of 2018."



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SEC. 11. Repealing Clause. Any other ordinance, local executive order, rules and regulations or any part thereof which are inconsistent with this ordinance are hereby repealed and modified accordingly.

SEC. 12. Effectivity. This Ordinance shall take effect fifteen (15) days after posting in at least three (3) conspicuous places in the municipality and on social media platforms of the LGU.

ENACTED, this 10th day of July, 2023 at Moncada, Tarlac.

X-----X
I HEREBY CERTIFY to the correctness of the foregoing Ordinance which was enacted on Third and Final Reading by the 11th Sangguniang Bayan of Moncada during its Regular Session held on the aforementioned date and place.


VICTOR SANDINO S. MOLINA
Secretary, Sangguniang Bayan

**ATTESTED AND CERTIFIED
TO BE DULY ENACTED:**


RAMON BENITO M. AQUINO
Vice Mayor & Presiding Officer

APPROVED BY THE MAYOR, THIS 11th DAY OF July, 2023.


ESTELITA M. AQUINO
Municipal Mayor

