ORDINANCE NO. 19-032

AN ORDINANCE ON COLLECTION OF CORRESPONDING BARANGAY CLEARANCE FEE IN THE APPLICATION FOR ANY BUSINESS RELATED TRANSACTION.

Sponsored by:
Hon. Coun. Walter A. Arcilla
Hon. Coun. Francis Ian T. Bagatsing
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexson V. Diaz
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Luisito A. Arciaga
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Ting Niefes
Hon. Coun. Stephanie G. Teves
Hon. Coun. Ivey Rhia A. Tadefa
Hon. Coun Engr. Neptali S. Santiago
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Mark Lester M. Baes
Hon. Coun Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez

WHEREAS, there is a need to streamline/simplify the process of business registration in the City of Muntinlupa to provide a more efficient and effective revenue collection and to promote a friendlier atmosphere for taxpayers and investors;

WHEREAS, when regulations are simple and transparent entrepreneurs need not to suffer from red tape and time consuming transactions;

WHEREAS, the Ease of Doing Business Act of 2018 or Republic Act 11032, otherwise known as "An act promoting ease of doing business and efficient delivery of Government Services was signed into law seeks to make the process of putting up and running a business in the Philippines easier and more efficient.

WHEREAS, Section 11(f) of Republic Act 11032 provides that, "Barangay Clearances and permits related to doing business shall be applied, issued and collected at the City/Municipality in accordance with the prescribe processing time of said Act. Provided, that the share in the collections shall be remitted to the respective barangays; and

WHEREAS, Barangays in the City of Muntinlupa enacted Barangay Ordinances to authorize the City of Muntinlupa to issue Barangay Clearance and collect corresponding barangay clearance fee in the application for any business related transactions subject to the remittance of the aforesaid of the aforesaid fees to the barangay and the conditions hereunder;
NOW THEREFORE, BE IT ORDAINED AS IT IS HEREBY ORDAINED, by Sangguniang Panlungsod ng Muntinlupa in session duly assembled the following:

SECTION 1. Coverage. The policy applies only to the issuance of the Barangay Clearance for business permit and locational clearance (as a requirement for the issuance of building permit) at the City of Muntinlupa. Other clearances for other purposes shall still be obtained at the Barangay.

SECTION 2. Definition of Terms. The words and phrases used in this ordinance are hereby defined as follows:

1) Barangay Clearance – refers to any and all documents issued by the Barangays 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 City of Muntinlupa;

2) Barangay Clearance Fees – is an amount imposed by the barangay through an ordinance and collected by the City of Muntinlupa in relation to the issuance of business permit and locational clearance;

3) Business Permit – is a document that must be secured from the City of Muntinlupa through its Business Permits and Licensing office (BPLO), for a business to legally operate;

4) Locational Clearance – is a clearance issued by the City Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of an ordinance of a particular City/Municipality. It is a requirement for the issuance of Building Permit. (Housing and land Regulatory Board-Comprehensive Land Use Plan Guidebook).

SECTION 3. Authority to Collect Barangay Clearance Fee of Business Related Transactions – The City of Muntinlupa is given the authority to collect Barangay Clearance Fee subject to the remittance to the subject Barangay.

SECTION 4. Rate of Barangay Clearance Fee to be collected – The rate of Barangay Clearance Fee to be collected by the City of Muntinlupa for the issuance clearance shall be computed in accordance with the subject Barangay Revenue Ordinance herein attached as “Annex A” and made as integral part hereof.

SECTION 5. Administrative Charge. There shall be imposed an administrative charge of Seventy Pesos (Php70.00) upon every taxpayer who will secure barangay clearance as contemplated herein. The administrative charge shall defray the cost of processing/collection of barangay clearance/s and shall be inure to the coffers of the City Government of Muntinlupa;

SECTION 7. Reporting and Remittance – The City of Muntinlupa shall remit the Barangay Clearance Fee collected to the subject Barangay not later than seven (7) working days of the ensuing month with the list of the issued Building and Business Permit.

SECTION 8. Separability Clause – If for any reason/s, a part of this ordinance is declared illegal or invalid, other parts or provisions hereof which are not affected thereby shall remain valid and in full force and effect.

SECTION 9. Repealing Clause – All previous Ordinances and Rules and Regulations which are in consistent with the provisions of this ordinance are hereby deemed, modified or repealed accordingly.

SECTION 10. Effectivity Clause – This ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

ENACTED, by 9th Sangguniang Panlungsod of Muntinlupa this 9th day of December 2019, this 24th Regular Session.

CONCURRED:

COUN. ATTY. RAUL R. CORRO
Member

COUN. PATY KATY C. BONCAYAO
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. STEPHANIE G. TEVES
Member

DISTRICT 1:

COUN. ALEKSON V. DIAZ
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. TING NIJES
Member

COUN. IVEE RHIA A. TADEFA
Member
COUN. FRANCIS IAN Y. BAGATSING
Member

COUN. ENGR. NEPTALI S. SANTIAGO
Member

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. ENGR. COUN. MA. DHESIREE G. AREVALO
Member

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

COUN. CORNELIO M. MARTINEZ
Member

ABSENT:

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman
I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.

CECILIA C. LAZARTE
Secretary to the Sangguniang

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor
Date: JAN 2020

Norie/9th SP