

Republic of the Philippines  
Province of Pangasinan  
MUNICIPALITY OF MANGALDAN

Office of the Sangguniang Bayan

EXCERPT FROM THE JOURNAL OF PROCEEDINGS OF THE REGULAR  
SESSION OF THE SANGGUNIANG BAYAN OF MANGALDAN,  
PANGASINAN HELD AT THE SESSION HALL AT M.Y.D.C. ON JANUARY  
29, 2021.

Vice Mayor **Atty. Pedro A. Surdilla, Jr.** called the session to order at  
exactly 5:00 o'clock P.M..

ROLL CALL

Present:

1. Hon. Pedro A. Surdilla, Jr. .... Vice Mayor/  
Presiding Officer
2. Hon. Joseph Emmanuel B. Cera ..... Councilor - P.O. Pro  
Tempore
3. Hon. Maria Teresa M. Abalos ..... Councilor
4. Hon. Joselito G. Quinto ..... Councilor
5. Hon. Aldrin O. Soriano ..... Councilor
6. Hon. Christopher G. Romero ..... Councilor
7. Hon. Joel C. Meneses ..... Councilor
8. Hon. Fernando Juan A. Cabrera ..... Councilor - Floorleader
9. Hon. Juvy O. Frialde ..... Councilor
10. Hon. Rolly G. Abalos ..... Councilor - LIGA Pres.
11. Hon. Michael Ervin C. Lomibao ..... Councilor - SKF Pres.

Absent:

N o n e

MUNICIPAL ORDINANCE NO. 2021 - 01

AN ORDINANCE MANDATING THE INTEGRATION OF THE  
COLLECTION OF CORRESPONDING BARANGAY  
CLEARANCE FEE IN THE APPLICATION FOR ANY  
BUSINESS RELATED TRANSACTIONS.

WHEREAS, Article II, Section 25 of the 1987 Philippine Constitution  
provides that the State shall ensure the autonomy of local governments;

WHEREAS, consistent with the provision mentioned in the next preceding  
paragraph, Article X, Section 5 of the same 1987 Philippine Constitution states that  
each local government unit shall have the power to create its own sources of  
revenues and to levy taxes, fees, and charges subject to such guidelines and  
limitations as the Congress may provide, consistent with the basic policy of local  
autonomy. Such taxes, fees, and charges shall accrue exclusively to the local  
governments;

WHEREAS, the national government ensures people-centered, clean,  
efficient and effective governance. Accordingly, RA 11032 was promulgated to  
effectuate its mandate of ease of doing business and efficient delivery of  
government services;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Mangaldan, Pangasinan in session duly assembled that:

**Section 1. COVERAGE.** This policy applies only to the issuance of Barangay Clearance relative to the Application for Business Permit and Locational Clearance (as a requirement for issuance of building permit) at the Municipality. Other clearances for other purposes shall still be obtained at the Barangay.

**Section 2. DEFINITION OF TERMS.** The words and phrase used in this ordinance are hereby defined as follows:

- a) **Applicant** – is any person, firm, partnership, corporation, head of government or private institution, organization of any character applying for the issuance of permits and clearances. (DILG-DPWH-DICT-DTI JMC 2018-01).
- b) **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 Municipality or any other permits as may be required. (IRR of RA 11032).
- c) **Barangay Clearance Fees** – is an amount imposed by the barangays through an ordinance and collected by the Municipality in relation to the issuance of business permit and locational clearance by the Municipality.
- d) **Building Permit** – refers to a document issued by the Building official to an owner/applicant to proceed with the construction, installation, addition, alteration, renovation, conversion, repair, moving, demolition or other work activity of a specific project/Building/structure or portions thereof after accompanying principal plans, specifications and other pertinent documents with the duly notarized application are found satisfactory and substantially conforming with the National Building Code of the Philippines (NBCP) and its Implementing Rules and Regulation. (DILG-DTI-DICT JMC 2016-01).
- e) **Business Permit** – is a document that must be secured from the Municipal Government, usually through its Business Permits and Licensing Office (BPLO), for a business to legally operate in the locality. (IRR of RA 11032).
- f) **Locational Clearance** – is a clearance issued by the Zoning Administrator/Zoning Officer to a project that is allowed under the provisions of an ordinance of a particular Municipality. It is a requirement for the issuance of Building Permit. (House and Land Use Regulatory Board – Comprehensive Land Use Plan Guidebook).

**Section 3. Integration of Barangay Clearance in the issuance of locational Clearance as a requirement for the issuance of Building Permit.** It is the responsibility of the Zoning Officer of the Local Government Unit of Mangaldan, Pangasinan to notify the concerned Barangay on the issuance of



Barangay Clearance for any application for Locational Clearance for Building Permit.

The Barangay Clearance shall be issued and submitted by the concerned Barangay to the Zoning Officer who shall release the same together with the Locational Clearance.

**Section 4. AUTHORITY TO COLLECT BARANGAY CLEARANCE FEE OF BUSINESS-RELATED TRANSACTIONS.** The Municipality of Mangaldan, Pangasinan through the Office of the Municipal Treasurer is given the authority to collect Barangay Clearance Fees relative to the Application of Business Permit and Locational Clearance subject to the following provisions, to wit:

- a. The Municipality shall notify the concerned Barangay of any application for Business Permits and Locational Clearance for Building Permit for approval or disapproval of issuing Barangay Clearance. If no action has been taken by Barangay within three (3) working days upon notice from the Municipality on the application, same shall be deemed approved. In cases of any illegal acts committed by the business/building permit applicants, the Barangay concerned shall inform in writing the Municipal Mayor for appropriate and immediate action to any irregularity relative to the issuance of barangay clearance.
- b. The Payment for the Barangay Clearance Fee should be integrated in the Order of Payment (ToP) in the assessment for Business Permit and Building Permit, together with the other authorized fees and charges.
- c. The Municipal Treasurer shall collect payment and issue the corresponding Official Receipt upon receipt of the payment from the applicant based on the Barangay Revenue Ordinance of the concerned Barangay.
- d. Report and Remit the collected Barangay Clearance Fees to concerned Barangay not later than seven (7) working days of the ensuing month with the list of the issued Business Permit and Building Permit.

**Section 5. RATE OF BARANGAY CLEARANCE FEE TO BE COLLECTED.** The Rate of Barangay Clearance Fee to be collected by the Municipality for the issuance of such clearance shall be based on the Barangay Revenue Ordinance. Nevertheless, the Barangay Council concerned has the prerogative to collect or to waive such fees appurtenant to Barangay Clearances.

**Section 6. BARANGAY CLEARANCE SIGNATORY.** Electronic Signature of Punong Barangay concern shall appear in all Barangay Clearance issued.

**Section 7. SEPARABILITY CLAUSE.** If for any reason, a part of this Ordinance is declared illegal or invalid, other parts or provisions hereof which are not affected there shall remain valid and in full force and effect.

**Section 8. REPEALING CLAUSE.** All previous Ordinance and rules/regulations which are inconsistent with the provisions of this ordinance are hereby deemed, modified or repealed accordingly.

**Section 9. EFFECTIVITY CLAUSE.** This Ordinance shall take effect fifteen (15) days after its publication.

CERTIFIED CORRECT:

  
JUAN C. AQUINO  
SB Secretary

APPROVED UNANIMOUSLY:  
January 29, 2021

  
ATTY. JOSEPH EMMANUEL B. CERA

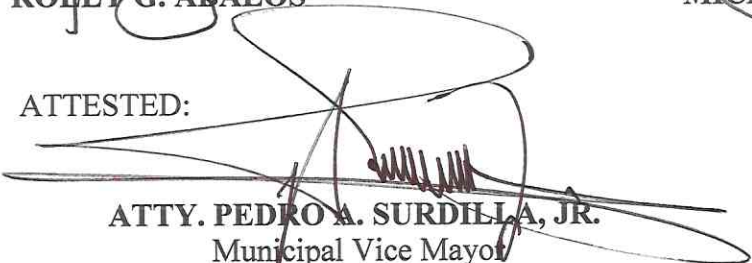
  
DR. JOSE LITO G. QUINTO

  
CHRISTOPHER G. ROMERO

  
ATTY. FERNANDO JUAN A. CABRERA

  
ROLLY G. ABALOS

ATTESTED:

  
ATTY. PEDRO A. SURDILLA, JR.  
Municipal Vice Mayor  
Presiding Officer

  
MARIA TERESA M. ABALOS

  
ALDRIN O. SORIANO

  
JOEL C. MENESES

  
JUVY O. FRIALDE

  
MICHAEL ERVIN C. LOMIBAO

APPROVED:

  
MARY MARILYN DG. LAMBINO  
Municipal Mayor