



EXCERPTS FROM THE MINUTES OF THE 22nd REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF CAVITE HELD ON DECEMBER 02, 2013 AT THE SANGGUNIANG PANLALAWIGAN SESSION HALL, LEGISLATIVE BUILDING, TRECE MARTIRES CITY, CAVITE

PRESENT:

- | | |
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| Hon. Ramon Jolo B. Revilla III | Vice Governor/Presiding Officer |
| Hon. Edralin G. Gawaran | Majority Floor Leader |
| Hon. Raul Rex D. Mangubat | Pro-Tempore |
| Hon. Ryan R. Enriquez | Board Member, 1 st District |
| Hon. Rolando S. Remulla | Board Member, 2 nd District |
| Hon. Arnel M. Cantimbuhan | Board Member, 3 rd District |
| Hon. Larry Boy S. Nato | Board Member, 3 rd District |
| Hon. Teofilo B. Lara | Board Member, 4 th District |
| Hon. Marcos C. Amutan | Board Member, 5 th District |
| Hon. Ives Jayne A. Reyes | Board Member, 5 th District |
| Hon. Irene P. Bencito | Board Member, 7 th District |
| Hon. Hermogenes C. Arayata III | Board Member, 6 th District |
| Hon. Felix A. Grepo | Board Member, 6 th District |
| Hon. Mark Joseph T. Mupas | CCL President |
| Hon. Conrado A. Viado | Liga ng mga Brgy. Prov'l. Chapter
Interim President |

ON OFFICIAL BUSINESS:

- | | |
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| Hon. Eileen R. Beratio | Board Member, 7 th District |
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ABSENT:

- | | |
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| Hon. Dino Carlo R. Chua | Board Member, 1 st District |
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PROVINCIAL ORDINANCE NO. 2013-027

AN ORDINANCE PROVIDING RULES AND REGULATIONS IN ISSUANCE OF BARANGAY CLEARANCE WITHIN THE JURISDICTION OF THE PROVINCE OF CAVITE

(Authored by: Hon. Edralin G. Gawaran)

WHEREAS, Section 16, the General Welfare Clause of Republic Act No. 7160 otherwise known as Local Government Code of 1991 mandates 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 the general welfare;

WHEREAS, pursuant to Section 152 of the same Code, barangays are empowered to levy taxes, fees and charges.

WHEREAS, no city or municipality may issue any license or permit for any business or activity unless a clearance is first obtained from the barangay where such business or activity is located or conducted;

WHEREAS, there is a great need to set rules and regulations governing the issuance of barangay clearance;

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Republic of the Philippines
Province of Cavite
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Trece Martires City



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WHEREFORE, an ordinance to this effect is necessary;

NOW, THEREFORE, on motion of Hon. Edralin G. Gawaran, duly seconded by Hon. Raul Rex D. Mangubat and all the Members present, be it ordained by the Sangguniang Panlalawigan in session duly assembled that:

SECTION 1. TITLE. This ordinance shall be known and cited as "AN ORDINANCE PROVIDING RULES AND REGULATIONS IN ISSUANCES OF BARANGAY CLEARANCE WITHIN THE JURISDICTION OF THE PROVINCE OF CAVITE"

SECTION 2. DECLARATION OF POLICY. It is hereby declared the policy of the Provincial Government of Cavite to enhance the function of the barangay, as the basic unit of government by providing support and guidance for its duties and responsibilities. The Provincial Government of Cavite is also committed to improve the quality of the system in governance in order to deliver services to the public to its fullest efficiency.

SECTION 3. DEFINITION OF TERMS. As used in this ordinance, the following terms shall mean:

- Barangay Clearance – All clearances issued by a Barangay Council in the province of Cavite, fees or charges.
- Bona Fide Resident – Person residing for at least one month in a particular place within the jurisdiction of a barangay.
- Home Owners Association - is a group of property owners with the legal authority to enforce rules and regulations that focus on restrictions and building and safety issues.
- Neighborhood association - is a group of residents or property owners who advocate for or organize activities within a neighborhood. An association may have elected leaders and voluntary dues.

SECTION 4. MANDATORY PROVISIONS. All persons (Natural or Juridical) requesting Barangay Clearance within the jurisdiction of the province of Cavite must possess the following applicable requirements:

- In case of Residents, it must be clearly established that the person is a bona fide resident of the barangay to wit:
 - Endorsement or Certification from the Home Owners Association or Neighborhood Association in the locality of residence; or
 - Endorsement from Barangay Block Leader or Barangay Tanod.



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2. In case of Business Establishments, it must be clearly established that the business of the requestor is within the jurisdiction of the barangay to wit:
 - a. Endorsement or Certification from the Home Owners Association or Neighborhood Association where his or her business is located or conducted; or
 - b. Endorsement from Barangay Block Leader or Barangay Tanod.

SECTION 5. FUNCTION. The Barangay Council through its Secretary shall:

- a. Record all the data in every barangay clearance issued;
- b. Ensure that the person who is requesting the issuance of barangay clearance must be a bona fide resident of the barangay, and/or his or her business is located in the Barangay;

SECTION 6. IMPLEMENTATION. The Liga ng mga Barangay, Provincial Chapter of Cavite, in coordination with the DILG – Cavite is hereby mandated to set the implementing Rules and Regulations governing this ordinance, and also responsible for its monitoring.

SECTION 7. SEPARABILITY CLAUSE. If any portion or provision of this Ordinance is held invalid, the other provisions not affected shall remain in full force and effect.

SECTION 8. REPEALING CLAUSE. All rules and regulations and other issuances or parts thereof, which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 9. EFFECTIVITY. This ordinance shall take effect immediately.

UNANIMOUSLY APPROVED.

I hereby certify to the correctness of the foregoing ordinance duly enacted by the Sangguniang Panlalawigan of Cavite during its 22nd Regular Session on December 02, 2013.

Michelle B. Alcid
MICHELLE B. ALCID
 Provincial Board Secretary



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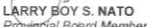


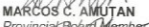
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EDRALIN G. GAWARAN
Majority Floor Leader


DINO CARLO R. CHUA (Absent)
Provincial Board Member


ROLANDO S. REMULLA
Provincial Board Member



LARRY BOY S. NATO
Provincial Board Member


MARCOS C. AMUTAN
Provincial Board Member


HERMOGENES C. ARAYATA III
Provincial Board Member


EILEEN R. BERATIO (OB)
Provincial Board Member


MARK JOSEPH T. MUPAS
CCL President


RAUL REX D. MANGUBAT
Pro-Tempore

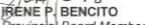

RYAN R. ENRIQUEZ
Provincial Board Member


ARNEL M. CANTIMBUHAN
Provincial Board Member


TEOFILO B. LARA
Provincial Board Member



IVEE JAYNE A. REYES
Provincial Board Member


FELIX A. GREPO
Provincial Board Member


IRENE P. BENCITO
Provincial Board Member


CONRADO A. VIADO
Liga ng mga Barangay Interim President

ATTESTED BY:


RAMON JOLO B. REVILLA III
Vice Governor/Presiding Officer
Date Signed: 12/11/13

MFA/jnc/menchie

APPROVED BY:


JUANITO VICTOR C. REMULLA, JR.
Provincial Governor