

Office of the Sangguniang Panlungsod

Excerpt from the

MINUTES OF THE 29th REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF
BAYBAY CITY, LEYTE HELD IN THE SESSION HALL ON AUGUST 13, 2012.

CITY ORDINANCE NO. 005

AN ORDINANCE MANDATING THE STANDARDS IN PROCESSING BUSINESS PERMITS
AND LICENSES AND CREATING THE BUSINESS PERMIT AND LICENSING OFFICE.

SPONSORED BY: SPM ERNESTO M. BUTAWAN, CRISTELO S. LORETO & ALAN
FERNANDEZ

SECTION 1 AUTHORITY - This ordinance is enacted pursuant to Section 16, 18 and
186 of the local Gov. Code of 1991.

SECTION 2. PURPOSE - This Ordinance is enacted to simplify the process of
securing business permits in order to spur economic growth and development and to
promote the expeditious delivery of basic services without compromising the health and
safety of the constituents and inhabitants of the City.

SECTION 3. APPLICABILITY - This Ordinance shall apply to all applicants for
business permits who intend to engage in business in Baybay City.

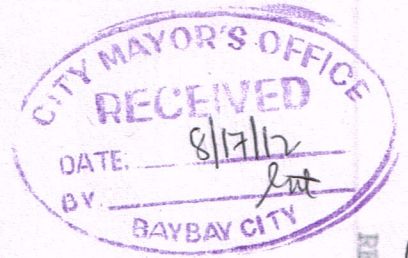
**SECTION 4. PROCEDURE FOR THE PROCESSING OF APPLICATION FOR
BUSINESS PERMITS** - In order to carry and maximize the inherent power and authority of
the City of Baybay to collect taxes, fees and charges from the processing and granting of
business permits, the following system and procedure shall be adopted and imposed.

Step 1.- BPLO

- * Get and fill up application form
- * Encoding/Computation of Taxes and Fees
- * Evaluation of Gross Sales

Step 2.- TREASURER'S OFFICE

- * Payment of Fees- Business tax (Initial of Collection Officer)
- * Community tax payment
- * Property tax Payment where the business is located



Step 3.- BPLO

- * Printing of Permit
- * Evaluation of Requirements
- * Recommending Approval (Licensing Officer's signature)

Step 4.- MAYOR'S OFFICE

- * APPROVAL (MAYOR's signature of in behalf)

Step 5.- Business and Permit Licensing Office

- * RELEASING

SECTION 5. FORMS. The Business Permit and Licensing Office shall use the unified form.

SECTION 6. REGULATORY REQUIREMENTS. Considering the time constraint of the renewal period against the number of business establishments in the city and the number of inspectors in every regulatory requirement, clearances and certificates from different regulatory departments like the City Health Office, City Engineer's Office, City Planning and Development Office, Bureau of Fire, General Services Office may not be required during the renewal period.

It shall be the duty of the regulatory offices to conduct regular inspection of all establishments in the city as mandated by RA 7160 (Local Government Code of 1991) and submit a report thereof to the City Mayor and the Chief Licensing Office. By which the renewal of the business permit will be based.

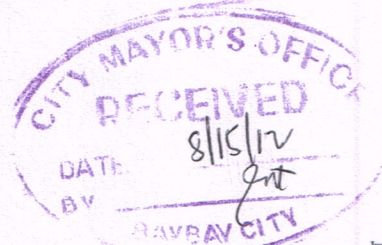
SECTION 7. INSPECTION OF BUSINESS ESTABLISHMENTS. To ease the burden and inconvenience of the business operator, an Inspectorate Team shall be formed whose main task is to conduct inspection of all business establishments in the city whether new or existing.

The Inspectorate Team shall be composed of the following offices:

Business Permit and Licensing Office
City Planning and Development Office
City Health Office
City Engineer's Office
City Treasurer's Office
Bureau of Fire Protection
Bus Terminal and Traffic Management Office
General Service Office

The head of the Business Permit and Licensing Office shall be the Team Leader.

Establishment with violations noted by the Team shall not be allowed to renew their business permits until such time that the deficiency will be rectified and noted by the concerned regulatory department. It shall be the duty of the concerned offices to monitor the compliance of the business operator for immediate processing of its application for renewal of business permit.



REX A. RETANA
SP Member

LOLITO C. MUNED
SP Member

TERESITA J. DELLOS
SP Member

MARGARITA C. CANI
SP Member

SECTION 8. PROCEDURE FOR THE INSPECTION, MONITORING AND EVALUATION OF THE BUSINESS ESTABLISHMENT. For the inspection, monitoring and evaluation of the business permit, fees and compliance with the requirement, the procedure shall be as follows:

Step 1. Inspection of business Establishment. The Licensing Officer shall issue a Mission Order, duly approved by the Mayor, to the Joint Inspection Team for the conduct of the inspection of the business establishment of the Owner/Proprietor to ascertain that the requirements listed in the business application form have actually been complied with.

The Joint Inspection Team shall proceed to the location of the business establishment for the conduct of the actual inspection. During the inspection, the Joint Inspection team shall accomplish a form called the Joint Inspection Report. The Report shall be submit to the Licensing Office who shall evaluate the report, assess additional business tax, fees and charges of the establishment.

Step 2. Payment of Additional Tax and Fees. The applicant shall pay any additional tax and fixed fees that may be applicable to his business to the Revenue Collector at the Office of the City Treasurer. The applicant shall then be issued an Official Receipt (OR) provided that he has paid the additonal-tax and fees. The Official receipt shall be presented to the Business Permit and Licensing Office.

Step 3. Issuance of Notice to Comply Requirements. In the event that the Owner/Proprietor upon determination by the Licensing Office and by the Joint Inspection Team has failed to comply with the needed requirements, the Licensing Officer shall serve notice to the former for compliance of the lacking requirements.

The aforementioned notice shall be issued within five (5) days after the Licensing officer receives the Joint Inspection Report.

The Notice shall state the requirements not complied with by the Owner/Proprietor. The latter shall be given thirty (30) days from his receipt of the notice within which to comply with the lacking requirements.

Messengers shall serve and deliver the Notice to the Owner/Proprietor or duly authorized representative of the latter who shall formally receive such notices. After the notice has been duly served, the messengers shall submit the duplicate copy of the notice, with the markings that the same have been received by the Owner/Proprietor of his representative, to the Licensing Officer or the Receiving Clerk for safekeeping.

Step 4. Submission of Business Requirements. The Owner/Proprietor shall then comply with lacking business requirements.

SECTION 9. BOOKKEEPERS AND ACCOUNTING FIRMS. Bookkeepers and Accounting Firms who have number of clients to facilitate shall be accommodated on special schedule or lane so as not to compete with individual applicants.

SECTION 10. CREATION OF THE BUSINESS AND PERMIT LICENSING OFFICE.

ALAN D. FERNANDEZ
SP Member

CRISTINA S. LORETO
SP Member

LEONCIO P. ASILLO
SP Member

ERNESTO M. BUTAMAN
SP Member

There shall be created an office to be known as Business and Permit Licensing Office which is directly under the control and supervision of the city mayor. For this purpose the following items/positions with its corresponding salary grade are hereby created to effectively operate the BPLO, to wit:

- a) BPLO Officer/supervisor whose functions and salary grade is equal with or similar to an Administrative Officer II with a salary grade of 15;
- b) 1 Process Server with salary grade 5
- c) 1 Clerk 1 with salary grade 3
- d) 2 Tax Mapping aid with salary grade of 4

SECTION 11. REPEALING CLAUSE - All local executive orders, circulars, and other issuances, which are inconsistent with the provision thereof, are hereby repealed.

SECTION 12. SEPARABILITY - In the event that any portion of this Ordinance is declared contrary to pertinent laws and statutes by a competent court, the same shall not affect the affectivity of the other provisions not affected thereby.

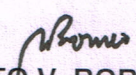
SECTION 13. PENALTY CLAUSE - Should the owner/operator/Manager of the establishment failed to comply the requirements within the required time set for the in this ordinance after receipt of notice, the BPLO thru the City Mayor shall not approve the renewal of its permit/license or revoke/cancel the same should a permit/license has been issued.

SECTION 14. EFFECTIVITY - This Ordinance shall take effect immediately upon its approval.

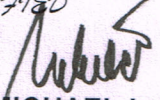
ENACTED, August 13, 2012.

RESOLVED, FURTHER, to let certified copies of this ordinance be furnished to the Sangguniang Panlalawigan for their information and appropriate action.

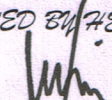
I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly adopted by the Sangguniang Panlungsod during its regular session held on August 13, 2012.


AMELITO V. BORNEO
SP Secretary

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:



MICHAEL L. CARI
City Vice Mayor &
Presiding Officer

APPROVED BY HER HONOR.


CARMEN L. CARI
City Mayor


ALAN A. FERNANDEZ
SP Member



CRISTINO S. LORETO
SP Member

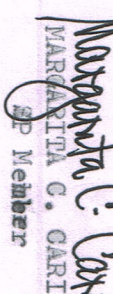

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