



Republic of the Philippines

PROVINCE OF LEYTE

City of Baybay

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OFFICE OF THE SANGGUNIANG PANLUNGSOD

Excerpt from the

Minutes of the 11th Regular Session of the Sangguniang Panlungsod, this city, held on
March 19, 2018

ORDINANCE NO. 04, SERIES OF 2018

**AN ORDINANCE AMENDING ART. XII, SEC. 5, PAR. C, SECTIONS 1,2,3, & 4; AND
ART. XII, SECTION 5, PAR. D, SECTION 1 OF THE SOLID WASTE MANAGEMENT
ORDINANCE OF THE CITY OF BAYBAY.**

(Introduced and authored by Sangguniang Panlungsod Member Atty. Ernesto M. Butawan)

PREFATORY STATEMENT

WHEREAS, some provisions have to be amended to enforce implementation based
on the actual applicability to the constituents of the barangays;

WHEREAS, the provisions stated herein as amended facilitate uniformity of rates in
imposing collection of fees relative to garbage disposal from every household, commercial,
industrial and other institutional establishments of every barangay;

WHEREAS, the foregoing amendment conforms with the mandate of the City
Government of Baybay to strictly implement R.A. 9003, otherwise known as the Ecological
Solid Waste Management Act 2000.

WHEREFORE, on motion of Honorable SP Member, Atty. Ernesto M. Butawan and
duly seconded by Honorable Edgardo R. Ompoy,

BE IT ORDAINED by the Sangguniang Panlungsod in session on March 19, 2018 .
at Baybay City, Leyte;

ARTICLE 1: TITLE.

Section 1. This Ordinance shall be known as "AN ORDINANCE AMENDING ART. XII,
SEC. 5- PAR.C, SECTIONS 1,2,3, & 4; AND ART. XII, SECTION 5, PAR. D, SECTION
1, TO WIT:

Section 5- Par. C. RESIDENTIAL FEES:

1. Residential units shall be charged a residential fee of not more than P20.00 but
not less than P10.00 per month, depending on the volume of garbage of their
residence. For this purpose, the barangay must adopt and approve their ordinance

2. For purposes of collecting fees, the barangay concerns are authorized to collect fees from every household, commercial, industrial and institutional establishments, within their jurisdiction;
3. For residential fee, the barangay is entitled to retain 80% of the fees while 20% shall be remitted to the City Government, while in the case of commercial, industrial and institutional establishments, the barangay is entitled to collect at least P 100.00 a month, which will be deductible and considered as advance payment on their annual fee on garbage disposal, however on government institution which has a fixed yearly fee of P1,000.00 the barangay is allowed to collect P50.00 only per month;
4. The Barangay shall remit the share of the City Government every 5th day of the month;

Section 5, PAR. D. Commercial, Industrial and Institutional Fees

1. There shall be collected a service fee on all commercial and industrial establishments in the amount equivalent to gross annual sales x 0.004% but shall not be more than P2,000.00 per year, or P166.00 per month.

ARTICLE 2. SEPARABILITY CLAUSE

The provisions of this Ordinance are hereby declared separable and if one or more provisions are held invalid, or unconstitutional, the remainder or any provision hereof not affected, shall remain valid and effective.

ARTICLE 3. REPEALING CLAUSE

All ordinances, resolutions, rules and regulations inconsistent with or contrary to the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

ARTICLE 4: EFFECTIVITY

This Ordinance shall take effect 15 days upon its approval by the Sangguniang Panlalawigan and after due compliance with all the requirements provided for under R.A. 7160, otherwise known as the Local Government Code of 1991.

Enacted: March 19, 2018
Baybay City, Leyte, Philippines

RESOLVED FURTHER, to furnish copies of this Ordinance each to the City Mayor, Honorable Carmen L. Cari, the City Administrator, Deogracias E. Pernitez, the City Legal Officer, Atty. Avito A. Cajig, Jr., the City Budget Officer, Raul A. Mabini, the City Accountant, Evelinda A. Oppus, the City Treasurer, Evelyn P. Relente, CLGOO Estela I. Creer, and to all other offices/agencies concerned for their information and appropriate action.

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

ATTESTED & CERTIFIED
TO BE DULY ADOPTED:

ATTY. ERNESTO M. BUTAWAN
SP Member, Presiding Officer

With our concurrence:

EDGARDO R. OMPOY
SP Member

ARTURO ELISA O. ASTORGA
SP Member

RODULFO S. PALMA, JR.
SP Member

ALAN D. FERNANDEZ
SP Member

FILEMON F. AVILA
SP Member

LEONCIO P. ASILOM, JR.
SP Member

VICENTE VICTOR G. VELOSO
SP Member

DOMINADOR K. MURILLO, DM
SP Member

JORGE V. REBUCAS
SP Member

MANDY G. MUÑEZ
President, LIGA Ng Mga Barangay
Ex-Officio, SP Member

APPROVED BY HER HONOR:

CARMEN L. CARI
City Mayor