



REPUBLIC OF THE PHILIPPINES
PROVINCE OF ORIENTAL MINDORO
MUNICIPALITY OF GLORIA

OFFICE OF THE SANGGUNIANG BAYAN

BATASANG PAMBAYAN- Rizal Street, Maligaya, Gloria Oriental Mindoro 5209/ sangguniangloria@gmail.com, 09171396167, 09178790062

MINUTES OF THE 13th REGULAR SESSION OF THE 14th SANGGUNIANG BAYAN OF GLORIA HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON MONDAY DATED SEPTEMBER 30, 2019 AT 9:00 IN THE MORNING.

PRESENT:

- HON. VIC RUSKIN M. ONG - Presiding Officer
- HON. NORMA R. PAZ - SB Member
- HON. TEOTIMO F. FAMPULME, JR. - SB Member
- HON. CRISPIN J. BAWASANTA - SB Member
- HON. RODOLFO S. DAPITO - SB Member
- HON. LAURO L. DE BELEN - SB Member
- HON. RIMANDO M. RECALDE - SB Member
- HON. WILFREDO S. CONDESA - SB Member
- HON. HENRY S. SOBERANO - Liga President
- HON. BONJOVE S. DE MESA - SKMF President

ABSENT :

- HON. ROMEO EDWARD P. ALVAREZ - SB Member

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**MUNICIPAL ORDINANCE NO. 18
Series of 2019**

Sponsored by: Hon. Rodolfo S. Dapito

AN ORDINANCE AMENDING SECTION 5E.01, ARTICLE E. OF MUNICIPAL ORDINANCE NO. 08, SERIES OF 2018 ENTITLED "AN ORDINANCE REVISING THE REVISED REVENUE CODE OF 2008 OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO

WHEREAS, Section 447 of RA 7160 otherwise known as Local Government Code of 1991 states that the Sangguniang Bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under section 22 of this Code;

WHEREAS, Section 447 (2) of RA 7160 states that the Sangguniang Bayan generates and maximizes the use of resources and revenues for the development plans, program objectives and priorities of the municipality as provided for under section 18 of this Code with particular attention to agro-industrial development and countryside growth and progress;

WHEREAS, provisions of Book II of the Local Government Code of 1991 states that the Sangguniang Bayan enact ordinances levying taxes, fees and charges upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the municipality, and pursuant to this legislative authority;

WHEFORE, on motion of Hon. Rodolfo S. Dapito, Chairperson, Committee on Ways and Means jointly seconded by Hon. Crispin J. Bawasanta, Hon. Henry S. Soberano and Hon. Bonjove S. De Mesa,

BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Gloria, Province of Oriental Mindoro.

NOEL L. HERNANDEZ
SB/Secretary

ATTY. VIC RUSKIN M. ONG
Presiding Officer

HON. GERMAN D. RODEGERIO
Municipal Mayor

ABSENT
HON. ROMEO EDWARD P. ALVAREZ
SB Member

HON. NORMA R. PAZ
SB Member

HON. TEOTIMO F. FAMPULME, JR.
SB Member

HON. CRISPIN J. BAWASANTA
SB Member

HON. RODOLFO S. DAPITO
SB Member

HON. LAURO L. DE BELEN
SB Member

HON. RIMANDO M. RECALDE
SB Member

HON. WILFREDO S. CONDESA
SB Member

HON. HENRY S. SOBERANO
Liga President

HON. BONJOVE S. DE MESA
SKMF President

SECTION 1. SECTION 5E.01, ARTICLE E. OF MUNICIPAL ORDINANCE NO. 08, SERIES OF 2018 ENTITLED "AN ORDINANCE REVISING THE REVISED REVENUE CODE OF 2008 OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO SHALL BE AMENDED TO BE READ AS FOLLOWS"

SEC. 5E.01. Imposition of Fees. There shall be collected a rental fee for a lease of five (5) years for each burial lot on the following zones:

	<u>Rental Fee</u>	<u>Renewal Fee</u>
Zone 1	P 1,500.00	P 600.00
Zone 2	P 1,000.00	P 400.00
Zone 3	P 500.00	P 200.00
Zone 4 (each niche compartment)	P 150.00	P 60.00
Zone 5 (for indigent person)	Free of charge	none

	<u>FEES</u>	<u>RENEWAL FEE (Every Five Years)</u>
Mausoleum	P2,000.00/ square meter	P3,000.00
Lawn Type	P20,000.00	P1,500.00
Niche Type	P2,000.00/square meter	P1,500.00
Apartment Type	P7,000.00	P1,000.00


Section 2. Separability Clause. If for any reason a provision of this Ordinance is declared invalid or unconstitutional, all other provisions herein not affected thereby, shall continue to be in full force and effect.

Section 3. Repealing Clause. All ordinances, executive orders, resolutions and other local memoranda or rules inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

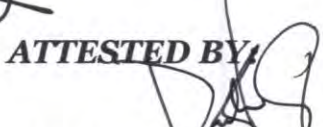
Section 4. Effectivity Clause. This ordinance shall take effect immediately upon its approval and after posting in at least three (3) conspicuous places in the territorial jurisdiction of this Local Government Unit such as but not limited to Barangay Hall, Public Market, Central Terminal and Municipal Hall.

Enacted: September 30, 2019

CERTIFIED CORRECT:


NOEL L. HERNANDEZ
Secretary to the Sangguniang Bayan

ATTESTED BY:


ATTY. VICRUSKIN M. ONG
Presiding Officer/Municipal Vice Mayor

APPROVED:


HON. GERMAN D. RODEGERIO
Municipal Mayor

Date: 10/21/19

ABSENT
HON. ROMEO EDWARD P. ALVAREZ
SB Member

HON. NORMAR R. PAZ
SB Member

HON. TEOTIMO F. FAMPULME, JR.
SB Member

HON. CRISTINA BRAWASANTA
SB Member

HON. RODOLFO S. DAPITO
SB Member

HON. LAURO L. DE BELEN
SB Member

HON. RIMARDA M. RECALDE
SB Member

HON. WILFREDO S. CONDESA
SB Member

HON. HENRY S. SOBERANO
Liga President

HON. BONJOVE S. DE MESA
SKMF President



Republic of the Philippines
Province of Oriental Mindoro
City of Calapan

SANGGUNIANG PANLALAWIGAN

March 9, 2020

**THE HONORABLE MEMBERS
SANGGUNIANG BAYAN**
Municipality of Gloria
Province of Oriental Mindoro


Thru: **MR. NOEL L. HERNANDEZ**
Secretary to the Sangguniang Bayan

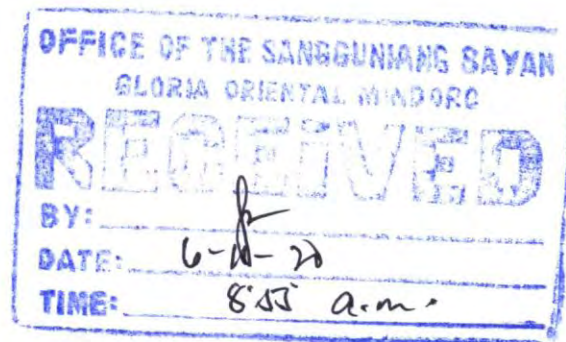
Honorable Members:

I have the honor to furnish you a copy of Resolution No. 5096-2020, entitled **RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 18, SERIES OF 2019 OF THE MUNICIPALITY OF GLORIA, ENTITLED "AN ORDINANCE AMENDING SECTION 5E.01, ARTICLE E. OF MUNICIPAL ORDINANCE NO. 08, SERIES OF 2018 ENTITLED "AN ORDINANCE REVISING THE REVISED REVENUE CODE OF 2008 OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO" AS WITHIN THE CONFERRED POWERS OF THE SANGGUNIANG BAYAN TO ENACT OR APPROVE, SUBJECT TO FULL COMPLIANCE WITH ALL APPLICABLE LAWS, RULES AND REGULATIONS,** for your information and guidance.

Very truly yours,

BY THE AUTHORITY OF THE
SANGGUNIANG PANLALAWIGAN:


DIWATA H. FETIZANAN
Secretary to the
Sangguniang Panlalawigan





SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE JOURNAL OF THE 30TH REGULAR SESSION OF THE 10TH SANGGUNIANG PANLALAWIGAN OF ORIENTAL MINDORO HELD AT SP LOUNGE, BATASANG PANLALAWIGAN (BENIGNO S. AQUINO, JR. LEGISLATIVE BLDG.), GOV. IGNACIO ST., BRGY. CAMILMIL, CITY OF CALAPAN, ORIENTAL MINDORO ON MONDAY, FEBRUARY 3, 2020

PRESENT:

Hon. Antonio S. Perez, Jr.	Vice Governor / Presiding Officer
Hon. Carlito F. Camo	Member
Hon. Judy Ann D. Servando	Member
Hon. Emmanuel S. Buenaventura	Member / Floor Leader
Hon. Ramil O. Dimapilis	Member
Hon. Mae Arlene M. Talens	Member
Hon. Alexandra C. Casubuan	Member
Hon. Rafael L. Infantado	Member
Hon. Michael Anthony Philippe L. Leachon	Member
Hon. Marion Francis D. Marcos	PCL President, Ex-Officio Member
Hon. Dennis V. Brondial	ABC President, Ex-Officio Member
Hon. Joeniña R. Aguilon	SKPF President, Ex-Officio Member

On Leave:

Hon. C. Voltaire S. Brucal	Member
Hon. Edilberto C. Ilano, Jr.	Member

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RESOLUTION NO. 5096-2020

RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 18, SERIES OF 2019 OF THE MUNICIPALITY OF GLORIA, ENTITLED “AN ORDINANCE AMENDING SECTION 5E.01, ARTICLE E. OF MUNICIPAL ORDINANCE NO. 08, SERIES OF 2018 ENTITLED “AN ORDINANCE REVISING THE REVISED REVENUE CODE OF 2008 OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO” AS WITHIN THE CONFERRED POWERS OF THE SANGGUNIANG BAYAN TO ENACT OR APPROVE, SUBJECT TO FULL COMPLIANCE WITH ALL APPLICABLE LAWS, RULES AND REGULATIONS

WHEREAS, the Sangguniang Bayan of Gloria, Oriental Mindoro, submitted Municipal Ordinance No. 18, Series of 2019 of the Municipality of Gloria, entitled “An ordinance amending Section 5E.01, Article E. of Municipal Ordinance No. 08, Series of 2018 entitled “An ordinance revising the Revised Revenue Code of 2008 of the Municipality of Gloria, Province of Oriental Mindoro”;

WHEREAS, the Committee on Ways and Means reviewed and studied said Ordinance and found out that the same was enacted pursuant to Section 447 of Local Government Code (“LGC of 1991”);

NOW THEREFORE, BE IT RESOLVED, AS IT HEREBY RESOLVED, that the Sangguniang Panlalawigan finds Municipal Ordinance No. 18, S. 2019 to be within the conferred powers of the Sangguniang Bayan of Gloria to enact or approve under LGC of 1991, subject to full and continuing compliance of all relevant and applicable laws, rules and regulations, which shall be the full and primary responsibility



COMMITTEE REPORT NO. 041 - 2020

SUBMITTED BY: COMMITTEE ON WAYS AND MEANS

SUBJECT: LETTER DATED 22 OCTOBER 2019 FROM NOEL L. HERNANDEZ, SECRETARY TO THE SANGGUNIANG BAYAN OF GLORIA, FORWARDING COPY OF MUNICIPAL ORDINANCE NO. 18 SERIES OF 2019 ENTITLED "AN ORDINANCE AMENDING SECTION 5E.01, ARTICLE E OF MUNICIPAL ORDINANCE NO. 08, SERIES OF 2018 ENTITLED "AN ORDINANCE REVISING THE REVISED REVENUE CODE OF 2008 OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO"

FOR: THE HONORABLE MEMBERS OF THE SANGGUNIANG PANLALAWIGAN

Dear Honorable Members of the Sangguniang Panlalawigan:

On 28 October 2019, Ordinance No. 18 Series of 2019 of the Municipality of Gloria was referred to the Committee on Ways and Means for review and appropriate action of the Sangguniang Panlalawigan.

Upon careful review of the provisions of said Ordinance, the Committee respectfully submits the hereinafter findings and recommendations.

LEGAL BASIS OF THE REVIEW:

Section 468 of the Local Government Code of 1991 grants power to the sangguniang panlalawigan, as the legislative body of the province to:

“(1) Approve ordinances and pass resolutions necessary for an efficient and effective provincial government and, in this connection, shall:

(i) Review all ordinances approved by the sanggunians of component cities and municipalities xx xx xx to determine whether these are within the scope of the prescribed powers of the sanggunian xx xx xx.”

FINDINGS OF THE COMMITTEE:

1. That, the Sangguniang Bayan of Gloria passed Municipal Ordinance No. 18 Series of 2019 amending Section 5E.01, Article E of Municipal Ordinance No. 08 Series of 2018 to the effect that rental fee for a five year lease of burial lot will cost as follows:

	Rental Fee	Renewal Fee
Zone 1	P1,500.00	P600.00
Zone 2	P1,000.00	P400.00
Zone 3	P500.00	P200.00
Zone 4 (each niche compartment)	P150.00	P60.00
Zone 5 (for indigent person)	Free of charge	None
	Fees	Renewal Fee (Every Five Years)
Mausoleum	P2,000.00/square meter	P3,000.00
Lawn Type	P20,000.00	P1,500.00
Niche Type	P2,000.00/square meter	P1,500.00
Apartment Type	P7,000.00	P1,000.00

2. That, the subject Ordinance is within the scope of the prescribed powers of the Sangguniang Bayan to enact.

Based on **Section 18 of Republic Act No. 7160**, otherwise known as the **Local Government Code (Code) of 1991**:

“Local government units shall have the power and authority xx xx xx to create their own sources of revenue and to levy taxes, fees, and charges which shall accrue exclusively for their use and disposition and which shall be retained by them; xx xx xx to acquire, develop, lease, encumber, alienate, or otherwise dispose of real or personal property held by them in their proprietary capacity and to apply their resources and assets for productive, developmental, or welfare purposes, in the exercise or furtherance of their governmental or proprietary powers and functions and thereby ensure their development into self-reliant communities and active participants in the attainment of national goals.”

Significantly, **Section 447 of the Code** provides that:

- (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:

xx xx xx

- (2) Generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the municipality

as provided for under Section 18 of this Code with particular attention to agro-industrial development and countryside growth and progress, and relative thereto, shall:

XX XX XX

(ii) Subject to the provisions of Book II of this Code and applicable laws and upon the majority vote of all the members of the sangguniang bayan, enact ordinances levying taxes, fees and charges, prescribing the rates thereof for general and specific purposes, and granting tax exemptions, incentives or reliefs;

3. That, while the Sangguniang Bayan is empowered to pass the subject Ordinance, all existing and applicable laws, rules and regulations shall be complied with by the local government unit concerned in the implementation of the subject ordinance.
4. That, the subject Ordinance shall take effect after the Sangguniang Bayan has complied with the requirement of posting pursuant to the Code.

RECOMMENDATION:

Above premises considered, the Committee respectfully recommends before this Honorable Body to pass and approve a **RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 18 SERIES OF 2019 OF THE MUNICIPALITY OF GLORIA, ENTITLED "AN ORDINANCE AMENDING SECTION 5E.01, ARTICLE E OF MUNICIPAL ORDINANCE NO. 08 SERIES OF 2018 ENTITLED "AN ORDINANCE REVISING THE REVISED REVENUE CODE OF 2008 OF THE MUNICIPALITY OF GLORIA, PROVINCE OF ORIENTAL MINDORO"** to be within the prescribed powers of the Sangguniang Bayan to enact, subject to full and continuous compliance by the local government unit concerned with all related laws, rules and regulations.


HON. MAE ARLENE M. TALENS
Chairperson


HON. EDILBERTO C. ILANO, JR.
Vice Chairperson


HON. RAFAEL L. INFANTADO
Member