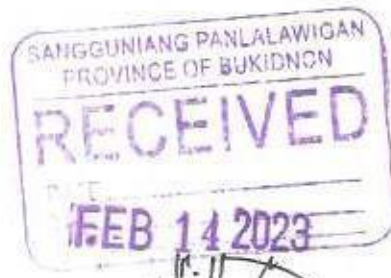




Republic of the Philippines  
Province of Bukidnon  
MUNICIPALITY OF MANOLO FORTICH  
OFFICE OF THE SANGGUNIANG BAYAN  
E-mail: sb@manoloortich.gov.ph



**EXCERPT FROM THE MINUTES OF THE 5<sup>TH</sup> REGULAR SESSION OF THE 20<sup>TH</sup> SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS HELD AT SANGGUNIANG BAYAN SESSION HALL ON FEBRUARY 2, 2023.**

**PRESENT:**

HON. REYNALDO L. BAGAYAS, JR.	Presiding Officer
HON. MIGUEL D. DEMATA	Municipal Vice Mayor
HON. JAY S. ALBARECE	Sangguniang Bayan Member
HON. RINA EDROTE QUIÑO	Majority Floor Leader
HON. ELZEVIR A. DAGUNLAY	Sangguniang Bayan Member
HON. JOY LAVISORES CORDOVEZ	Sangguniang Bayan Member
HON. CHRISTY L. SALABE	Sangguniang Bayan Member
HON. RAQUEL ABALES BAYACAG	Sangguniang Bayan Member
HON. FLORAMAE DAYDAY PENASO	Liga ng mga Barangay Rep.
HON. JOHN ANTHONY G. LEYSON	SK Federation Rep.

**ABSENT:**

HON. JUNIDINI J. ARTAJO	Sangguniang Bayan Member
HON. ALEX D. PAYANGGA	IP Mandatory Rep.
	- On Official Business

**ORDINANCE NO. 2023-1811**  
(5<sup>th</sup> Regular Session)

Introduced By: Honorable Jay S. Albarece

**AN ORDINANCE PROVIDING RULES AND PROCEDURES IN RESOLVING BOUNDARY DISPUTES AMONG THE BARANGAYS IN THE MUNICIPALITY OF MANOLO FORTICH, BUKIDNON.**

**BE IT ORDAINED** by the Sangguniang Bayan of the Municipality of Manolo Fortich, Province of Bukidnon in session that:

**SECTION 1. DECLARATION OF POLICY.** It is the policy of the Local Government Unit of Manolo Fortich, Bukidnon to, as much as possible, amicably settle boundary disputes between or among its constituent barangays. However, should all efforts towards compromises fail, the LGU shall resolve the dispute based on law and evidence and in accordance with the procedures of the Implementing Rules and Regulations of the 1991 Local Government Code.

**SECTION 2. LEGAL BASIS .** Article 16, par. (a) of Implementing Rules and Regulations of the 1991 Local Government Code provides that the Sangguniang Bayan shall have jurisdiction in resolving boundary disputes or conflicts involving two or more barangays in the municipality.

**SECTION 3. DEFINITION.** For purposes of this Ordinance, there is a boundary dispute when a portion of the whole of a territorial area within the Municipality of Manolo Fortich, Bukidnon is being claimed by two or more barangays.

**SECTION 4. PROCEDURES IN THE SETTLEMENT AND RESOLUTION OF BOUNDARY DISPUTES.** The following procedures shall be followed in resolving boundary disputes:

**4.1. Filing of Petition.** The Sangguniang Barangay concerned may initiate an action by filing a petition, in a form of a resolution, with the Sangguniang Bayan.

**4.2. Contents of the Petition.** The petition shall state the location and extent of the area claimed and the grounds, reasons, or justification for such claim.

**4.3. Documents attached to the Petition.** The petition shall be accompanied by the following documents:

1) Duly authenticated copy of the law or statute creating the barangay or any other document showing proof of creation of the barangay;

2) Barangay map as certified by the Land Management Bureau of the DENR;

3) Technical description of the boundaries of the barangays concerned;

4) Written certification of the Municipal Assessor as to the territorial jurisdiction over the disputed area according to records in custody;

5) Written declarations or sworn statements of the people residing in the disputed area; and

6) Such other documents or information as may be required by the sanggunian hearing the dispute.

**4.4. Number of Copies.** Petitioner shall furnish four (4) sets/folders of the documentary requirements to the Sangguniang Bayan marked as "Documents for the Boundary Conflict Between Barangays ..." plus a soft copy thereof in PDF format.



**4.5. Inclusion in the Order of Business.** The Sangguniang Bayan Secretariat shall verify the completeness of the documentary requirements and, if found complete, the Sanggunian shall include the petition in the Order of Business for the next regular session and distribute copies of the documents, as follows:

1. One hard copy for the Vice Mayor;
2. One hard copy to the SB Secretariat;
3. One hard copy to the Adverse Party;
4. One hard copy to the DILG, and
5. Soft or electronic copies to all SB members.

**4.6. Answer to the Petition.** The adverse party or the barangay concerned shall be furnished a hard copy of the petition together with all the attachments and shall be given fifteen (15) working days within which to file its answer.

**4.7. Amicable Settlement.** The Sanggunian, acting as a quasi-judicial body, shall call the parties and exert all efforts to amicably settle the dispute without waiting for the answer to be filed.

**4.8 Failure to Settle.** In the event the Sanggunian fails to amicably settle the dispute within sixty (60) days from the date such dispute was referred thereto, it shall issue a certification to that effect and copies thereof shall be furnished the parties concerned.

**4.9 Hearing.** Immediately after the certification is issued, the Sanggunian shall formally try the case and allow the parties concerned to present their respective evidences. The reception of evidence may be delegated to the Joint Committee on Laws, Rules and Ordinance and Barangay Affairs.

**4.10 Decision.** The Sanggunian shall decide the case no later than sixty (60) days from the date the certification was issued. Copies of the decision shall, within fifteen (15) days from the promulgation thereof, be furnished the parties concerned, DILG, local assessor, COMELEC, PSA, DENR, DBM, and other concerned NGAs.

**4.11 Appeal.** Within the time and manner prescribed by the Rules of Court, any party may elevate the decision of the Sanggunian to the proper Regional Trial Court having jurisdiction over the dispute by filing therewith the appropriate pleading, stating among others, the nature of the dispute, the decision of the Sanggunian concerned and the reasons for appealing therefrom.

**SECTION 5. MAINTENANCE OF STATUS QUO.** Pending final resolution of the dispute, the status of the affected area prior to the dispute shall be maintained and continued for all purposes.

**SECTION 6. OFFICIAL CUSTODIAN.** The DILG shall be the official custodian of copies of all documents on boundary disputes of LGUs.

**SECTION 7. SEPARABILITY CLAUSE.** If for any reason or reasons, any part or provision of this ordinance shall be declared unconstitutional or invalid, other parts or provisions thereof not affected shall continue to be in full force and effect.


**SECTION 8. EFFECTIVITY.** This Ordinance shall take effect upon approval and publication.

This Ordinance was enacted on motion of Honorable Jay S. Albarece and unanimously seconded by the members present.

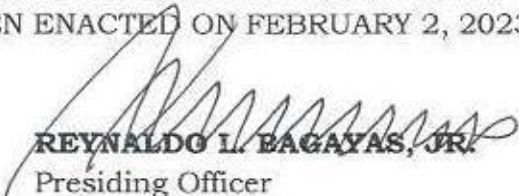
ENACTED: February 2, 2023

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CERTIFIED CORRECT:

  
**JANICE C. BACOL**  
Board Secretary IV  
Secretary to the Sanggunian- Designate

CERTIFIED AND ATTESTED TO HAVE  
BEEN ENACTED ON FEBRUARY 2, 2023:

  
**REYNALDO L. BAGAYAS, JR.**  
Presiding Officer  
Municipal Vice Mayor

APPROVED:

  
**ROGELIO N. QUIÑO**  
Municipal Mayor