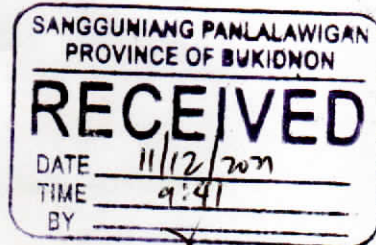




Republic of the Philippines
Province of Bukidnon
MUNICIPALITY OF MANOLO FORTICH
OFFICE OF THE SANGGUNIANG BAYAN
E-mail: sb@manolofortich.gov.ph



**EXCERPT FROM THE MINUTES OF THE 42nd REGULAR SESSION OF THE
1st SANGGUNIANG BAYAN OF MANOLO FORTICH, BUKIDNON WHICH WAS
HELD AT SANGGUNIANG BAYAN SESSION HALL ON OCTOBER 21, 2021.**

PRESENT:

HON. MIGUEL D. DEMATA
HON. JUANITO I. QUIÑO
HON. REYNALDO L. BAGAYAS, JR.
HON. RAUL S. MIÑOZA
HON. ELIEZER S. ONAHON
HON. WARLEO A. GOAYAN
HON. JOY L. CORDOVEZ
HON. CHRISTY L. SALABE
HON. ALBERTO B. TINOY
HON. ALEX D. PAYANGGA
HON. JOHN ANTHONY G. LEYSON

Presiding Officer
Municipal Vice Mayor
Sangguniang Bayan Member
Sangguniang Bayan Member
Sangguniang Bayan Member
Sangguniang Bayan Member
Sangguniang Bayan Member
Sangguniang Bayan Member
Sangguniang Bayan Member
Sangguniang Bayan Member
IP Mandatory Rep.
Temporary Majority Floor Leader
SK Federation Representative

ABSENT:

HON. NELSON S. BINAYAO

Liga ng mga Brgy. Representative
- Excuse

ORDINANCE NO. 2021-1543
(42nd Regular Session)

**AN ORDINANCE RENAMING THE LICENSE AND PERMITS DIVISION (LAPD) TO
BUSINESS PERMIT AND LICENSING OFFICE (BPLO) AND STRENGTHENING THE
BPLO, PROVIDING FOR ITS OBJECTIVES, FUNCTIONS, STAFFING PATTERNS AND
APPROPRIATING FUNDS FOR OPERATION THEREFOR AND FOR OTHER PURPOSES.**

WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides in SECTION 3. Operative Principles of Decentralization. (b) There shall be established in every local government unit an accountable, efficient, and dynamic organizational structure and operating mechanism that will meet the priority needs and service requirements of its communities; (h) There shall be a continuing mechanism to enhance local autonomy not only by legislative enabling acts but also by administrative and organizational reforms;

WHEREAS, Republic Act No. 7160, otherwise known as the Local Government Code of 1991 also provides in SECTION 17. Basic Services and Facilities. (a) Local Government Units shall endeavour to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local Government Units shall likewise exercise such other powers and discharge such other functions and responsibilities as are

necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities enumerated herein.

WHEREAS, to effectively and efficiently carry out the above cited mandate, the Municipal Government of Manolo Fortich finds it necessary to strengthen the Business Permit & Licensing Office (BPLO) to focus on enabling, regulation, support and foster growth, provide governmental service to business establishment within the jurisdiction until the business retired or the permit is revoked. Modernize the organizational structure and staffing pattern of the BPLO;

WHEREAS, the fundamental law of the land, likewise, the Local Government Code of 1991, mandates the promotion and facility for quality of life, economic growth, protection and welfare of consumers, protection of environment by establishing conditions and standards for establishments, registration and regulation, safety and labor standards as well as welfare of the general public;

WHEREAS, the strengthening of the BPLO shall facilitate the compliance of the Municipality of Manolo Fortich to the R.A. No. 8792 "E-commerce Law of 2000", RA 9485 "Anti-Red Tape Act of 2007", RA 10173 "Data Privacy Act of 2012" and the R.A. No. 11032 "Ease of Doing Business and Efficient Government Service Delivery Act of 2018", and their respective Implementing Rules and Regulations, Issuances;

WHEREAS, to ensure integration with the business regulatory offices, sustainability and continuity, consistency and technical know-how, the BPLO shall conduct regular planning, policy development, facilitate personnel development and technology capability enhancement. Conduct regular inspection of business establishment and attend to consumer complaints;

WHEREAS, to institute check and balance in the Local Business Taxation, the BPLO shall have the authority to collect vital information of the Business Operation, determine the category and the line of business, determine the Capitalization or the Gross Receipts, issuance or put on hold and or revocation of Business Permit. While the power to assess (R.A. 7160 Section 171), collect (R.A. 7160 Section 170) and audit (R.A. 7160 Section 195) the payment of local taxes, fees and charges shall remain with the Municipal Treasurer.

NOW THEREFORE

BE IT ORDAINED, by the Sangguniang Bayan of Manolo Fortich, Bukidnon in session that;

SECTION 1. TITLE. This Ordinance shall be entitled, "AN ORDINANCE RENAMING THE LICENSE AND PERMITS DIVISION (BPLO) AND STRENGTHENING THE BPLO, PROVIDING FOR ITS OBJECTIVES, FUNCTIONS, ORGANIZATION, STAFFING AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES."

- 1.1. This office shall be officially called the Business Permit and Licensing Office (BPLO) under the Municipal Mayor's Office. The Head of the BPLO is directly reporting and accountable to the Municipal Mayor;
- 1.2. The BPLO shall perform the regular activities of annual planning, programs and project activities, monitoring and control, regular and periodic reporting required internally and external demand. The budget for this office shall be incorporated in the Municipal Mayor's Office;
- 1.3. The BPLO primary clients are the Business Establishment Owners, the Business Establishment Managers and Employees, and potential business investors. The BPLO

shall enable business to operate, regulate the business operation, and ensure consumer welfare as well as labor safety and standards, foster economic viability of a business until it retires or the permit is revoked.

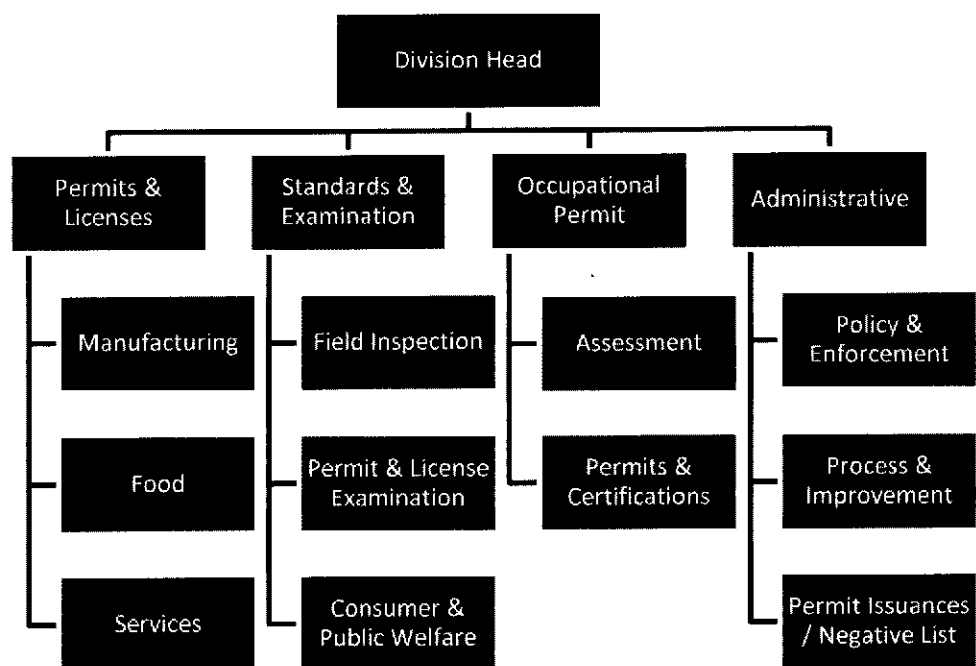
- 1.4. The BPLO secondary clients are the municipal government offices and national agencies providing financial, operational and regulatory supervision over the business establishments. The BPLO shall cooperate with the said secondary clients pertaining business related initiatives. The BPLO shall collect or exchange information with the secondary clients, as allowed by law, to foster economic growth.

SECTION 2. DECLARED POLICIES – The Business Permit & Licensing Office (BPLO) adopts and declares the following main policies:

- 2.1. To comply with laws and its implementing rules and regulations, legal issuances and applicable industry generally accepted standards;
- 2.2. To develop and continuously improve the Business Permit and Licensing policies, systems and procedure, protocols, process improvement, labor safety standards, documentations and other related standards. Especially adopt a simplified, consistent and efficient procedure to ease doing business in the city/municipality;
- 2.3. To create business friendly environment to encourage business investors, for existing business to flourish and expand, for local businesses and consumers to spend and fuel the economic activities, and for a more productive and safe labor workforce;
- 2.4. To generate a progressive and consistent revenue for the municipality by encouraging business sector participation, and by recommending tax related incentives or imposition for a balance and equitable taxation;
- 2.5. To closely coordinate with the concerned national agencies, developmental partners, non-government organizations, and other stakeholders in promoting the LGU missions, objectives, programs and projects.

SECTION 3. ORGANIZATION AND STAFFING - The BPLO shall operate and headed by a Division Chief. It shall be composed of four (4) Sections detailed in the Organizational Structure with the corresponding Plantilla Items and Functions:





POSITION TITLE	Salary Grade	Quantity of Position Title
Licensing Officer III	18	1
Permits & Licenses Section		
Licensing Officer II	15	1
Licensing Officer I	11	1
Administrative Aide IV (Clerk II)	4	3
Standards & Examination Section		
Licensing Officer II	15	1
Licensing Officer I	11	1
License Inspector II	8	1
License Inspector I	6	1
Administrative Aide IV (Clerk II)	4	2
Occupational Permits Section		
Licensing Officer II	15	1
Licensing Officer I	11	1
License Inspector II	8	1
License Inspector I	6	2
Administrative Aide IV (Clerk II)	4	2
Administrative Section		
Records Officer II	14	1
Legal Assistant III	14	1
Data Controller IV	13	1
Data Controller III	11	1
Administrative Assistant II (Clerk IV)	8	1
Administrative Aide IV (Clerk II)	4	1
Administrative Aide III (Utility Worker)	3	1
Administrative Aide IV (Driver II)	4	1
Messenger I	2	1
TOTAL		28

SECTION 4. ORGANIZATION FUNCTIONS - To effectively and efficiently carry out its duties and responsibilities, the BPLO shall have the following functions.

- 4.1. Research, formulate policies and guidelines, coordinate and implement projects, activities and programs to stimulate economic activities, foster business growth and investment, achieve standard and safe labor practice and promote consumer and general public welfare;
- 4.2. Perform administrative functions for the BPLO in support of the general administrative function of the LGU on personnel development and professionalization, supply and asset management, budgeting and disbursements, systematic record/data management, general services management, policy enforcements, process review and improvement, maintenance of business establishment roster of negative list, and issuance/revocation of the business permit;
- 4.3. Facilitate and review business permit applications (new/renewal) pursuant to the local and national regulatory standards and the Local Revenue Code, as amended. Determine the category and line of business, including the review of the capitalization and or gross sales. Ensures the transparent, safe, efficient, client-centered business permit issuance and continuous improvement of the ease of doing business;
- 4.4. Examine the issued business permit vis-à-vis local and national regulatory and revenue code compliance. Conduct regular inspections of business establishment to review their documentation and actual physical operating condition. Recommend the citation and further investigation of the establishment to put on business negative list, and or revocation of the business permit
- 4.5. Facilitate and review occupational permits application (new/renewal) pursuant to the local and national regulatory standards and the Local Revenue Code, as amended. Maintain a roster and database of occupational permit issued. Determine the applicant's compliance to the work physical and mental regulatory requirement, revocation of the occupational permit if necessary. Ensures that local residents are given priority for work placement, including the conduct of inspection of standard and safe labor practice in the work workplace.
- 4.6. Provide facility and mechanism for consumer complaints. Review and attend to actionable consumer or public complaints against a business establishment. Facilitate the formal and actual physical visit and inspection of the business establishment. Recommends and facilitate legal actions necessary to ensure consumer rights and general public or other business's welfare;
- 4.7. Establish and maintain a fully integrated technology to support the BPLO functions, to facilitate clients' ease of doing business with the city/municipal government, to allow seamless data exchange with the regulatory offices, the Treasury and other related office. To adopt and regularly update modern technologies and latest trends in the business permit and licensing;
- 4.8. Ensure compliance to the Republic Act 7394 "Consumer Act", RA 10173 "Data Privacy Act of 2012", R.A. 8792 "E-commerce Law of 2000", R.A. 9485 "Anti-Red Tape Act of 2007", RA 10173 "Data Privacy Act of 2012" and the R.A. No. 11032 "Ease of Doing Business and Efficient Government Service Delivery Act of 2018", and their respective

Implementing Rules and Regulations, Issuances, and other business establishment related succeeding laws and issuances of the Republic of the Philippines.

SECTION 5. ORGANIZATION SECTIONS – To ensure focused attention, efficient and effective, check and balance, quality control and better services, the BPLO shall have the following sections.

5.1. Permits & Licensing:

- 5.1.1. Collect standard information of business permit application for new/renewal/retirement of business following local and national regulations and the revenue code, and maintain a registry thereof;
- 5.1.2. Conduct an interview of every application, review the documents, determine the category and line of business and the correct declaration of capitalization and or gross sale;
- 5.1.3. Perform the duties and adopt methodology that is transparent, safe, efficient, client centered, and regularly assess and improve the manner of service.

5.2. Standards & Examination:

- 5.2.1. Research, setup and recommend business establishment permit and licensing processes, information that is compliant to existing local and national regulations, including the setup of standards for the ease of doing business;
- 5.2.2. Perform regular field inspections of business establishments and its labor practice, and submit reports of finding and appropriate recommendations for citation, further investigation, tag as non-compliant (for the negative list) and or revocation of the business permit and or the occupational permit. This includes the duties of setting up a joint inspection team with other regulatory offices;
- 5.2.3. Examine the documentation submitted for the business permit and occupational permits, vis-à-vis the actual physical operating condition and the labor practice of the establishment. Monitoring the compliance of establishments to standards and regulations;
- 5.2.4. Establish a feedback or complaint facility for consumer complaint, workers and or issues on general public welfare. Determine the complaint if it is actionable or refer it to the appropriate agencies. Process the complaint and perform physical site visit and inspection of the establishment. Recommend and facilitate the necessary legal action to protect the consumers, the labor workforce and the general public.

5.3. Occupational Permit:

- 5.3.1. Collect standard information of occupational permit application for new/renewal/retirement of individual employees/workers for a specific establishment following the local and national regulations and the revenue code, and maintain a registry thereof;
- 5.3.2. Assess and determine the applicant's compliance to the regulatory requirement, revenue code and related ordinances. Ensures that the employee/worker are physically and mentally fit to work specific to the industry or type of business establishment. This includes ensuring that local residents are given priority for work placement and other economic opportunities;
- 5.3.3. Issue related certification hereof.

1

5.4. Administrative:

- 5.4.1. Research and establish general BPLO administrative and operational policies, and ensures enforcement thereof. Including facilitating and establishing new business permit and licensing, occupational permit issuances, and cooperation with other regulatory offices;
- 5.4.2. Perform general personnel administration, specific technical permit and licensing related personnel development, administrative function pertaining general services, supply and asset management, budgeting and disbursements, and systematic records/data management;
- 5.4.3. Conduct regular review of BPLO processes, and implement the necessary improvement thereof;
- 5.4.4. Issue and maintain the registries of the Business Permit and Occupational Permit;
- 5.4.5. Maintain the BPLO records, including the roster of business establishments under the negative list.

SECTION 6. APPROPRIATION – The operating funds of the BPLO shall be appropriated in Annual Executive Budget under the General Fund of the Municipality and other fund source subject to the approval of the Municipal Mayor and the Sangguniang Bayan.

SECTION 7. The positions and salaries of the staff of the BPLO shall be subject to the usual existing accounting and auditing rules and regulations, the Civil Service Commission (CSC) Guidelines and Qualifications Standards (QS).

SECTION 8. This Ordinance shall take effect upon its approval.

This Ordinance was enacted on motion of Hon. Reynaldo L. Bagayas, Jr. and unanimously seconded by the members present.


ENACTED: October 21, 2021.

CERTIFIED CORRECT:



LYDIA O. LASTIMOSA
Secretary to the Sanggunian

CERTIFIED AND ATTESTED TO HAVE
BEEN ENACTED IN OCTOBER 21, 2021:



MIGUEL D. DEMATA
Presiding Officer
Municipal Vice Mayor

APPROVED:



CLIVE D. QUINO
Municipal Mayor