

Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
21st City Council

PO21CC-322

49th Regular Session

ORDINANCE NO. SP- **2989**, S-2020

AN ORDINANCE AMENDING ORDINANCE NO. SP-2889, S-2019, ENTITLED "AN ORDINANCE PROVIDING FOR THE UNIFIED BARANGAY REVENUE CODE FOR ALL BARANGAYS OF QUEZON CITY, INCREASING THE MAXIMUM FEES FOR THE ISSUANCE OF BARANGAY CLEARANCE AND/OR PERMITS", THEREBY RECOMMENDING THE MAXIMUM FEES AND CHARGES OF BARANGAY CLEARANCES FOR DOING BUSINESS, PROVIDING GUIDELINES THEREFOR, AND FOR OTHER PURPOSES.

Introduced by Councilors FREDDY S. ROXAS, FRANZ S. PUMAREN and DONATO "Donny" C. MATIAS.

Co-Introduced by Councilors Bernard R. Herrera, Lena Marie P. Juico, Dorothy A. Delarmente, M.D., Tany Joe "TJ" L. Calalay, Nicole Ella V. Crisologo, Victor V. Ferrer, Jr., Winston "Winnie" T. Castelo, Atty. Bong Liban, Eden Delilah "Candy" A. Medina, Ramon P. Medalla, Mikey F. Belmonte, Estrella C. Valmocina, Kate Galang-Coseteng, Matias John T. Defensor, Wencerom Benedict C. Lagumbay, Jorge L. Banal, Sr., Peachy V. De Leon, Imee A. Rillo, Marra C. Suntay, Irene R. Belmonte, Resty B. Malañgen, Ivy L. Lagman, Hero M. Bautista, Jose A. Visaya, Karl Castelo, Patrick Michael Vargas, Shaira L. Liban, Ram V. Medalla, Allan Butch T. Francisco, Marivic Co Pilar, Melencio "Bobby" T. Castelo, Jr., Rogelio "Roger" P. Juan, Diorella Maria G. Sotto-Antonio, Eric Z. Medina and Noe Dela Fuente.

WHEREAS, the City Council enacted Ordinance No. SP-2889, S-2019, entitled "An Ordinance Providing for the Unified Barangay Revenue Code for All Barangays of Quezon City, Increasing the Maximum Fees for the Issuance of Barangay Clearance and/or Permits" (hereinafter, the "Ordinance");

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Section 1. Recommended Schedule of Maximum Fees and Charges of Barangay Clearances for Doing Business:

Category	Recommended Maximum Amount (PHP)
Group A - Generally regarded as micro-sized/individual businesses, e.g., pushcarts, street/market vendors, hawkers, sari-sari store, etc.	Php1,000.00
Group B - Generally regarded as small/neighborhood businesses, e.g., bakery/pandesal, water refilling, laundry, carinderia, etc.	Php2,000.00
Group C - Generally regarded as small to medium-sized businesses, e.g., professional firms, internet café, auto repair, health clinic, etc.	Php3,000.00
Group D - Generally regarded as medium-sized businesses e.g., pawnshop, restaurants, pharmacy, schools, etc.	Php4,000.00
Group E - Generally regarded as large businesses, e.g., shopping mall, supermarket, bank, hospital, etc.	Php5,000.00
Businesses not otherwise categorized	Php2,000.00

The Implementing Rules and Regulations of this Ordinance may provide details on the specific businesses under each general category. Also, the barangays may specify in their barangay revenue ordinances the businesses that they wish to include in each category, subject to the City's power of review under Section 57 of Republic Act No. 7160, known as the "Local Government Code of 1991."

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SECTION 3. Chapter II, Article VI, Section 2 of the Ordinance is hereby amended to read as follows:

“Section 2. For the time being, Barangay clearances and permits related to doing business shall be applied for, issued and collected at the respective barangays. Upon completion of the City’s centralized barangay collection system as determined by the Business Permits and Licensing Department, the barangay clearances and permits related to doing business shall be applied, issued and collected at the City Hall (and any duly designated City Government Branch Offices) in accordance with the prescribed processing time of Republic Act No. 11032 and its Implementing Rules and Regulations, provided, that the share in the collections shall be remitted to the respective barangays.”

SECTION 4. Chapter II, Article VI, Section 3 of the Ordinance is hereby amended to read as follows:

“Section 3. Rates for barangay clearances and permits for specific documents or activities, or for use of barangay facilities, shall be left to the sound discretion of each barangay, subject to the city’s power of review under Section 57 of Republic Act No. 7160, known as the Local Government Code of 1991.”

SECTION 5. The last three (3) sections of Chapter II, Article VI of the Ordinance are hereby renumbered as Sections 4, 5 and 6 respectively, and are hereby amended to read as follows:

“Section 4. Each barangay is reminded to adopt or update its own barangay revenue ordinance whenever necessary, provided, that the above schedules may be used as guide. Each barangay is urged to avoid exceeding the above recommended maximum fees. In addition to the foregoing fees, all other barangay fees, permits or charges provided in the barangay revenue ordinances of each barangays duly approved by the Sangguniang Panlungsod of Quezon City shall be deemed included herein, in accordance and consistent with existing ordinances and laws. Also, each barangay is urged to adopt a system of discounts or tiered fees, to give due consideration to economic hardship or socioeconomic status. This system may include a stepladder or graduated increase from year to year based on factors such as projected inflation rates, as may be further detailed in the Implementing Rules and Regulations of this Ordinance.

In any case, regardless of the specific fee schedule adopted by the barangay, each barangay must apply a particular tier or discount consistently across similarly situated business or applicants. The barangays are strictly enjoined to avoid arbitrary or whimsical application of any discounts.

Section 5. The barangay clearance and/or permit shall be granted for a period that shall expire on the anniversary date of issuance unless revoked or surrendered earlier. Any barangay clearance/permit issued prior to the effectivity of this Ordinance that provides an expiration date of the 31st of December shall be deemed to remain valid until the clearance or permit's anniversary date.

Section 6. The barangays may levy taxes, fees and charges on stores or retailers with fixed business establishments with gross sales or receipts in the preceding calendar year of Fifty Thousand Pesos (Php50,000.00) or less at a rate of 1% or Five Hundred Pesos (Php500.00) on such gross sales or receipts pursuant to paragraph a, Section 152, Article IV of R.A. No. 7160, otherwise known as the Local Government Code of 1991."

SECTION 6. Chapter III, Article IX of the Ordinance is hereby amended to read as follows:

"Article IX. IMPLEMENTING RULES AND REGULATIONS. - A Technical Working Group or Committee shall be created by the City Mayor to craft the Implementing Rules and Regulations (IRR) of this Ordinance, as amended. The IRR shall establish safeguard measures that shall ensure the proper implementation of this Ordinance and R.A. No. 11032 and its IRR, especially the regular and prompt remittance of the barangay fees and charges collected by the City Government and the monitoring of the compliances of business establishments."

SECTION 7. REPEALING CLAUSE. - Ordinance No. SP-2889, S-2019 is hereby amended accordingly. All other Ordinances, Resolutions, Implementing Rules and Regulations, Executive Orders, Memorandum Circulars and Administrative Orders or parts thereof which are inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE. - If any provision of this Ordinance is declared void or unconstitutional, the remaining portions shall not be affected and shall remain in full force and effect.

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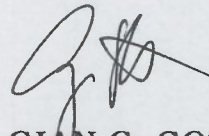
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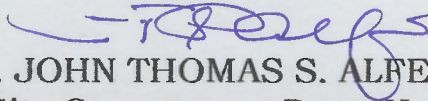
SECTION 9. EFFECTIVITY CLAUSE. - This Ordinance shall take effect upon its publication for three (3) consecutive days in a newspaper of local circulation, in accordance with Section 188 of R.A. No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED: December 1, 2020.



GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

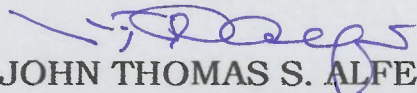
APPROVED: DEC 1 8 2020



MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on December 1, 2020 and was PASSED on Third/Final Reading under Suspended Rules on the same date.



Atty. JOHN THOMAS S. ALFEROS III
City Government Dept. Head III

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