



Republic of the Philippines  
**QUEZON CITY COUNCIL**  
 Quezon City  
 18<sup>th</sup> City Council

PR2011-319

44<sup>th</sup> Regular Session

RESOLUTION NO. SP- 5378, S-2011

*A RESOLUTION URGING THE CONGRESS OF THE PHILIPPINES TO AMEND SECTION 152 (C) OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, SO AS TO DEFINE WHAT IS REASONABLE AS THE BASIS IN THE IMPOSITION AND COLLECTION OF BARANGAY CLEARANCE FEE.*

*Introduced by Councilors GODOFREDO T. LIBAN II, ALEXIS R. HERRERA, PRECIOUS HIPOLITO CASTELO, JULIENNE ALYSON RAE V. MEDALLA, RODERICK M. PAULATE, EDCEL B. LAGMAN, JR., JESSICA CASTELO DAZA, JESUS MANUEL C. SUNTAY, ALFREDO D. VARGAS III, RANULFO Z. LUDOVICA, EUFEMIO C. LAGUMBAY, ALLAN BENEDICT S. REYES, RAQUEL S. MALAÑGEN, EDEN "Candy" A. MEDINA, JULIAN ML. COSETENG, ANTHONY PETER D. CRISOLOGO and RICARDO T. BELMONTE, JR.*

*WHEREAS, under Section 152 (c) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, a barangay is authorized to issue barangay clearance for any business or activity that may be conducted within its jurisdiction and to collect a reasonable fee for the issuance thereof, as follows;*

*"Section 152. Scope of Taxing Powers. - The barangays may levy taxes, fees and charges, as provided in this Article, which shall exclusively accrue to them:*

*(a) Taxes -x-x-x-x-x-x-x-x-x-x*

*(b) Service Fees or Charges -x-x-x-x-x-x-x-x-x-x*

*[Handwritten signatures]*

(c) *Barangay Clearance* – No City or Municipality may issue any license or permit for any business or activity unless a clearance is first obtained from the barangay where such business or activity is located or conducted. For such clearance, the *sangguniang barangay* may impose a reasonable fee. The application for clearance shall be acted upon within seven (7) working days from the filing thereof. In the event the clearance is not issued within the said period, the city or municipality may issue the said license or permit.

(d) *Other Fees and charges -x-x-x-x-x-x-x-x-x-x"*

WHEREAS, the Local Government Code does not, however, define what is reasonable as the basis in the collection of such fee;

WHEREAS, in the absence of the definition, this power has been abused by so many barangays by indexing the fee to capitalization and gross receipts among others, to the detriment of the taxpayers;

WHEREAS, to avoid further confusion in the exercise of this barangay taxing power, there is now a need to amend the law for the guidance and benefit of all the parties concerned.


NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED, to urge, as it does hereby urge the Congress of the Philippines to amend Section 152 (c) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, so as to define what is reasonable as the basis in the imposition and collection of barangay clearance fee. X


*(Handwritten signatures and initials)*

*RESOLVED, FURTHER, to furnish the copy of this resolution to the City Mayor of Quezon City, Honorable Herbert M. Bautista, the Speaker of the House of Representatives, Honorable Feliciano Belmonte, Jr., and the Senate President, Honorable Juan Ponce Enrile.*

*ADOPTED: November 28, 2011.*


  
MA. JOSEFINA G. BELMONTE  
Vice Mayor  
Presiding Officer

*ATTESTED:*

  
Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept. Head III

*CERTIFICATION*

*This is to certify that this Resolution was APPROVED by the City Council on Second Reading on November 28, 2011 and was CONFIRMED on December 5, 2011.*

  
Atty. JOHN THOMAS S. ALFEROS III  
City Gov't. Asst. Dept. Head III 